



An  
Bord  
Pleanála

## Inspector's Report

### ABP-305920-19

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<b>Development</b>	The placement of street furniture outside public house.
<b>Location</b>	The Pillar Bar, 24-25 Westmoreland Street, Dublin 2.
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	SF/520
<b>Applicant(s)</b>	Declan Doyle
<b>Type of Application</b>	Licence Application
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Declan Doyle
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	9 <sup>th</sup> March 2020
<b>Inspector</b>	Irené McCormack

## 1.0 Site Location and Description

- 1.1. The site is located at the junction of Westmoreland Street and D'Olier Street opposite O'Connell Bridge overlooking the River Liffey. The site is located on the pedestrian plaza area to the front of the Pillar Bar.
- 1.2. Access to the Pillar Bar is provided via Westmoreland Street and D'Olier Street. The site is located in the City Centre and both Westmoreland Street and D'Olier Street are heavily trafficked in terms of vehicular and pedestrian movements. There is a Luas Stop approximately 6m south of the site on Westmoreland Street. The footpath to the south of the site adjacent to the Luas Stop is relatively narrow as a result. The footpath on D'Olier Street is approx. 4.5m wide fronting the site. The road is flush with the footpath on both sides save at the Luas Stop.
- 1.3. My site visit was carried out at 1pm and my observations were that the road and footpaths were heavily trafficked.

## 2.0 Proposed Development

- 2.1. The appeal relates to the placement of 4 tables and 8 chairs in an area measuring 13.5sqm on the public footpath outside The Pillar Bar.

## 3.0 Planning Authority Decision

### 3.1. Decision

REFUSE permission on the grounds that the placing of street furniture on the footpath at this location would cause an obstruction to pedestrians and to the LUAS service.

#### 3.1.1. Planning Reports

Roads and Traffic Planning – Recommendation to refuse – proposal would constitute a hazard to pedestrians using this busy street and set an undesirable precedents on the surrounding busy streets.

Planning and Development – Given the width of the public footpath at this location the proposed seating is considered acceptable.

Dublin Fire Brigade – No objection. The seating location does not to obstruct or reduce width of escape route from building or adjoining buildings.

An Garda Siochana – Objection on the grounds of public safety , with patrons congregating and the spilling out onto the Luas tracks.

## 4.0 **Planning History**

Site

DCC Reg. Ref. SF 438 – Licence Application refused for tables and Chairs in 2016 measuring 9.6sqm on the public footpath outside 24-25 Westmoreland Street , Dublin 2 on the grounds that placing street furniture at this location would cause an obstruction to pedestrians.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

Dublin City Development Plan 2016-2022

- 5.1.1. Land use zoning – objective Z5 which seeks to “consolidate and facilitate the development of the central area, to identify, reinforce, strengthen and protect its civic design character and dignity”.
- 5.1.2. Site is located in O’Connell Street Architectural Conservation Area and O’Connell Street Special Planning Control Scheme.
- 5.1.3. Development Management Standards - S.16.30 Street furniture

### 5.2. **Natural Heritage Designations**

None

### 5.3. **EIA Screening**

The proposed development is not of a class for the purpose of EIAR. The nature and scale of the development would not result in a real likelihood of significant effects on the environment.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

- It Is set out that the earlier street furniture application was refused in terms of proximity to the Luas Stop. For this reason, the current application specifically

stayed within the building line of Westmoreland Street and D'Olier Street to avoid such congestions.

- It is set out that from on the ground observations the principle flow of pedestrian traffic is not between Westmoreland Street and D'Olier Street but between Westmoreland Street and O'Connell Street and Burgh Quay.
- It is set out that in 2017 the previous right turning movement from Westmoreland Street into Dolier Street was pedestrianised resulting in the creation of a significantly large pedestrian area which alleviates any perceived pressure on the proposed location of street furniture.

## 6.2. Planning Authority Response

None.

## 7.0 Assessment

- 7.1. The reason for refusal primarily relates to the fact that the placing of street furniture on the footpath at this location would cause an obstruction to pedestrians and to the Luas service as the proposed street furniture is located along a desire line for pedestrians in this area using bus stops, Luas stops and Dart stations. I note the argument put forward by the applicant with regards the extensive pedestrian area at this location alleviating any perceived pressure on the proposed location of street furniture. However, I do not agree with the applicant's assertion that that principle flow of pedestrian traffic is not between Westmoreland Street and D'Olier Street but between Westmoreland Street and O'Connell Street and Burgh Quay. The site is centrally located opposite O'Connell Bridge overlooking the River Liffey at a major pedestrian intersection linking O'Connell Street with College Green and Grafton Street, in addition to connecting public transport routes.
- 7.2. My onsite observations indicated that area, in particular, Westmoreland Street was heavily trafficked in terms of pedestrian movement and the 4.8m depth of the seating area with screen panels at this location in proximity to the Luas Stop would further reduce the width of the footpath at this location along the pedestrian desire line so as to impact of the primary function of the street to provide for passage of movement and would represent a barrier/obstacle at the junction of Westmoreland Street and

D'Olier Street. These concerns are shared raised by the Roads Departments of the planning authority.

- 7.3. I further note that An Garda Siochana has expressed concern on the grounds of public safety and the potential for patrons congregating and the spilling out onto the Luas tracks. The seating area is located within 5m of the Luas track and I would share the concerns expressed by An Garda Siochana in this regard.
- 7.4. The site is a prominent city centre location in a designated Architectural Conservation Area. Street furniture should in essence contribute to the street scene and help contribute to a 'sense of place' . The design and finishes proposed, and the associated advertising has no regard to the architectural heritage of the area. I consider the proposed development would represent a visual intrusion at this location and contrary to Section 16.30 of the Developemt Plan.

## 8.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

The proposal to place 4 tables, 8 outdoor chairs and windbreakers in close proximity to the Luas Stop would reduce the width of the footpath at this location along the pedestrian desire line so as to impact of the primary function of the street to provide for passage of movement and would represent a barrier/obstacle at the junction of Westmoreland Street and D'Olier Street and cause an obstruction to pedestrians in this area using bus stops, Luas stops and Dart stations. The proposal would also represent a visual intrusion at this location in a designated Architectural Conservation Area and would be contrary to Section 16.30 of the Dublin City Developemt Plan 2016-2022. As such the proposal would be contrary to the proper planning and development of the area.

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Irené McCormack  
Planning Inspector

10<sup>th</sup> March 2020