



An
Bord
Pleanála

Inspector's Report ABP 307148 - 20

Development	Installation of an ATM machine in shopfront window.
Location	40 South Great George's Street Dublin 2.
Planning Authority	Dublin City Council
P. A. Reg. Ref.	2056/20
Applicant	Euronet 360 Finance Ltd. (Irish Branch).
Type of Application	Permission.
Decision	Refuse Permission.
Type of Appeal	First X Refusal
Appellant	Euronet 360 Finance Ltd. (Irish Branch).
Date of Site Inspection	5 th July, 2020.
Inspector	Jane Dennehy

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Report	3
3.4. Prescribed Bodies	4
4.0 Policy Context.....	4
4.1. Development Plan.....	4
5.0 The Appeal	5
5.1. Grounds of Appeal	5
5.2. Planning Authority Response	6
6.0 Assessment	6
7.0 Recommendation.....	8
8.0 Reasons and Considerations.....	8

1.0 Site Location and Description

- 1.1. No 40 South Georges Street is within a three storey plus attic level building on the eastern site of Georges Street with retail use at ground floor level and apartments (Wicklow Court) on the upper floors. The ground floor level at the subject building is the premises of “The All American Laundrette”.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for installation of an ATM machine in the shopfront window at the northern end of the frontage, adjacent to the entrance to the apartment development. The glazing for the panel adjacent to the entrance door is to be removed and replaced with proposed ATM installation which rises 1760 mm above the level of the footpath and has a width of 1075 mm. The ATM machine to be inserted is 1200 mm x 500 mm.

3.0 Planning Authority Decision

3.1. Decision

By order dated, 10th March, 2020, the planning authority decided to refuse permission based on the following reason:

“The development proposed would represent a substandard design in combination with the current shopfront and would appear visually incongruous and would therefore have a detrimental impact on the historic streetscape within the South City Retail Quarter Architectural Conservation Area. As such it would be contrary to Section 16.31 and Policies CHC1 and CHC4 of the Dublin City Development Plan, 2016-2022. Therefore it is considered that the ATM is unacceptable and would not be in accordance with the proper planning and development of the area.”

3.2. Planning Authority Report

- 3.2.1. The planning officer in his report states that there is no justification or need for the ATM in the shopfront as there are several ATM facilities in the locality, including one

in the shopfront window on the front façade of No 19 South Great Georges Street (Dunnes Stores.)

- 3.3. He considers that the proposed development would be detrimental impact on the shopfront which he describes as “already part closed”, the streetscape and the ACA. Reference is also made to heavy footfall and potential for disturbance due to proximity to a bus stop and entrance to the apartment development.

3.4. **Prescribed Bodies**

Transportation Infrastructure Ireland in a submission dated, 4th February, 2020 indicates a recommendation for inclusion of a Section 49 Supplementary Development Contribution condition if permission is granted unless the proposed development is exempt from the scheme.

4.0 **Policy Context**

4.1. **Development Plan**

- 4.1.1. The operative development plan is the Dublin City Development Plan, 2016-2022 according to which comes within an area subject to the zoning objective: Z5: ‘to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity’
- 4.1.2. The location comes within the area of the ‘South City Retail Quarter Architectural Conservation Area’.
- 4.1.3. Section 16.13 provides for policies objectives and guidance for ATM installations which include protection of the character of the building or shopfront in which the ATM is to be installed if located at a protected structure, Conservation Area or Architectural Conservation area.
- 4.1.4. Policy CHC4 provides for protection of the special interest and character of Dublin’s Conservation Areas. Guidance is set out in section 11.1.5.4 according to which there is a request that development contribute positively to the character and distinctiveness of the conservation area and that development should take

opportunities to protect and enhance the special and appearance of the area and its setting in so far as is possible.

- 4.1.5. Policy CHC1 provides for preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscape and the sustainable development of the city.

5.0 The Appeal

5.1. Grounds of Appeal

- 5.1.1. An appeal was received from KRA Associates on behalf of the applicant on 6th May, 2020 the contents of which include several extracts from the CDP, photographs and a description of Euronet, as a provider of an ATM network on a 24/7 basis with a focus on tourist destination where there are high traffic pedestrian zones and facilities. throughout Europe on behalf of banks and other financial institutions on behalf of banks. In the appeal a modification is also included for consideration as a means of addressing the planning authority's concerns.

- 5.1.2. The appeal grounds are outlined below.

