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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3091/20**

**Application for Leave to Appeal** against the decision of the planning authority by WDCY Eastwall Limited care of Emma Pillion Planning of Fardrum, Athlone, County Westmeath having an interest in land adjoining the land in respect of which Dublin City Council decided on the 18<sup>th</sup> day of March, 2021 to grant subject to conditions a permission to MKN Property Group care of John Spain Associates of 39 Fitzwilliam Place, Dublin.

**Proposed Development:** The proposed development will comprise the demolition of two existing vehicle sales commercial buildings and the construction of a mixed-use scheme, developed in three blocks over basement, consisting of Block A: a fifteen-storey hotel building, with a maximum height of 52.7 metres. Block A will comprise 195-bedroom suites, conference facilities, a restaurant/bar/lounge, ancillary facilities and substation. The gross floor area of Block A is 6,471 square metres including 238 square metres at basement level; Block B: eight-storey mixed-use building, with a maximum height of 29.4 metres. Block B will comprise cafe/retail unit (gross floor area 219 square metres), (allowing for take-away service) and residential amenity space and substation on the ground floor with vehicular access to the basement, six number office units over the first to third floors (gross

floor area 1,674 square metres) and 28 number build-to-rent apartments over the fourth to seventh floors. The apartments will comprise 16 number one-bed units and 12 number two-bed units. Balconies serving residential units shall be provided on all elevations.

**Block C:**

10-storey apartment building with a maximum height of 33 metres. Block C will comprise 60 number build-to-rent apartments consisting of one number studio, 29 number one-bed units and 30 number two-bed units. Balconies serving residential units shall be provided on all elevations. Together, Block B and Block C will provide 88 number build-to-rent apartments.

**Basement:**

The basement serving the three blocks will provide 45 number car parking spaces, 100 bicycle parking spaces, ancillary hotel and ancillary residential facilities. Access shall be provided to the three blocks via the basement and externally at ground floor level.

The proposed scheme will have vehicular and pedestrian access from East Wall Road, a drop-off area to serve the hotel and associated changes to the public footpath, fire tender egress to the east of Block B and pedestrian access from Alfie Byrne Road, and landscaping. The site will also include an urban plaza, riverside walkway with railing, play area and 60 bicycle spaces located at surface level. Photovoltaic panels and ancillary plant shall be provided at roof level.

The proposed development will include signage, roof plant, photovoltaic panels and all associated site works, including connections to services. The gross floor area of the proposed development shall be 15,266 square metres plus 2,529 square metres basement, on a site area of 0.38 hectares. The net site area is 0.34 hectares; all at the existing commercial premises at the Junction of East Wall Road and Alfie Byrne Road, on East Wall Road, Dublin.

## Decision

**REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.**

## Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

  
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**Michelle Fagan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this **7<sup>th</sup>** day of **May** 2021.

