



An  
Bord  
Pleanála

## Inspector's Report

**ABP-320915-24**

<b>Development</b>	Protected Structure: Retention of signage, new signage and installation of a metal screen.
<b>Location</b>	Bad Ass Cafe, 9-11 Crown Alley, Temple Bar, Dublin 2 DO2 ED77 and Unit 2/3, Temple Bar Square, Dublin 2, DO2 X738
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	3977/24
<b>Applicant(s)</b>	Benqueues Ltd.
<b>Type of Application</b>	Permission (part); and Retention Permission (part)
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Benqueues Ltd.
<b>Observer(s)</b>	None

**Date of Site Inspection**

5<sup>th</sup> January 2025

**Inspector**

Paul Christy

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## 1.0 Site Location and Description

- 1.1. The subject site is located in the Temple Bar commercial area of Dublin city centre and is zoned as 'Zone Z5 City Centre' in the Dublin City Development Plan 2022-2028 (hereinafter referred to as 'the Development Plan'). The site also lies within a 'Red Hatch Conservation Area' designated in the Development Plan. The subject property includes both Unit 2/3 Temple Bar Square and 9-11 Crown Alley and the proposals include works to the facades of each.
- 1.2. 9-11 Crown Alley is included in the Record of Protected Structures contained in the Development Plan (RPS Record No. 2089). Dublin City Council's Conservation Officer (hereinafter referred to as 'the Conservation Officer') notes that the RPS structure is: *an attached paired gable-fronted two-bay two-storey former industrial building over basement, built c.1950, with a shopfront to the east elevation.* The National Built Heritage Service's (NBHS) National Inventory of Architectural Heritage (NIAH) awards a 'Regional' Rating for the property and identifies the Categories of Special Interest as 'Architectural, Social, Technical' (NIAH Record No. 50020173). The 'Appraisal' of the building contained in the NIAH advises that: *'This building is an interesting later industrial building that functioned as a laundry. It retains a number of notable features including the sawtooth glazed roof and replacement steel Crittall windows, characteristic of industrial buildings of the period.'*
- 1.3. There is no record of Unit 2/3 Temple Bar, which building fronts onto Temple Bar Square, being included in the RPS. The Conservation Officer advises that this building was designed by Grafton Architects and completed in 1995 as part of the Temple Bar Framework. Dublin City Council's website notes that: *'Temple Bar Square was delivered as part of a regeneration of the area in 1996.'*

## 2.0 Proposed Development

- 2.1 The proposed development is in respect of works to both the Temple Bar Square and Crown Alley elevations. The works are comprised mainly of signage and fascia treatment. In addition, a new metal screen to replace an existing roller shutter is also

proposed on the Temple Bar Square elevation. Some elements of the work have already been undertaken, whilst others are proposed and thus the application is for part Retention Permission, and part Permission. Further details of the proposals are set out in Section 7.0 'Assessment'.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On the 30<sup>th</sup> August 2024 the Planning Authority issued a notification of their intention to REFUSE permission for one reason. The reason given referred to: the resulting cluttered appearance to both elevations that would negatively detract from the special character and appearance of the Protected Structure and the wider Conservation Area; and the resulting contravention of relevant conservation policies of the 2022-2028 Dublin City Plan and the undesirable precedent arising.

### **3.2. Planning Authority Reports**

**3.2.1. Planning Reports** The Planner's report relies heavily on the assessment, conclusions and recommendation contained in the Conservation Officer's report (refer para. 3.2.2) and recommends as per the recommendation contained therein.

#### **3.2.2 Other Technical Reports**

- Conservation Officer: Concludes that the proposed Crown Alley works are contrary to Development Plan policy (built heritage and shopfront design). References not just elements proposed in the application but other alleged unauthorised advertising items and concludes that the overall effect is to present a '*cluttered appearance*' that compromises the character of the shopfront. Regarding the Temple Bar Square proposals, places assessment in the context of the addition of signage to the overall building frontage '*on an ad hoc basis to the detriment of the architectural character of the structure.*' Concludes that the proposals for this facade '*would add further to visual clutter and is not acceptable*

*from a conservation perspective.*' Recommends refusal of overall development for these reasons and for being contrary to Policies BHA2 and BHA9 of the Development Plan.

- Engineering Department-Drainage Division: Notes no objection subject to the developer complying with the '*Greater Dublin Regional Code of Practice For Drainage Works Version 6*'.

### **3.3. Prescribed Bodies**

- 3.3.1.** Transport Infrastructure Ireland: Notes that the proposed development falls within the area for the Luas Cross City (St. Stephen's Green to Broombridge Line) adopted Section 49 Supplementary Development Contribution Scheme and requests the inclusion of a condition to apply the levy if the development is not exempt.

### **3.4. Third Party Observations**

**3.4.1.** Declan O'Brien:

Crown Alley Proposals: Objects for the following reasons:-

- Impact on the historic metal facade;
- Failure to comply with Development Plan Policy CCUV12 (Shopfront Design);
- Other signs not referenced in application;
- Noise pollution caused by a large speaker affixed to Crown Alley wall; and
- Detrimental impact in the context of the recently completed Temple Bar Square improvements.

**3.4.2.** Brian Greene<sup>1</sup>:

Crown Alley Proposals: Objects for the following reasons:-

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<sup>1</sup> Mr Greene also refers to Section 11.1.5.3 and Policies CHC1, CHC2 and CHC3 of the Development Plan. From a review of these references, I have ascertained that they are taken from the now superseded Dublin City Development Plan, 2016-2022.