- The glazing is to be cut to install the machine with a colour scheme matching the shopfront and with no architectural alteration or damage to the existing structure. The installation in the shopfront is reversible involving reinstallation of a glass in the window frame. In addition, to ameliorate the planning officer's concerns it is now proposed that coated metal bordering the ATM is to be removed so that the glazing can be retained and a willingness to alter the branding and colour scheme to suit the local environment is also indicated.
- The ATM at No 19 South Great Georges Street (at Dunnes Stores) is installed in the shopfront of a protected structure, under P. A. Reg. REF. 2919/00.
- Patrons of the large number of outlets in the area would benefit from the availability of the ATM facility. It is anticipated that the ATM would be used mainly outside business hours and therefore congestion with pedestrian

movement on the footpath would not arise. Queuing would take place to the side along the frontage.

- There is demonstrable need for the ATM at the location proposed. In that many facilities are located in interiors or lobbies limiting availability outside opening hours and South Georges Street is a major nightlife hub.
- No objections to the proposal from third parties were lodged with the planning authority at application stage.

5.2. Planning Authority Response

5.2.1. There is no submission from the planning authority.

6.0 Assessment

6.1. The issues central to the determination of decision are that of impact on the historic streetscape within the South City Retail Quarter Architectural Conservation Area. Also considered is potential impact on pedestrian movement and circulation the vicinity and demonstrable which are raised in the planning officer report and responded to in the appeal though not referred to in the reasoning for the decision to refuse permission.

6.2. Impact on the historic streetscape within the South City Retail Quarter Architectural Conservation Area.

6.2.1. It is considered that with the inclusion of the modification included for consideration with the appeal whereby the coated metal border for the installation is omitted and glazing retained, the proposed installation, along with use of a mute colour scheme would not significantly alter the visual impact of the existing shopfront on the historic streetscape.

6.2.2. In this regard, the presentation of the ATM installation would be relatively similar to the ATM installation in the shopfront of Dunnes Stores at No 19 South Great Georges Street which is a building included on the record of protected structures in addition to coming within the South City Retail Quarter Architectural Conservation

Area. It is therefore considered that the reasoning attached to the planning authority decision is unreasonable.

6.3. Demonstrable Need.

6.3.1. The applicant makes a reasonable case for the installation of the facility at a location on the street frontage which would be fully accessible on a 24 /7 basis, given the location as hub for nightlife and for tourism and this is accepted. The nearest similar ATM facility on the street frontage available to patrons on a 24/7 basis is circa 110 metres from the site location at No 19 South Great Georges Street. (Dunnes Stores)

6.3.2. Obstruction of Pedestrian Movement and Circulation

6.3.3. There is not doubt that queuing would regularly occur at the bus stop located outside the shop frontage at the edge of the footpath. The footpath width is circa 1.8 to two metres in with at the site location although it is reduced in with a little further to the north to accommodate a pull in area.

6.3.4. Queues for use of the ATM would be likely to form in front of the front building line allowing for pedestrian movement along space on the footpath in both directions. It would appear that there is a greater potential for risk for obstruction of pedestrian movement and safety attributable to free standing advertising signs and street furniture located on the public footpath.

6.3.5. It is not anticipated that the proposed ATM facility would lead to queuing by patrons waiting to use the ATM on the footpath to an extent that would lead to significant obstruction of pedestrian circulation and safety. If permission is granted, there is the option to limit the duration to a five-year period so that there is an opportunity for further planning review, but this is considered to be unwarranted.

6.4. Environmental Impact Assessment

6.4.1. Having regard to the minor nature of the development proposed for retention and its location in an area removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental

impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.5. **Appropriate Assessment.**

- 6.5.1. Having regard to the, the location of the site, to the nature the proposed development, no appropriate assessment issues arise, the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.0 **Recommendation**

- 7.1. Given the foregoing, it is concluded that the proposed development as modified in the appeal submission would be acceptable and that therefore the planning authority decision should be overturned, and that permission should be granted. Draft reasons and considerations and reasons follow:

8.0 **Reasons and Considerations**

- 8.1.1. Having regard to the site location within an existing glazed panel of the shopfront and to scale, design, and finishes for the proposed ATM installation, and the location within a central city area subject to the zoning objective : Z5: *‘ to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect is civic design character and dignity’* according to the Dublin City Development Plan, 2016- 2022, it is considered that subject to the conditions set out below, the proposed development would not adversely affect the visual amenities and historic character of the streetscape within the South City Retail Quarter Architectural Conservation Area and would be in accordance with the proper planning and sustainable development of the area.

9.0 Conditions.

1. The 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 lodged with An Bord Pleanala on 6th May, 2020 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. Prior to the commencement of the development the applicant shall submit and agree with the planning authority revised plan and elevation drawings in which the metal surrounds to the ATM are omitted and replaced with replaced with glazing with the entire ATM installation in a mute colour such as light grey with a matt finish.

Reason: In the interest of the protection of the visual amenities and character of the historic streetscape.

Jane Dennehy
Senior Planning Inspector
10th July, 2020.