Draft Scheme of Special Planning Control for Grafton Street and Environs 2019

Comhairle Cathrach Bhaile Átha Cliath
Dublin City Council

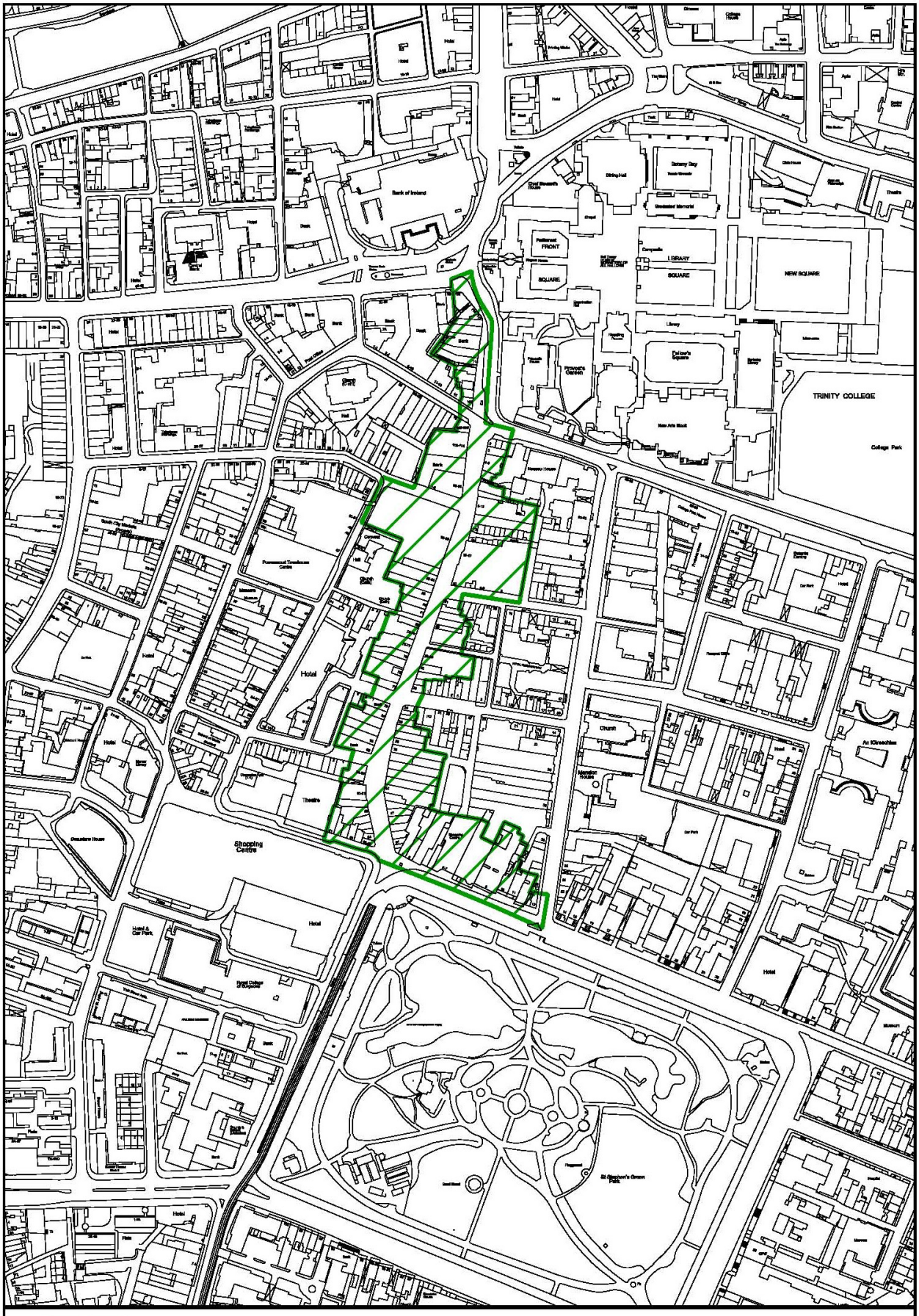






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TRINITY COLLEGE
LIBRARY
SQUARE
NEW SQUARE
Shopping Centre
Hotel
Theatre
Church
Bank of Ireland
GRAFTON STREET – AREA OF SPECIAL PLANNING CONTROL