- Impact on the historic metal facade and windows at first floor level;
- Other signs not referenced in application;
- Noise pollution caused by a large speaker affixed to Crown Alley wall;
- Specifically re the proposed replacement of stencilled lettering with 3D lettering, opines that they *'are not sympathetic to this historical building'*. Refers to, and includes, an image from the NBHS included in the application's Conservation Method Statement and opines that it *'shows a much more appropriate and sympathetic use of painted/stencilled lettering ...'* Then observes that *'The use of signwriting artist and sympathetic lighting would be much more in sympathy with the historical building. Rather than a mix of 3D, illuminated, over-sized, mixed fonts face, mixed font colours attached to the fabric of the protected structure.'*
- Is a local resident for 20 years, lives close to the building and has concerns *'on the impact to the visual aesthetic of this protected structure and the potential to set a precedent in a designated Conservation Area'*.

#### Temple Bar Square Proposals:

- Opposed to the proposed 'Bad Ass' logo to be affixed to the proposed sliding gate. Suggests that it *'would totally disrupt the visualisations presented.'*
- Refers to the entrance being *'regularly fenced off by large metal and glass extending into Temple Bar Square'* and questions the licensing position. Also notes that the screens *'obscured the planning notice referenced on the Site Location Map.'*
- Refers to what *'appears to be a large speaker erected and pointing directly out towards the centre of Temple Bar Square'* and raises noise pollution concerns.



## **4.0 Planning History**

### **4.1. P.A. Ref. 2886/13: 'Split Decision' 2013:**

~ Permission granted for: Omission of the first floor area fronting on to Temple Bar Square, removal of existing roller shutters at the frontage on Crown Alley, internal alterations and the use as a licensed restaurant at ground and first floor, with ancillary storage areas at second floor. Condition 5 prohibited the display or erection of any advertisement signs or banners without the prior grant of planning permission. (Reason: '*In the interests of visual amenity.*'))

~ Refusal of new shopfront onto Temple Bar Square. (Reason: unacceptable materials and design.)

### **4.2. P.A. Ref. 2199/13, ABP Ref. PL 29S 242458: Retention Permission for Interior Works: 2013 Grant.**

Condition 2(a) clarified that the permission solely authorised the retention of the internal works and Condition 2(c) clarified that no permission was granted for the erection of any external signage advertising the restaurant premises or any alcoholic beverage. (Reason: In the interest of clarity having regard to the nature of the development for retention permitted.)

### **4.3. Vicinity of Site:** Unsurprisingly, given the city centre location and commercial nature of the area of the subject site, there is an extensive planning history in this locality. Having regard to the nature of the subject application, this history includes numerous applications of no relevance including, for example: changes of use; internal alterations; rooftop works; extensions of duration; invalid applications; or application not decided. Notwithstanding, I have identified a number of relevant applications that included proposals for signage and/or elevation treatments. These are referenced as appropriate in sub-sections 7.2 'Temple Bar Square Proposals' and 7.3 'Crown Alley Proposals' respectively.

## 5.0 Policy Context

### 5.1. Development Plan: Dublin City Development Plan, 2022-2028

5.1.1. Zoning: The subject site lies within the 'Zone Z5 City Centre' zoning in the Development Plan. The associated zoning objective is:

'To consolidate and strengthen and protect its civic design, character and dignity.'

#### 5.1.2. 'The Strategic Approach'

Section 11.4: 'The Strategic Approach' of the Development Plan states that a number of elements of a 'Strategic Approach' will be pursued for the built heritage including, inter alia:

- The preservation of the built heritage and archaeology of the city that makes a positive contribution to the character, appearance, and quality of local streetscapes and the sustainable development of the city;
- Enhance, integrate and protect the special physical, social, economic and cultural value of built heritage assets through appropriate and sensitive development to ensure their preservation for existing and future generations.

#### 5.1.3. Record of Protected Structures

##### **Policy BHA2:**

That development will conserve and enhance protected structures and their curtilage and will (inter alia):

Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht;

Protect structures included on the RPS from any works that would negatively impact their special character and appearance;

Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.

I also note that in the Development Plan preamble preceding Policy BHA2, it is provided that:

*‘Where a change of use is proposed, buildings should be capable of being converted without harmful modifications or extensions such as ... serious loss of historic fabric.’ (refer p.347).<sup>2</sup>*

### **Chapter 15 Design Standards, Section 15.15.2.3 Protected Structures**

The extensive narrative includes the following key statement:

Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to the structure, provided that the impact of any proposed development does not adversely affect the character of the Protected Structure and its setting.

#### **5.1.4. Re-use and Refurbishment of Historic Buildings**

##### **Policy BHA24**

Dublin City Council will positively encourage and facilitate the careful refurbishment of the historic built environment for sustainable and economically viable uses and support the implementation of the National Policy on Architecture as it relates to historic buildings, streetscapes, towns and villages, by ensuring the delivery of high quality architecture and quality place-making, and by demonstrating best practice in the care and maintenance of historic properties in public ownership.

#### **5.1.5. Conservation Area**

##### **Policy BHA9**

To protect the special interest and character of all Dublin’s Conservation Areas ... Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

I also note the clarification contained in Section 11.5.3:

‘Built Heritage and Assets of the City’ in relation to Red Hatch (Conservation Areas): ‘Whilst these areas do not have a statutory basis in the same manner as protected structures or

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<sup>2</sup> Whilst the change of use has already taken place at the subject property, I am of the opinion that the intent of the statement is still a relevant consideration in the assessment of the proposal.

Architectural Conservation Areas, they are recognised as areas that have conservation merit and importance and warrant protection through zoning and policy application.'

### **Chapter 15 Design Standards, Section 15.15.2.2 Conservation Areas**

All planning applications for development in Conservation Areas shall:

- ☐ Respect the existing setting and character of the surrounding area.
- ☐ Be cognisant and/ or complementary to the existing scale, building height and massing of the surrounding context.
- ☐ Protect the amenities of the surrounding properties and spaces.
- ☐ Provide for an assessment of the visual impact of the development in the surrounding context.
- ☐ Ensure materials and finishes are in keeping with the existing built environment.
- ☐ Positively contribute to the existing streetscape Retain historic trees also as these all add to the special character of an ACA, where they exist.

