

# n Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dublin City**

**Planning Register Reference Number: 3802/16**

An Bord Pleanála Reference Number: PL 29S.247728

**APPEAL** by SLJ Limited care of CDP Architecture of 4 The Mall, Main Street, Lucan Village, County Dublin against the decision made on the 18<sup>th</sup> day of November, 2016 by Dublin City Council to refuse permission for development comprising three number awnings at ground floor level over the two existing windows and main entrance door and permission is sought to include restaurant use as an ancillary use to the previously approved wine/spirits bar area at ground floor under planning register reference number 3364/14 and permission is sought to extend existing kitchenette at first floor level from 4.2 square metres to 12.7 square metres and relocate the two number WC's from first to ground floor level all within the existing rear annex and all associated site works at number 10 Saint Stephen's Green North, Dublin (a Protected Structure, Dublin City Council RPS number 7768) in accordance with the plans and particulars lodged with the said Council.

## **DECISION**

**GRANT** permission for restaurant use as an ancillary use to the previously approved wine/spirits bar area at ground floor under planning register reference number 3364/14 in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. **REFUSE** permission for three number awnings at ground floor level over the two existing windows and main entrance door based on the reasons and considerations marked (2) under.

## 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 (1)

Having regard to the nature and scale of the proposed development, the current use of the site, the planning history of the site and the policies of the current Dublin City Development Plan including the site's Z5 zoning objective, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not have a negative impact on the character and setting of the protected structure and the Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars submitted to An Bord Pleanála on the 15<sup>th</sup> day of December, 2016, except as may otherwise be required in order to comply with the following conditions and with Reasons and Conditions (2) set out below.

**Reason:** In the interest of clarity.

2. The proposed restaurant use shall be ancillary to the main wine/spirits bar as permitted under An Bord Pleanála appeal reference number 29S.246412.

**Reason:** In the interest of clarity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

## **REASONS AND CONSIDERATIONS (2)**

Number 10 Stephen's Green is a significant 19<sup>th</sup> Century protected structure on a prestigious site within the historic core of the City fronting on to the Renaissance Square of Saint Stephen's Green. The proposed development comprising the erection of new awnings would visually distract from the surviving historic character of the building, would be contrary to the policies and objectives of the Architectural Conservation Area and Scheme of Special Planning Control. The proposed awnings constitute insensitive development that would be contrary to Policy CHC2 of the Dublin City Development Plan 2016-2022, which seeks to ensure that the special interest of protected structures is maintained and that new development conserves and enhances protected structures and their curtilage. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2017.**