Vision

To reinvigorate Grafton Street as the South City's most dynamic retail experience underpinned by a wide range of mainstream, independent and specialist retail and service outlets that attract both Dubliners and visitors to shop, sit and stroll, whilst re-establishing the area's rich historic charm and urban character.

As part of an initiative to achieve this vision Dublin City Council has designated Grafton Street as an Area of Special Planning Control. The extent of the Area of Special Planning Control will be identical to the 'Grafton Street and Environs Architectural Conservation Area, illustrated in the Map attached.

Duration

The Scheme of Special Planning Control was passed by resolution of Dublin City Council on the 1st July 2013 and has been reviewed in 2019 following a survey in July 2018 and consideration of changing uses. The City Council will monitor and review the impact of the Scheme and may by resolution amend or revoke the Scheme as necessary.

This document should be read in conjunction with the Grafton Street & Environs Architectural Conservation Area Plan, in particular with regard to the general controls over works to the exteriors of all buildings, both protected and non-protected.

Special Note:

The Planning Authority have the power to not only conserve the character of certain areas but also in urban areas of special importance to enhance the character; that is to restore it and to require owners and occupiers to conform to a Planning Scheme. The Planning Authority may serve a notice on each person who is the owner or occupier of land of measures required to be undertaken for –

a) the restoration, demolition, removal, alteration, replacement, maintenance, repair or cleaning of any structure, or
b) the discontinuance of any use or the continuance of any use subject to conditions,

Under this notice the Planning Authority must state they shall pay expenses that are reasonably incurred by that person in carrying out the steps specified in the notice, other than expenses that relate to unauthorised development carried out not more than 7 years prior to the service of the notice and state that the Planning Authority shall pay compensation to any person who shows that as a result of complying with the notice –

(i) the value of an interest he or she has in the land or part thereof existing at the time of the notice has been reduced, or
(ii) he or she, having an interest in the land at that time has suffered damage by being disturbed in his or her enjoyment of the structure or other land, a sum being equal to the amount of such reduction in value or a sum in respect of the damage suffered.

Executive Summary

Part (1a) Land Use Existing

This section defines Grafton Street historically as the premier retail street on the south side. It highlights the importance of specific existing uses that are key components in the established character of the area acting as magnets by reason of their importance to the area and to the city in architectural, social, cultural, economic (in particular tourism) and historic terms. A number of uses on Grafton Street are of special significance through their long association with the street. Businesses such as Brown Thomas, Weir and Sons and Bewley's Cafe are now an essential part of the street's character and continue in the tradition of providing prestigious products and fine service in high quality surroundings. As leading outlets in their respective fields, they have become major magnets and attract substantial numbers of visitors to Grafton Street contributing to the character of the street. It is an objective of the Scheme of Special Planning Control to protect this special and unique character of the area, which is intrinsically linked to specific special existing uses.

Part (1b) Land Use Proposed

This section also sets out development management measures to achieve an appropriate mix and balance of uses in Grafton Street. It addresses planning exemptions sub-divided into the following five sub-sections: -

a) de-exemption of specific shop 'uses', such that, a change of use to a particular type of 'shop' will require planning permission.
b) de-exemption of the sale of sandwiches or other food, beverages, or wine subsidiary to the main retail use,
c) de-exemption of changes within Class 2 and changes to an internet café/ phone call centre
d) de-exemption of a change down in the Class Group to 'shop'. It also sets out general controls on uses "open for consideration" and uses that are not "permissible"
e) de-exemption of certain changes of use from café/restaurant use

Furthermore, it sets out the complementary activities, which will be encouraged at first floor level.

Part 2 Maximising the Use of Buildings.