#### **5.1.6. Shopfront Design**

##### **Policy CCUV12**

To require a high quality of design and finish for new and replacement shopfront signage and advertising. Dublin City Council will actively promote the principles of good shopfront design as set out in Dublin City Council's Shopfront Design Guidelines and Chapter 15.

### **Chapter 15 Design Standards, Section 15.14.12: Night Clubs/Licensed Premises/Casinos/Private Members Clubs**

Notes a number of 'matters that shall be taken into account in assessing applications for these uses and extensions to such uses'. These include 'Proposed signage'.

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

- 5.2.1.** The nearest Natura 2000 site is the South Dublin Bay and River Tolka Estuary Special Protection Area located 2.75km to the north-east and 3.55km to the south-east.

## **6.0 EIA Screening**

- 6.1.1.** The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001 (As Amended). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

- 7.1.1.** One first party appeal was received from the applicants. I consider it useful to consider the appeal in terms of two parts.

The first part of the appeal is made in the context of the plans submitted with the original application to the Planning Authority. Here, the appellants note that:

- The application was made in response to the Planning Authority's (S.152) Warning Letter, which letter specifically referred to signage on the premises.
- The new owners had indeed replaced the signage on both the Crown Alley and Temple Bar Square facades (but) did not realise that they required planning permission.
- The new owners were anxious to act promptly to regularise the situation. As per the planning application this included '*full reconsideration of the design of the Temple Bar Square elevation/shopfront area treatment to conform with the Planning Authority's Shopfront and Facade Design policies*'; and the modification of the lettering on the fascia sign on the Crown Alley side.
- They believed the proposals to be in conformity with the policies of the Development Plan.
- '*In assessing our application the Planner refers to a range of other matters*

*which it claims are unauthorised development’, and that ‘We are all completely new parties to these premises and are not in a position right now to comment one way or the other on these matters.’*

- Our application was made in response to the S.152 Warning Letter and only addressed the specific elements stated in this letter. The fascia above the entrance was not referred to in the Warning Letter.

**7.1.2.** In the second part of the appeal, the appellants submitted modified proposals ‘*in light of the comments from the Planning Authority on the specific items addressed in the original application.*’ These modified proposals are considered in Section 7.0 Assessment below.

## **7.2. Planning Authority Response**

**7.2.1.** None.<sup>3</sup>

## **7.3. Observations**

**7.3.1.** None.

## **8.0 Assessment**

### **8.1. Overview**

**8.1.1.** Having examined the application details, and all other documentation on file including the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be assessed are as follows:

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<sup>3</sup> The Planning Authority did advise (on 2<sup>nd</sup> Oct. 2024) that the observations of the Planning Officer have been sought and these will be forwarded to you as soon as possible.

- Compliance of the proposed signage and metal screen with the relevant built heritage and shopfront provisions of the Development Plan.

**8.1.2.** From an analysis of the above-noted objectives and policies for the City Centre zoning, Protected Structures, Historic Buildings and Conservation Areas, the collective precautionary and conservationist intent of the Development Plan is clear in the repeated use of language such as ‘conserve’, ‘enhance’, ‘protect’, ‘not adversely affect’, ‘not compromise’ and ‘careful refurbishment’. Similarly, there is clear policy intent around achieving quality in shopfront design, inclusive of advertising, contained in Policy CCUV12. However, I also note the further context provided in Section 11.3: ‘Challenges’, Chapter 11: ‘Built Heritage and Archaeology’ of the Development Plan wherein it is noted, inter alia, that: *‘An overarching issue is the ongoing need to balance the often competing demands of a modern city in terms of consolidation and future growth with the need to protect its intrinsic character.’* (refer first bullet). Similarly, it is also noted in the same section that: *‘The challenge is to continuously facilitate and sensitively manage the changes required to adapt, reuse, upgrade and protect our rich architectural heritage whilst retaining its authenticity, integrity and special interests.’* (refer second bullet). These comments reflect similar guidance around the need for ‘balance’ as contained in the ‘Architectural Heritage Protection Guidelines for Planning Authorities’ (DEHLG, 2011) (para. 12.1.2 refers).

**8.1.3.** I would also note that the assessment of this application presents particular challenges arising from part of the subject building being included on the RPS and part not included, and the whole building being located within a broader area deemed by the Planning Authority to be worthy of a Conservation Area designation, presumably due to the traditional character, appearance, layout and history associated with the area and many of the buildings contained therein. For these reasons, and given also that the immediate context for each elevation is also materially different, the submitted proposals are considered under separate headings.

## 8.2. Temple Bar Square Proposals

- 8.2.1.** For ease of reference, the elements of the proposed development as referenced in the public notices and the application form submitted to Dublin City Council (hereinafter referred to as ‘the Planning Authority’) are set out in the table below, together with relevant more detailed descriptions as notated on the associated plans; nb. the plans submitted to the Planning Authority also contained additional elements not referenced in the notices and application form. These are identified separately in the Table.

