



An
Bord
Pleanála

Board Direction
BD-001481-18
ABP-301816-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on October 30th 2018.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the existing scale of the existing public house/restaurant at 48/49 Wellington Quay, and the extent of additional floorspace that is envisaged for such use at numbers 1 – 4 Merchant's Arch, it is considered that the proposed development would lead to a significant intensification of the existing use, and that a licensed premises of this significant scale would have a detrimental impact on the historic fabric and character of the subject site and of the local area. Furthermore, having regard to the resultant expansion of the public house/restaurant use into Merchant's Arch and Temple Bar Square, it is considered that the proposed development would lead to an over concentration of licensed premises in this area of the city, which it is the policy of the planning authority to discourage and restrict, and would lead to conditions that would seriously injure the residential amenities of existing residents in the area, by reason of additional levels of noise and disturbance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the protected structure status of nos. 48/49 Wellington Quay, a building of significant historical importance and architectural character, it is considered that the proposed development would be contrary to sections 11.1.5.3 and 11.1.5.4 of the Dublin City Development Plan 2016 – 2022, where it is the policy of the planning authority to discourage any development which does not relate sensitively to, and complement the special character of, a protected structure. This policy is considered to be reasonable and in accordance with national policy in relation to Architectural Heritage Protection. The proposed merging of two or more units or buildings into one unit or building at ground and / upper floor level through the demolition of dividing walls or the provision of interconnecting doors or entranceways can only be permitted in exceptional circumstances, and it is considered that, in this instance, no such exceptional circumstance to warrant such intervention has been proven. In addition, it is considered that the proposed link between 48/49 Wellington Quay and Number 4 Merchant's Arch at ground floor, through the historic elliptical staircase, which is an important part of the special interest and character of the protected structure, would cause serious injury to the plan form of the staircase hall as well as negatively impacting on the clarity of the architectural space of the elliptical staircase hall concerned. The proposed development would, therefore, have a detrimental impact on the essential qualities of the protected structure, thereby materially affecting its character, would conflict with the policies of the Dublin City Development Plan 2016 – 2022, and would be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 30th October 2018

Philip Jones