This section sets out the objectives of the Scheme in relation to the use of upper floors and basements in order to create opportunities for the provision of specialist retail uses and to provide for intensification of use. This section also contains guidelines for new development.

Part 3 Shopfronts and Advertisement Structures

The Scheme de-exempts all signage and advertisements both external and internal within the designated Grafton Street & Environs Area. This section recognises the Outdoor Advertising Strategy as contained in Appendix 19 of the Dublin City Development Plan 2016-2022 and sets out development management measures for shopfront design and signage.

Part 4 The Built Fabric

This section sets out the objectives of the Scheme to secure the retention of the historic fabric of the area and development management measures for works that would materially affect the character of the structure and area which accords with the Grafton Street & Environs – Architectural Conservation Area Plan.

Part 5 The Public Realm

The key objective is to promote high quality and inclusive design to improve the quality of the public realm and open spaces. This section refers to public realm works carried out since the Scheme was adopted and refers to proposed future works.

PART 1 – Land Use
Part (1a)
1.0.1. Existing Land Uses

1.1.1. Key Objective (1): To acknowledge the contribution particular existing uses or the last use of a structure has to the special social, cultural and / or artistic interest of those premises as distinct from solely its physical fabric. To ensure that new uses would not be inimical to the special interest identified.

1.1.2. Grafton Street as defined in the Architectural Conservation Area has been the premier retail street on the south side of the city since the 1800s and critical to the economic life of the city. Its draw for many years was the rich mix of retail outlets, including department stores, men and women's fashion shops and a range of complementary upmarket fashion, furnishing, accessories, jewellery and specialist foods. Some of these uses remain key components of the character of the area and are important magnets within both the area and the wider city contributing to the architectural, social, cultural, economic (in particular tourism) and historic diversity of the city.

1.1.3. A number of uses on Grafton Street are of special significance through their long association with the street. Businesses such as Brown Thomas, Weir and Sons and Bewley's Cafe are now an essential part of the street's character and continue in the tradition of providing prestigious products and fine service in high quality surroundings. As leading outlets in their respective fields, they have become major magnets and attract substantial numbers of visitors to Grafton Street contributing to the social, cultural, economic and architectural character of the street. It is an objective of the Scheme of Special Planning Control to protect these particular uses, which contribute so much to the special and unique character of the area.

1.1.4. The City Development Plan encourages, where possible, the retention of the historic use of each protected structure, as this is the use for which it was built. Where changes of use are proposed these should aim to maintain historic fabric and be compatible with long term conservation. The Development Plan provides detailed guidance in this regard. Dublin City Development Plan Objective CHCO9 seeks to acknowledge the importance of Bewley's Oriental Café at No. 78/79 Grafton Street, by encouraging the protection of the use of the entire building as a café which is intrinsic to the special character of the building.

Part (1b)

1.1.5. Promotion of an appropriate mix and balance of uses - Control of new uses.

1.1.6. Key Objective (2): To achieve an appropriate mix and balance of uses in Grafton Street by controlling new uses and promoting higher order comparison retail outlets, in particular fashion outlets, to provide for a high quality shopping area.

The Dublin City Development Plan 2016-2022 promotes active uses at street level on the principal shopping streets in the central shopping area having regard to the criteria for Category 1 and Category 2 streets (see para 7.6.1, Fig. 8 and also the Retail Strategy in Appendix 3). Most of the Grafton Street Area of Special Planning Control is designated as a Category 1 principal shopping street.

The Retail Core Framework Plan 2007 sets out a number of guiding strategies to underpin the strengthening, consolidation and enhancement of the retail core. This includes a strategy to create a rich mix of uses which seeks to reinforce Grafton Street as the premier shopping street in the city by ensuring that higher order retail outlets are the principal use on the street. Policy RD13 of the Dublin City Development Plan 2016-2022, in referring to the status of the city centre retail core, states that regard should be had to the relevant objectives of this Framework Plan.

