

An
Bord
Pleanála

**Board Order
ABP-320915-24**

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3977/24

Appeal by Benqueues Limited care of O'Keeffe Architects Limited of Suite 1, The Avenue, Beacon Court, Bracken Road, Sandymount, Dublin against the decision made on the 30th day of August, 2024 by Dublin City Council to refuse permission for development comprising Permission and Retention for development at this site. The development will consist of: (a) on the Crown Alley façade, the retention of the illuminated "Bad Ass" fascia sign; (b) on the Crown Alley façade, the replacement on the fascia sign of the 2D black lettering "Guinness" and "Temple Bar" with new 3D lettering; (c) on the Temple Bar Square façade, the removal of the illuminated signage comprising a gold harp/the words "Bad Ass" and its replacement with whole new fascia and associated signage, and (d) on the Temple Bar Square façade a new metal screen to replace the existing roller shutter to the stairwell all at Bad Ass Café (Protected Structure), 9-11 Crown Alley, Temple Bar, Dublin and Unit 2/3, Temple Bar Square, Dublin in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for (b) on the Crown Alley façade, the replacement on the fascia sign of the 2D black lettering "Guinness" and "Temple Bar" with new 3D lettering; and (d) on the Temple Bar Square façade a new metal screen to replace the existing roller shutter to the stairwell 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 (a) on the Crown Alley façade, the retention of the illuminated "Bad Ass" fascia sign; and (c) on the Temple Bar Square façade, the removal of the illuminated signage comprising a gold harp/the words "Bad Ass" and its replacement with whole new fascia and associated signage based on the reasons and considerations marked (2) under

Reasons and Considerations (1)

Having regard to the location of the Temple Bar Square facade at the southern side of the said Square and within a Conservation Area, and to the subject unit forming part of a coherent wider frontage formed by the 'Grafton Architects' Building 1995', it is considered that the modified proposals for the western module of this facade would be sufficiently sympathetic to the character and appearance of the Conservation Area in which it is located and Protected Structures in the immediate vicinity, and would be sufficiently faithful to the original design concept for the overall host building. The modified proposals would, therefore, be consistent with the following Development Plan provisions: the Zoning Objective for 'Zone Z5 City Centre'; Policy BHA9 (Conservation Areas); and Policy CCUV12 (Shopfront Design).

Having regard to the Protected Structure status of the Crown Alley building and its location within a Conservation area, and to the variety of shopfronts and colourful elevational treatments on Crown Alley, particularly on its western side, on which side the subject unit is located on, it is considered that the modified proposals would be sufficiently sympathetic to the character and appearance of the Protected Structure and Conservation Area. The modified proposals would therefore be consistent with the following development plan provisions: the Zoning Objective for 'Zone Z5 City Centre'; Policy BHA2 (Protected Structures); Policy BHA9 (Conservation Areas); Policy BHA24 (Re-use and Refurbishment of Historic Buildings); and Policy CCUV12 (Shopfront Design).

These elements of the proposed development, subject to compliance with the conditions set out below would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of September 2024, 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. No additional advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the building unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

3. The fascia detailing for the Temple Bar Square facade is hereby permitted for the western module of the facade only and the said fascia works shall be provided in accordance with the modified details submitted with the appeal, subject to the following:
 - (a) the exposed steel frame of the original building shall be fully exposed and painted in colours, details of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development; and
 - (b) the proposed teal colour for the proposed tricoya sheeting is not hereby permitted. The sheeting shall be painted in colours, details of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to clarify the terms of the permission.

4. The fascia detailing for the Crown Alley facade shall be provided in accordance with the modified details submitted with the appeal, subject to the following:

- (a) The dimensions of the proposed 'Temple Bar' and 'Guinness' lettering, which lettering may be provided in the form of 3D individual lettering or traditional painted sign-writing, shall generally be in accordance with the details submitted with the application.
- (b) The dimensions of the proposed Harp logo shall generally be in accordance with the details submitted with the appeal and shall be provided in the form of traditional painted sign-writing.

Prior to the commencement of development, revised details providing for compliance with these requirements shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of visual amenity and to clarify the terms of the permission.

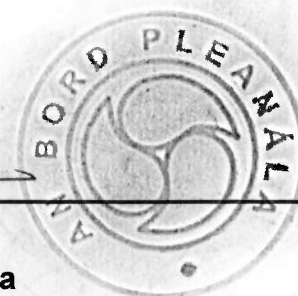
Reasons and Considerations (2)

Having regard to the size and scale of the lettering, together with the variation on font and non-alignment of lettering on the fascia board and character and colouration of the proposed 'Bad Ass' lettering on the Temple Bar Square elevation and the Crown Alley elevation, it is considered that the said lettering would be an over-dominant feature on the façade of the Crown Alley elevation and the Temple Bar Square Elevation. The proposed lettering would thereby be unsympathetic to the character of the area and contrary to the guidelines for fascia treatment set out in Dublin City Council's 'Shopfront Design Guide', and detrimental to the character of the Conservation Area in this vicinity. The development would be contrary to Policy BHA9 and Section 15.15.2.2, Chapter 15 Design Standards (Conservation Areas); and Policy CCUV12 (Shopfront Design) of the Dublin City Development Plan, 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.



Paul Caprani

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



Dated this 19th day of March 2025.