Temple Bar Square Facade Items Referenced in Public Notices and Application Form Submitted To Dublin City Council		
Item Wording In Public Notices	Type of Permission Sought	Detailed Description on Submitted Plans
Removal of the illuminated signage comprising a gold harp and the words ‘Bad Ass’ and replacement with a whole new fascia and associated signage.	Permission	<p>~ Proposed new vertical slatted fascia to match ‘Cafe Vivaldi’ adjacent. New fascia to be 100mm wide x 18mm vertical slatted TK <u>tricoya</u> strips painted in a walnut stain with grain effect on 18mm <u>tricoya</u> sheeting painted in teal colour with high gloss finish.</p> <p>~ CNC bevel-edged 3D raised lettering formed from 18mm TK <u>Tricoya</u> and sprayed in 3-coat <u>corten</u> effect with clear lacquer finish.</p>
A new metal screen to replace the existing roller shutter to the stairwell	Permission	<p>~ Protective steel screen in front of existing stairs to be 60 x 10mm vertical metal from ground to underside of fascia over and painted to match in 3-coat <u>corten</u> effect with matching sliding security gate.</p> <p>~ New CNC bevel-edged ‘Bad Ass’ logo formed from 18mm TK <u>tricoya</u> and painted in 3-coat <u>corten</u> effect fixed to new sliding gate.</p>
Items Not Referenced in Public Notices and Application Form But Referenced In Plans Submitted To Dublin City Council		
Existing steelwork elements of facade to be painted grey to match existing steelwork elsewhere on building.		
Existing <u>Brise Soleil</u> /Lighting Gallery retained and repainted to match existing to adjacent properties with wiring and lighting reinstating to leave as originally intended.		
<p><b>Notes:</b></p> <p>‘<u>Tricoya</u>’ is defined as: ‘An extremely durable engineered wood panel.’</p> <p>‘Teal’ colour is defined as: ‘A deep blue-green colour.’</p> <p>‘<u>Corten</u>’ is described as: ‘A special type of steel that is superficially oxidized by the weather. This non-metallic material gets non-homogenous reddish shades of colour along years of exposure.’</p>		



- 8.2.2.** The planning history, and character and appearance of the buildings in and around Temple Bar Square should inform consideration of the proposed Temple Bar Square elevation. Key elements are identified below.
- 8.2.3.** Western Side: The western side of the Square is dominated by the ‘McDonald’s Building, which building is a Protected Structure (RPS No. 8002/NIAH Record No. 50020173). At my site inspection I noted that signage on this building was strongly aligned with the above-noted policy framework (small scale individual lettering at broadly fascia height). This signage was as per that included with planning application **ABP Ref. PL 29S.239628 granted by the Board in 2012**. The Board’s ‘Reasons and Considerations’ included commentary that the proposals ‘*would not adversely affect the character or setting of the protected structure.*’<sup>4</sup>
- 8.2.4.** I would also refer to another ABP case slightly to the west of Temple Bar Square at No.46 Temple Bar (**ABP PL29S.244188; P.A Ref. 3493/14 granted by the Board 2015**). This application was for various matters, including the installation of three down lights over the fascia of the bar building. Whilst the substantive part of the development was approved by the Board, Condition 2 required the omission of the three number downlighters (Reason: In the interest of visual amenity and to reduce the appearance of clutter.)
- 8.2.5.** Eastern Side: The eastern side of the Square is dominated by the the Telephone Exchange building, which building is a Protected Structure (RPS No. 2008/NIAH Record No. 50020176). At my site inspection I noted that this building did not have any signage attached. I could find no record of any relevant planning history for this building.
- 8.2.6.** Northern Side: At site inspection I noted that several of the businesses in the block forming the northern side of the Square (including ‘The Quays Bar’ unit, the ‘Teac na Ceibe’ unit, and the ‘Quays Bar Restaurant’ Unit) had traditional signage incorporated. I also noted some other units in the remainder of this block with less

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<sup>4</sup> Condition 6 of the Board’s decision required that details of the proposed signage were to be agreed with the Planning Authority. The details subsequently submitted and now on site were generally as per those submitted with the original application.

traditional signage attached but that the Planning Authority consistently applied the precautionary approach in its assessment of various applications here (refer P.A refs. 4774/23; 3423/17; 3603/10; and 2391/05).<sup>5</sup> The Authority was also conservation-focussed in refusing an application for elevation and signage works to a commercial property on the nearby corner of Temple Bar and Fownes Street Lwr (P.A. Ref. 2267/11) due to concerns around the visual inappropriateness of the proposed signage in the Conservation Area.

**8.2.7. Southern Side:** The entire southern side is comprised of the building designed by Grafton Architects and completed in 1995 as part of the Temple Bar Framework Plan. The description contained in the Agent's cover letter with the original application is useful: *'...the whole building facing onto the square is a modern, steel framed, glass and engineering brick form. The facade has an expressed steel frame and a modularisation of the elevation.'* I noted at my site inspection that the 'Tourist Office' and 'Cafe Vivaldi' business referenced on the submitted plans were no longer present in those modules, and that these modules were now both occupied by a business operating under the name 'Cool Hand (Coffee Roasters)'. I also noted at my site inspection that:

- Signage for approximately two-thirds of the overall building frontage ie. the eastern and middle thirds (comprised of the 'Cool Hand', 'Bad Ass' and 'ATM' units) was in the form of box/board panels of significant depth. I could find no record of planning permission being granted for any of the aforementioned signage installations; and
- Signage for the western third of the building occupied by the 'Gourmet Burger Kitchen' establishment was in the form of small individual lettering mounted on a wooden panel-style finish. I could find no record of planning permission being granted for the signage associated with this unit).<sup>6</sup>

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<sup>5</sup> I note the Board's refusal of ABP Ref. 315733-23, March 2024 but that this redevelopment proposal did not address the Temple Bar Square frontage and the refusal reasons did not reference signage in any event.

<sup>6</sup> Application P.A. Ref. 2287/20 was deemed invalid, and application P.A. Ref. 2468/20 was withdrawn.

**8.2.8.** The Temple Bar Square proposals are assessed below in terms of the three proposed elements: Signage Base; Lettering; and the Protective Steel Screen/'Bad Ass' Logo.

