

**An
Bord
Pleanála**

**Board Direction
BD-015922-24
ABP-315733-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25/03/2024.

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

Reasons and Considerations

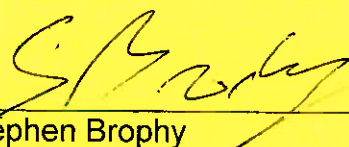
Having regard to the Z5 zoning and proposed uses, the Board is not satisfied that the loss of retail and the provision of an additional restaurant with associated licence would not negatively impact and further erode the variety and diversity of retail within the designated Temple Bar cultural and artistic quarter. The proposed licensed restaurant, therefore, would not accord with the Z5 objective afforded to the subject site, to provide a mix of uses in an area where there is already a significant quantum of restaurants and licensed premises and does not accord with Objective CU017 which seeks to protect the variety and diversity of retail or Objective CUO18 which seeks to avoid the overconcentration and further expansion of licensed premises within the Temple Bar Cultural Hub & Quarter.

The development as proposed would result in the loss of available retail space in Temple Bar and would therefore set an undesirable precedent for similar type development and would contravene the provisions of the current Dublin City Council Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to Section 15.14.3 of the Development Plan and given the proximity to a number of existing guesthouses and tourism related accommodation within Temple Bar, the Board is not satisfied that the proposed tourist accommodation use accords with the Z5 zoning objective which seeks to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity. On the basis of the material on file and submitted justification, the Board was not satisfied that the provision of a restaurant with licence and guest accommodation would not result in the concentration of a particular use which would reinforce particular activities in the area which it is the policy of the planning authority to discourage and restrict, to the detriment of the cultural, residential and social functions of the area, and considered that the proposed use could have a detrimental impact on the character of the area and has the potential to seriously injure the residential amenities of existing residents in the area by reason of additional levels of noise and disturbance. The development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Notwithstanding the commitments in the appeal submission to the Board dated the 8th of February 2023, the Board is not satisfied that the proposed interventions required to accommodate the guesthouse use respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials. The development as proposed would, therefore, contravene Policy BHA2 of the Dublin City Council Development Plan 2022-2028, and would be contrary to the proper planning and sustainable development of the area.

Board Member



Stephen Brophy

Date: 25/03/2024