It is intended to ensure that any incoming use will respect and enhance the multifaceted character of the area and allow and encourage a diversity of uses to increase its overall attractiveness for shopping, leisure and business purposes. There will be a strong presumption in favour of granting planning permission for higher order comparison retail outlets[1] including fashion outlets – both multiple and independent stores, 'lifestyle stores', flagship stores, niche and specialist retailers such as home furnishings, jewellery and books. A clustering of these uses in particular at ground; basement and first floor level help to develop a vibrant retail quarter.

Complementary activities such as restaurants, cafes, bars, art galleries, tailors, hairdressers, barbers and beauticians and other specialist services will be encouraged at first floor level and above. Office uses will be permitted above first floor level and active encouragement will be given to the provision of residential units.

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[1] Definition of higher order retail - Goods are classed on a relative scale from lower order to higher order goods. Lower order goods are those goods, which consumers need frequently and therefore are willing to travel only short distances for them. Higher order goods are needed less frequently so consumers are willing to travel further for them. These longer trips are usually undertaken for not only purchasing purposes but other activities as well. (Brian J.L.Berry 1966)

The following land use controls will be applied throughout the Grafton Street Area of Special Planning Control

1.1.7. Land Use Control - Control of Changes within the Use Classes

The following existing exemptions from seeking planning permission under the Planning and Development Regulations, 2001 (as amended) relating to changes of land use will no longer apply. In the area covered by the Grafton Street Scheme of Special Planning Control (SSPC) planning permission will be required for the following changes; (a) Specific changes from within Class 1 'shop' to other types of 'shop' as defined below, (b) The sale of sandwiches or other food, hot or cold beverages, or of wine for consumption off the premises even where such food / beverages is subsidiary, (c) Changes within other specified class groups and (d) Changes under Class 14 (a), (b), (c), & (d) *Exempted Development – General* of the Planning and Development Regulations, 2001 (as amended), and (e) the de-exemption of certain changes of use from café/restaurant use.

(**a**) Notwithstanding the interpretation of "shop" by Article 5 (1) of the Planning and Development Regulations, 2001 (as amended) the change of use of a shop or part of a shop to a premises trading as any of the following will now constitute a material change of use and will require planning permission: -

- Catalogue shop
- Collect store
- Cosmetics / beauty products
- Discount shop / End of lines / Closing down/ Sales outlets / Euro store
- Hairdressers
- Health food shops
- Launderette or dry cleaners
- Mobile phone shop and related goods
- Newsagents / convenience store
- Off-licences and Wine shops
- Personal care and grooming services
- Pharmacy
- Sale of tickets / travel agents
- Seasonal shop
- Sex shop
- Souvenir/gift shop
- Stationary / card shops
- Supermarket

(**b**) Notwithstanding the interpretation of "shop" by Article 5 (1) of the Planning and Development Regulations, 2001 (as amended) the change of use of a shop or part of a shop to a premises trading as the following will now constitute a material change of use and will require planning permission: -

- The sale of sandwiches or other food, hot or cold beverages, or of wine for consumption off the premises, where the sale of such food or beverages is subsidiary to the main retail use and "wine" is defined as any intoxicating liquor which may be sold under a wine retailer's off-licence[2].

(c) The following changes of use type within the class groups[3] will constitute a change of use and will require planning permission: -

- The conversion from financial services to use as professional service (Class 2 b *Exempted Development – Classes of Use* of the Planning and Development Regulations, 2001 (as amended) or to any other services (including betting office) where the services are provided principally to visiting members of the public (including ATM lobbies or phone call centres, internet cafes).

- The conversion of a shop or restaurant or café or office (office both as Class 2 and 3 *Exempted Development – Classes of Use* of the Planning and Development Regulations, 2001 (as amended) to an internet café or phone call centre will require planning permission.

(d) The following change of use type down to Class 1 of the *Exempted Development – Classes of Use* will now constitute a material change of use and will require planning permission.