**8.2.9. (a.) Signage Base:** I note the comments of the Planning Authority's Conservation Officer in relation to the Temple Bar Square elevation: *'The vertical and horizontal steel elements were strongly emphasised with large glazed areas, including the shopfronts. Signage was minimal in order to enhance the architecture and was placed within the clerestory windows of the shopfront. Since then signage has been added on an ad hoc basis to the detriment of the architectural character of the structure. Fascia boards have been added to the shopfronts of the adjoining units – masking the windows.'* The Officer then goes on to advise that: *'The proposal to replace the existing fascia with a new fascia and associated signage and the proposed new metal screen and Bad Ass logo to the stair well would add further to the visual clutter and is not acceptable from a conservation perspective.'*

**8.2.10.** From my own examination of the photograph of the original building included with the Officer's report ('Temple Bar Square on completion in 1996' etc.) I have concluded that:

- The ground floor frontage of the eastern half (approximately) of the overall building was formed entirely of glazing (hereinafter referred to as the 'the Glazing Only Frontage') ;
- The ground floor frontage of the western half (approximately) of the building was around two-thirds glazing and one-third (the upper third) hard material, presumably concrete or similar (hereinafter referred to as 'the Split Frontage');

Comparing this with the current situation on the ground I have found that:

- The Glazing Only Frontage equates to the units shown on the submitted plans as the 'Tourist Office', 'Cafe Vivaldi' (both now occupied by the Cool Hand [Coffee Roasters] business) and the **easternmost** of the two 'Bad Ass' modules.

- The Split Frontage is currently comprised of the **westernmost** of the 'Bad Ass' modules, the current 'ATM' unit and the three modules of the 'Gourmet Burger Kitchen' establishment.

**8.2.11. 'Bad Ass' Western Module:** Given that the original finish of the upper one-third of the western module of the subject unit was formed of solid material, it is reasonable to support the principle of such a solid finish as proposed in the subject application in the present day, in my opinion. In terms of dimensions, the depth of the proposed solid finish (notated on the plans as 1.085m) appears to be very similar to the depth of the solid material design feature in the original building. With regard to design, the proposed materials strike a reasonable balance between '*meeting the demands of a modern city*' with the need to '*protect its intrinsic character*', in my opinion. The proposed finish is broadly similar to the 'Gourmet Burger Kitchen' finish in terms of wood being the dominant material and, in my opinion, that finish is reasonably sympathetic to the subject building. Given also that the submitted drawings show the vertical steel column between the eastern and western modules being exposed (the importance of which is noted in the Conservation Officer's report), I am satisfied that the proposed fascia-level treatment would be broadly acceptable for the western module, save for the teal colour proposed for the sheeting proposed behind the proposed vertical slats. In my opinion, a colour scheme for the frontage of the overall host building, inclusive of the vertical steel columns, is required as I note that the submitted plans included in the notation a proposal that the vertical steel columns of the subject unit would be '*painted grey to match existing steelwork elsewhere on building*' whereas at my site inspection I noted that the steel columns in the 'Cool Hand' unit to the east were painted yellow, whilst the 'Gourmet Burger Kitchen' unit columns were painted in teal (or thereby).

**8.2.12. 'Bad Ass' Eastern Module:** I have previously noted that the ground floor of this module was formed entirely of glazing. Noting again the concerns of the Conservation Officer in relation to the '*masking*' of this glazing, and having regard to the above-noted suite of policies in the Development Plan, I am of the opinion that the proposed fascia over the eastern module cannot be supported.

**8.2.13. (b.) Lettering:** In addition to the description of the proposed lettering on the submitted plans as referenced above, in their cover letter with the original application the agents also advised that: *'The Bad Ass sign will have 3D letters but of a smaller size and will not be illuminated.'* The proposed letters are shown on the submitted plans as being 0.607m in height. In the City Council's 'Shopfront Design Guide', fascia signs are addressed in the Section headed 'Various Details'. Individually mounted lettering as proposed in the application are supported in principle in the Guide. However, the Guide also contains the following more detailed advice: *'The details of the sign – its form, scale, colour and materials – should be complementary to the design of the shopfront...Letter design should be simple and legible. The dimensions of the fascia should dictate the size and height of the letters. Letters of more than 40cm will not normally be acceptable.'* I also note the statement contained in the para. with subhead 'Corporate Signs': *'Companies must accept that corporate signs, logos, colour schemes or shopfront designs will not be permitted to override compatibility with individual buildings.'* There are good examples of such sympathetic lettering in the immediate vicinity of the subject property, namely the aforementioned 'Gourmet Burger Kitchen' and 'McDonalds' units.

**8.2.14.** I would acknowledge that the Guide is a general guide that should be open to some modest flexibility. However, in my opinion, rather than being complementary to the design of the shopfront, the proposed signage dominates the fascia of the eastern module due to the proposed scale of the letters relative to the dimensions of the fascia. This dominance is, in my opinion, exaggerated further by the 'playful' character of the proposed corporate lettering, inclusive of the proposed font and assumed red colouration.

**8.2.15.** I also note the comments of the Conservation Officer in relation to the design concept for the overall building: *'The vertical and horizontal steel elements were strongly emphasised with large glazed areas, including the shopfronts. Signage was minimal in order to enhance the architecture and was placed within the clerestory windows of the shopfronts.'*

**8.2.16.** Because of the departures from both the original design concept for the host building

and from the Shopfront Design Guide, and having regard to the conservation-focussed policy approach for Conservation Areas as set out above, I am unable to support this proposed lettering.

**8.2.17. (c) Protective Steel Screen/'Bad Ass' Logo:** Having regard to the industrial character and appearance of the subject building, and the need for a functioning building, I have no objection to the proposed vertical metal protective steel screen painted in corten effect with matching sliding security gate. I am also satisfied that this functional and necessary protective steel screen will successfully absorb the proposed 'Bad Ass' logo. I note that in the Agent's cover letter with the original application it was confirmed that: *'It is proposed to replace the existing roller shutter door to the stairwell (my emphasis) with a new steel screen...'*. The roller shutter on the eastern module is, it is considered, outside of the scope of this application and a matter for the Planning Authority.

### 8.3. Crown Alley Proposals

**8.3.1.** The elements of the proposed development as referenced in the public notices and the application form are set out in the table below, together with relevant more detailed descriptions as notated on the associated plans; nb. The plans submitted to the Planning Authority also contained an additional element not referenced in the notices and application form. This is identified separately in the Table below.

