An Coimisiún Pleanála

Commission Direction
CD-001441
PL-501846-DS-26

The submissions on this file and the Inspector's report were considered at a meeting held on 21 October 2026.

The Commission 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 site location, the zoning objectives for the site and the scale and appearance of the structures, it is considered that the retention of the flags and flagholders would seriously injure the character and appearance of the O'Connell Street and Environs Architectural Conservation Area and would adversely affect the setting of the adjoining Protected Structure, contravening Policies BHA2(a) and (d), BHA7(a) and (b), and BHA9 of the Dublin City Development Plan 2022-2028. The proposed flags would create an undesirable precedent for similar development and would undermine the Z5 zoning objective. Furthermore, the retention of the outdoor seating structure with its associated canopy and venue identification signage, particularly in the context of the objectives of the O'Connell Street and Environs Scheme of Special Planning Control (2022) which seeks to reduce visual clutter and incorporate the highest standards of shopfront design, would result in a development that would adversely impact on the visual amenities of the area. The development proposed for

retention would, therefore, be contrary to the proper planning and sustainable development of the area.

Note (to be included in the Order) The Commission also noted that the applicant had previously obtained a street furniture licence under the provisions of S.254 of the Act (circa. 2013 to 2020), which relates to the granting of a licence of an ourdoor seating area on a public footpath. The Commission considered that insufficient information has been provided with regard to the change in circumstances of legal interest of the applicant to seek retention of planning permission of the outdoor seating area, rather than a licensing application. However having regard to the substantive grounds of appeal the Commission decided not to pursue the matter.

Planning Commissioner:

Paul Caprani

Date: **21st day of October 2026**