

An
Bord
Pleanála

Board Order
ABP-315089-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4722/22.

Appeal by Crofray Ireland trading as Kingdom of Sweets care of Savills, 33 Molesworth Street, Dublin against the decision made on the 18th day of October, 2022 by Dublin City Council to refuse a permission for the proposed development.

Proposed Development: Removal of unauthorised ground floor shopfront fascia board and signage; installation of new ground floor shopfront fascia board and individually mounted non-illuminated acrylic lettering signage; painting of existing shopfront surround grey; and all associated works, Protected Structure, at 15 Westmoreland Street, Dublin, a structure included on the Dublin City Council's Record of Protected Structures (Reference: 8540) and located within the O'Connell Street & Environs Scheme of Special Planning Control (2016).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

The application site is zoned to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity in the Dublin City Development Plan 2022-2028. The proposed development comprises a shopfront to a protected structure in an area designated an Architectural Conservation Area and subject to a scheme of special planning control. Having regard to the pattern of development in the area, including retail and entertainment uses with associated signage, and subject to compliance with the conditions set out below, it is considered that the proposed shopfront would not seriously injure the visual amenity of the protected structure or the Architectural Conservation Area, would not be out of character with adjoining uses and would otherwise accord with the provisions of the development plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

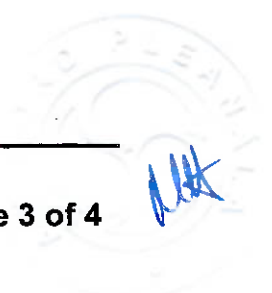
Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed shopfront shall be in accordance with the following requirements:-
 - (a) The sign shall be restricted to a single fascia sign using sign writing or individually mounted lettering;
 - (b) no awnings, flags, canopies or projecting signs or other signs shall be erected on the premises without a prior grant of planning permission;
 - (c) external roller shutter shall not be erected on the shopfront, any internal shutter shall be only of the perforated type, coloured to match the shopfront colour; and
 - (d) no adhesive material shall be affixed to the windows (inside or outside) or the shopfront.

Reason: In the interest of visual amenity



3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Martina Hennessy

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

Dated this 28th day of November 2023.