<b>Crown Alley Facade Items Referenced in Public Notices and Application Form Submitted To Dublin City Council</b>		
<b>Item Wording In Public Notices</b>	<b>Type of Permission Sought</b>	<b>Detailed Description on Submitted Plans</b>
Illuminated 'Bad Ass' fascia sign	Retention Permission	Existing illuminated 3D acrylic 'Bad Ass' lettering in mixed fonts circa 900-1100mm high x 760mm wide x 150mm TK.
Replacement on the fascia sign of the 2D black lettering 'Guinness' and	Permission	Existing stencilled 'Temple Bar' and 'Guinness' lettering to be replaced with 10mm bevel-edged raised acrylic lettering on Sign Mates to achieve raised 3D lettering effect.

'Temple Bar' with new 3D lettering.		
<b>Items Not Referenced in Public Notices and Application Form But Referenced In Plans Submitted To Dublin City Council</b>		
Existing raised Harp logo retained unaltered.	n/a	Existing raised Harp logo retained unaltered.

**8.3.2.** I note the useful elements of commentary on the character of Crown Alley contained in the Agent's cover letter submitted with the original application: '*The Crown Alley Street contains a range of three-storey buildings, mainly converted 19<sup>th</sup> century warehouse, all of the facades expressing a variety of shopfronts and colourful elevational treatments.*'; '*The Bad Ass Cafe ... plays its own part in the street's character.*'; and '*The character of the street is somewhat chaotic and exudes an atmosphere of exuberance.*' Notwithstanding, the weight to be given to this context must be balanced against the conservation-focussed priority of the Development Plan, particularly its objectives and policies for protected structures, and the concerns of the Planning Authority's Conservation Officer and third parties in relation to this elevation. Relevant elements of the planning history for Crown Alley are set out below.

**8.3.3.** No.17 (southern end of Street) and 3-4 Cope Street (within Conservation Area)

- **ABP PL29S.300331/17; P.A Ref. 3232/17 granted by the Board 2018):**  
Change of use, plus works to include signage, the details of which were noted as 'fascia to be cleaned, sanded and repainted with warm grey and small simple signage mounted.'
- **P.A. Ref. 2956/19 Grant 2019:** Elevational changes, hours of operation and signage details. Whilst the elevational treatment and elements of the proposed signage were traditional in style, Condition 7 required, inter alia: the removal of a projecting sign and an internal multi-bulb sign on Cope Street;

and the plinth to be painted black or dark grey in colour. (Reason: In the interests of orderly development and visual amenity.)

**8.3.4.** The Crown Alley proposals are assessed below in terms of the two proposed elements.

**8.3.5. (a.) Illuminated ‘Bad Ass’ Fascia Sign and Raised Harp Logo (Retention):** I note the concerns of the Planning Authority’s Conservation Officer and those outlined in the two submissions on file and I would share these concerns. I also note the Conservation Officer’s observation that the lettering is a significant departure from the plain stencilled letters on the painted walls between the ground and first floors as indicated on Streetview images prior to 2022. Although the ‘plant-on’ box fascia is not referenced in the original planning application, the proposed lettering and raised Harp logo would appear to be contingent on this box fascia being in place. The cumulative impact of the box fascia containing black ‘Guinness’ and ‘Temple Bar’ lettering, the illuminated ‘Bad Ass’ lettering, and the raised Harp logo would be materially detrimental to the character and appearance of the Protected Structure, in my opinion and therefore would be contrary to the policy framework set out above. Paragraph 7.2.4(b)(ii.) identifies various elements of the City Council’s Shopfront Design Guide in the context of the Temple Bar Square proposals. These provisions are equally, if not more, relevant to the lettering proposed for the Crown Alley elevation given that this lettering: is attached to a Protected Structure; is notated on the submitted plans as being up to 1.1m high; and that each letter is individually illuminated, contrary to the provision in the Guide advocating that ‘Illumination should be discreet’. For these reasons, I am unable to support these proposals.

**8.3.6. (b.) Replacement on the fascia sign of the 2D (stencilled) black lettering ‘Guinness’ and ‘Temple Bar’ with new 3D lettering (Permission):** Although unclear on the submitted drawings, it is assumed that these proposals are in the form of individually mounted letters. The Shopfront Design Guide supports the principle of this style of lettering. A further requirement of the Guide is that: *‘The details of the sign – its form, scale, colour and materials – should be complementary*



*to the design of the shopfront...Letter design should be simple and legible. The dimensions of the fascia should dictate the size and height of the letters. Letters of more than 40cm will not normally be acceptable.'* Although a detail of the scale of the proposed lettering has not been submitted, in my opinion the plans that were submitted clearly demonstrate that the dimensions of the proposed lettering are generally complementary to the design of the shopfront and are proportionate to the dimensions of the fascia.

- 8.3.7.** A third requirement of the Guide that must be considered refers to the contents of signage: *'In general, only the name and street number of the shop should be on the fascia panel.'* At my site inspection, and as referenced by the Agents, I did note the 'somewhat chaotic' and 'exuberant' character and appearance of Crown Alley, particularly on its western side, the side in which the subject property is located. In my opinion, the character and appearance of the streetscape should inform whether policy flexibility referenced at para. 7.1.2 above may be considered. Similarly, although the subject property is a protected structure, it is protected because of its 'industrial' character, as opposed to the more traditional appearance of many other buildings in the locality. On balance, notwithstanding the Protected Structure status of the building, the conservation-focussed policy approach, and the Shopfront Design Guide, I have no objection to these elements of the application having regard to the character of the locality and the industrial character of the subject property, subject to a condition requiring the precise details of the lettering to be agreed with the Planning Authority.

