



An
Bord
Pleanála

Board Order
ABP-310669-21

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2617/21

APPEAL by Harry Street Company Limited care of John O'Neill and Associates of 1 Irishtown Road, Dublin against the decision made on the 14th day of June, 2021 by Dublin City Council to refuse permission.

Proposed Development: The development will consist of a glazed canopy (2838 millimetres by 13050 millimetres) fixed to the front of the building (a Protected Structure) at first floor level to overhang at a height 2580 millimetres above the existing pavement seating on the pedestrian section of Harry Street. Building is located at junction of Harry Street (pedestrian section) and Swan Yard to end of Chatham Lane (road). Main access from Harry Street, all at Bruxelles Bar, 7/8 Harry Street, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with 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

1. Having regard to provision of a permanent structure over the public realm on Harry Street, the full extent of the street having been taken in charge by Dublin City Council, and its impact on maintenance requirements and potential impact on service vehicular access, it is considered that the proposed development would adversely impact the operation of the public street and would permanently overhang the taken in charge public footway and road. The proposed development would set an undesirable precedent for similar type developments in the area, and across Dublin City and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed permanent canopy fixed to the front façade of this protected structure would seriously injure its historic fabric, would be visually obtrusive and would constitute an insensitive form of development. The proposal would seriously impact the architectural character and setting of this Protected Structure and would, therefore, set an undesirable precedent for similar type development. The proposed development would, therefore, be contrary to the provisions of the Policy CHC2 (d) of the Dublin City Development Plan 2016-2022 and to the proper planning and sustainable development of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this *27th* day of *October* 2021

