



An
Bord
Pleanála

Board Order ABP-319075-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: SF 128/23

Appeal by Bewley's Café Grafton Street Limited of 78-79 Grafton Street, Dublin against the decision made on the 5th day of July, 2023 by Dublin City Council to refuse a licence.

Licence Application: Section 254 street furniture licence application for eight tables, 16 seats and four screens on public footpath to front of premises at Bewley's Café, 78-79 Grafton Street, Dublin.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to **GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the grounds of appeal, the modest scale of the proposed outdoor seating area measuring 27 square metres (projecting 2,700 millimetres into the street), the status of Bewley's Café, as set out in Policy Objective Policy BHA04 (The Bewley's Oriental Café), Chapter 11 (Built Heritage and Archaeology) of the Dublin City Development Plan 2022-2028, to be a use that contributes significantly to the special and unique character of Grafton Street, it is considered that, subject to compliance with the conditions set out below, the proposal would be consistent with the Scheme of Special Planning Control for Grafton Street and Environs (2019) as it would enhance the presence of an iconic historic land use on Grafton Street, would positively contribute to the special character of the street, would comply with the criteria set out in Section 15.17.4 (Outdoor Seating and Street Furniture) of the Dublin City Development Plan 2022-2028, would not pose an unacceptable risk to road users and would, therefore, be consistent with the proper planning and sustainable development of the area.

CONDITIONS

1. This licence shall apply for a period of three years from the date of this Order. The street furniture including any ancillary structures shall then be removed unless, prior to the end of this period, continuance shall have been granted for retention for a further period.

Reason: To enable the impact of the development to be re-assessed.

2. The proposed seating area shall be marginally reduced in width so that the tables, chairs and screens do not encroach on the rainwater channel. The proposed street furniture shall be stored indoors during times the furniture is not permitted to be on the street, that is, outside the hours of operation. The hours of operation shall be 1100 to 2000 hours.

Reason: In the interest of orderly development.

3. The screens shall be a plain colour or neutral canvas type, be more than one metre high and no advertising apart from the name of the premises shall be used on the screens without the prior permission of the planning authority.

Reason: In the interest of the visual amenities of the area.



Joe Boland

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

Dated this 4TH day of September 2024.