#### **8.4. Revised Temple Bar Square Proposals Submitted With Appeal**

- 8.4.1.** The applicants propose the following amendments in their appeal submission:

	<b>Original Application</b>	<b>Amended Proposal</b>
<b>(a.)</b>	Existing steelwork elements of facade to be painted grey to match existing steelwork elsewhere on building.  (as contained in notation on submitted plans)	Original building exposed steel frame to be fully exposed and painted grey to match greater building above.

(b.)	Vertical slatted fascia to match 'Cafe Vivaldi' adjacent. New fascia to be 100mm wide x 18mm vertical slatted TK tricoya strips painted in a walnut stain with grain effect on 18mm tricoya sheeting painted in teal colour <sup>7</sup> with high gloss finish.  (as contained in notation on submitted plans)	Proposed new vertical slatted fascia set within structural steel frame of building to sit flush with steel and to be 100mm wide x 18mm TK tricoya strips painted in a walnut stain with grain effect on 18mm tricoya sheeting painted in teal colour with high gloss finish.
(c.)	Removal of the illuminated signage comprising a gold Harp and the words 'Bad Ass' and replacement with a whole new fascia and associated signage.  (as contained in public notices)	Existing Harp logo, roller shutter and entire fascia to be removed.

**8.4.2. (a.) Existing Steelwork:** A specific rationale of the steelwork/steel frame amendment is not specified in the appeal cover letter. However, clarification that the original building exposed steel frame is to be 'fully exposed' as opposed to 'existing steelwork elements of facade' in the original application notation, which notation might be open to interpretation as referring only to the steel frame currently exposed outside of the existing fascia box, is noted and supported.

**8.4.3. (b.) Fascia Details:** Again, a specific rationale for the fascia-related amendment is not set out in the appeal cover letter. However, it is presumed that the amendment is at least in part informed by the 'Cafe Vivaldi' enterprise and associated signage no longer being in situ (as referenced at para. 7.2.7 above). The clarification that the fascia is to be set within structural steel frame of building and is to sit flush with the steel is noted and supported.

**8.4.4. (c.) Removal of Harp Logo, Roller Shutter and Entire Fascia:** These proposals were included with the original application. Therefore, the identification of these proposed amendments does not materially impact my assessment.

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<sup>7</sup> Teal colour is defined as a 'deep blue-green' colour.

## 8.5. Revised Crown Alley Proposals Submitted With Appeal

8.5.1. The applicants propose the following amendments in their appeal submission:

	Original Application	Amended Proposal
(a.)	Retention of the illuminated 'Bad Ass' fascia sign.  (as contained in public notices)  Existing illuminated 3D acrylic 'Bad Ass' lettering in mixed fonts circa 900-1100mm high x 760mm wide x 150mm TK.  (as contained in notation on submitted plans)	Existing plant-on fascia removed back to original render. Render to be made good and painted white.  Existing illuminated 3D acrylic 'Bad Ass' lettering removed and replaced with new matching sign of reduced dimensions to fit fully within rendered fascia (circa 600-730mm high lettering).
(b.)	The replacement on the fascia sign of the 2D black lettering 'Guinness' and 'Temple Bar' with new 3D lettering.  (as contained in public notices)  Existing stencilled 'Temple Bar' and 'Guinness' lettering to be replaced with 10mm bevel-edged raised acrylic lettering on Sign Mates to achieve raised 3D lettering effect.  (as contained in notation on submitted plans)	Existing stencilled 'Temple Bar' and 'Guinness' lettering to be removed and replaced with traditional painted sign-writing directly to rendered fascia with painted drop-shadow effect to read 'temple Bar' and 'Guinness'.
(c.)	Existing raised Harp logo retained unaltered.  (as contained in notation on submitted plans)	Existing raised harp logo removed and replaced with traditional painted sign-writing harp logo with drop shadow effect.
(d.)	n/a	Existing artificial grass band to be removed and original white render behind left good.

8.5.2. (a.) **Fascia/'Bad Ass' Lettering:** The removal of the 'plant-on fascia' was not specified in the original application (whereas 'a whole new fascia' was specified for

the Temple Bar Square facade). The Shopfront Design Guide advises that: *‘Box sign, particularly where they are internally illuminated, are generally unacceptable.’* This amended design would be consistent with this guidance and more sympathetic to the appearance of the Protected Structure.

**8.5.3. (b.) ‘Temple Bar’ and ‘Guinness’ Lettering:** At paras. 7.3.6-7.3.7 I have set out my conditional support for the lettering proposed in the original application. The amended proposal for stencilled lettering would also be consistent with the policy framework and Shopfront Design Guide. My recommendation is therefore structured in a manner that would leave either option open to the applicant subject to a condition requiring the agreement of final details with the Planning Authority.

**8.5.4. (c.) Harp Logo:** Again, the context for balanced judgement of the Crown Alley proposals is set out at para. 7.3.6-7.3.7 above. In my opinion, this balanced judgement can support the amended proposal for a traditional painted sign-writing harp logo with drop shadow effect.

**8.5.5.** The removal of the artificial grass band is considered to be outside the scope of this application and a matter for the Planning Authority.

## **8.6. Alleged Unauthorised Development**

**8.6.1.** I note the references in the two private party submissions and the reports of the Planning Authority to other elements of unauthorised development being present at the site, including: specific reference to concerns re the ‘Bad Ass’ sign over the Crown Alley entrance obscuring the recessed metal windows<sup>8</sup>; other elements of advertising; music speakers; and extension of facilities onto Temple Bar Square. This ‘Bad Ass’ sign is not referenced in this application. More generally, all of these matters are outwith the scope of this appeal and are matters for the Planning Authority.

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<sup>8</sup> This is an additional sign immediately above the entrance and is separate from the fascia-level sign referenced in the application.

## **8.7. Submission of Transport Infrastructure Ireland (TII)**

- 8.7.1.** The TII submission advises that the proposed development falls within the area for an adopted Section 49 Supplementary Development Contribution Scheme-Luas Cross City (St. Stephen's Green to Broombridge Line) and requests that if the application is successful and is not exempt, the inclusion of a condition to the apply the levy. I have reviewed the said Scheme. The site does lie within the Scheme area. However, Section 10 of the Scheme provides, inter alia, that for commercial developments the levy will be calculated on a per square metre basis. As the subject proposals are for signage only, the levy does not apply.

## **8.8. Report of City Council Engineering Department – Drainage Division**

- 8.8.1.** Notes 'no objection ... subject to the development complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0. I note this report but would advise that nothing arises as the works proposed in the application will not have any impact on the city's drainage networks.

## **8.9. Conclusions**

- 8.9.1.** The modified proposals for the Temple Bar Square elevation would, in my opinion, be sympathetic to the western module of the 'Bad Ass' unit. The proposals for the eastern module are not supported having regard to the glazing only facade of this unit in the original building. The proposed 3D 'Bad Ass' lettering is not supported.
- 8.9.2.** The following modified proposals for the Crown Alley elevation are also supported: render finish to fascia; modestly-scaled individual 'Temple Bar' and 'Guinness' lettering - either 3D or traditionally painted; and modestly-scaled traditionally-painted Harp logo. The proposed 'Bad Ass' 3D lettering is not supported.

## **9.0 AA Screening**

**9.1.** I have considered the proposed works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located 2.75km from the South Dublin Bay and River Tolka SPA to the north-east and 3.54km from the same designation to the south-east. The proposed development comprises the retention of signage, the erection of new signage and the installation of a metal screen. No nature conservation concerns were raised during the Planning Authority's assessment of the application and none have been received in response to the first party appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- the nature of the works: the retention of signage, the erection of new signage and the installation of a metal screen;
- the distance of the site from the nearest European site and the absence of any connections between the two.

**9.2.** I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Recommendation, Reasons and Considerations**

**10.1.** I recommend:

**(a) The GRANT of permission for the proposed development, except as set out at (b) below, based on the reasons and considerations marked (1) under and subject to the conditions set out below.**

**(b) The REFUSAL of: Permission for: the ‘Bad Ass’ lettering proposed for the Temple Bar Square facade; Retention Permission for the ‘Bad Ass’ lettering proposed in the original application submitted to the Planning Authority for the Crown Alley facade; and Permission for the ‘Bad Ass’ lettering proposed in the appeal submission for the Crown Alley facade.**

**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 with 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).

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the
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	<p>further plans and particulars submitted with the appeal, 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.</p> <p><b>Reason:</b> In the interest of clarity.</p> <p><b>Reason:</b></p>
2.	<p>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.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>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:</p> <ul style="list-style-type: none"> <li>a. The exposed steel frame of the original building is to be fully exposed and painted in colours to be agreed with the Planning Authority; and</li> <li>b. The proposed teal colour for the proposed tricoya sheeting teal is not hereby permitted. The sheeting shall be painted in colours to be agreed with the Planning Authority.</li> </ul> <p>Prior to the commencement of development, revised details providing for compliance with the requirements of 3(a.) and (b.) shall be agreed with the Planning Authority.</p> <p><b>Reason:</b> In the interest of visual amenity and to clarify the terms of the</p>



	permission.
4.	<p>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:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> <p>Prior to the commencement of development, revised details providing for compliance with the requirements of 4(a.) and (b.) shall be agreed with the Planning Authority.</p> <p><b>Reason:</b> In the interest of visual amenity and to clarify the terms of the permission.</p>

### **Reasons and Considerations (2)**

Having regard to the scale and 'playful' character and colouration of the proposed 'Bad Ass' lettering on the Temple Bar Square elevation, it is considered that the said lettering would be an over-dominant feature of the 'fascia'-level of this module of the overall building. The proposed lettering would thereby be: unsympathetic to the signage regime envisaged in the original design concept for the host building; contrary to the guidelines for fascia treatment contained in Dublin City Council's 'Shopfront Design Guide'; and detrimental to the character of the Conservation Area in this vicinity. The development would therefore be contrary to: the Zoning Objective for 'Zone Z5 City Centre'; 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 thereby be contrary to the proper planning and sustainable development of the area.

Having regard to the scale and 'playful' character and colouration of the proposed 'Bad Ass' lettering on the Crown Alley elevation, both that proposed for Retention Permission in the original application submitted to the Planning Authority and the reduced scale of lettering proposed in the appeal submission, and notwithstanding the 'chaotic' and 'exuberant' nature of Crown Alley, it is considered that the said lettering would be an over-dominant feature of the 'fascia'-level of this module of the overall building. The proposed lettering would thereby be: unsympathetic to the Protected Structure; contrary to the guidelines for fascia treatment contained in Dublin City Council's 'Shopfront Design Guide'; and detrimental to the character of the Conservation Area in this vicinity. The development would therefore be contrary to: the Zoning Objective for 'Zone Z5 City Centre'; Policy BHA2 and Section 15.15.2.3 Chapter 15 Design Standards (Protected Structures); 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 thereby be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way



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**Paul Christy**

**Planning Inspector**

**6th February 2025**

## Appendix 1 - Form 1 EIA Pre-Screening

[EIA not  
submitted]

<b>An Bord Pleanála Case Reference</b>	<b>ABP-320915-24</b>		
<b>Proposed Development Summary</b>	<b>Signage to two facades of building, one of which is a Protected Structure; and New Metal Screen Door to One Facade.</b>		
<b>Development Address</b>	<b>Bad Ass Cafe, 9-11 Crown Alley, Temple Bar, Dublin 2 DO2 ED77 and Unit 2/3, Temple Bar Square, Dublin 2, DO2 X738</b>		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	✓
		<b>No</b>	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	✓		
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>			
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>			
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>			
<b>Yes</b>			

**Inspector: Paul Christy Date: 6<sup>th</sup> February 2025**