- Notwithstanding Class 14 (a), (b), (c), & (d) *Exempted Development – General* of the Planning and Development Regulations, 2001 (as amended) any change of use to use as a shop will now constitute a material change of use and will require planning permission.

(e) The following changes of use from café/restaurant use shall require planning permission:

- The conversion of a café/restaurant to use as a fast food outlet.
- The conversion of part of a café/restaurant for the purposes of introducing the sale of (hot) food for consumption off the premises.

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2 (Within the meaning of the Finance (1909-1910) Act, 1910), 10 Edw. 7 & 1 Geo.5, c.8)
3 (Class groups as defined in Part 4 of the Planning and Development Regulations, 2001(as amended)

1.1.8. Land Use Control – Control of Changes to Lower Order Retail and Non Retail Uses

Whilst the diversity of the Grafton Street Area contributes to its attraction, it is important to ensure that its character as a prime retail street is protected and enhanced. An overconcentration of non-retail uses within the area can fragment the continuity of retail frontages, and lead to an erosion and dilution of retail character and ultimately a reduction in the attractiveness of the area as a shopping destination.

1.1.9. Existing land uses at ground floor level in the Grafton Street Area were assessed to determine the impact of the different types of land use on the architectural, historical and civic character of the area. The assessment took into account the following factors:

a) The extent to which the retail frontage is disrupted by (1) non-retail uses and (2) inappropriate uses i.e. lower and middle comparison and convenience uses.
b) The presentation of each use to the street including shopfront design, advertisement structures and use of promotional materials.

Following this assessment a number of uses were considered to have a negative impact on the architectural, historical and civic character of the area.

To maintain Grafton Street's position as the premier shopping street on the south side of the city it is considered appropriate to limit certain uses on the street to achieve an appropriate mix.

1.1.10. Land Use Control – Uses Open for Consideration

1.1.11. To promote an appropriate balance of higher order retail uses on the street and prevent an over-concentration of non-fashion or fashion related uses, planning applications for the following retail uses will be considered on their individual merits;

- Cosmetics / beauty products
- Hairdressers
- Health food shops
- Pharmacy
- Souvenir / gift shop
- Stationary / card shops

The following factors will be taken into account in the consideration of planning applications: -

- The number and proximity of similar outlets already operating in the area.
- The scale of the proposed outlet
- The physical impact of the proposed use on the internal structure of the building in which it will be located
- The quality of the shopfront design and associated signage.

1.1.12. Land Use Control - Uses Not Permissible

It is policy **not** to grant permission for the following uses, as they would detract from the character of the street: -

- Amusement arcade
- Bookmakers / Betting shop
- Catalogue shop
- Collect store
- Discount Shop / End of lines / Closing down / Euro Store

- Estate agent
- Fast food outlet
- Launderette or dry cleaners
- Mobile phone shop and related goods
- Mortgage store / Financial institution
- Newsagents / Convenience store
- Off-licences / Wine shops
- Outlet selling hot food for consumption off the premises
- Personal care and grooming services (at ground floor level)
- Phone call centre / Internet café (at ground floor level)
- Sale of tickets / travel agents
- Seasonal shop
- Sex shop
- Supermarket
- Video games and console shop

PART 2 –Maximising the Use of Buildings

2.2.0 Key Objective (3): To attract and encourage a strong and complementary mix of uses on the upper floors of all buildings.

Complementary activities such as restaurants, cafes, bars, art galleries, tailors, hairdressers, barbers and beauticians and other specialist services will be encouraged at first floor level. Office uses will be permitted above first floor level and active encouragement will be given to the provision of residential units.

The use of first floors predominately for storage or office uses will not be favourably considered, in order to maximise the active use of the buildings and create a lively street scene.

2.2.1. Key Objective (4): To seek the more intensive use of the upper floors.

It is an objective to seek the more intensive use of the upper floors in the Grafton Street Area in order:

- to create opportunities for the provision of a more balanced range of uses,
- to provide for an intensification of land use

While large space users such as department stores will continue to be important for the viability and vitality of the area it is important that room is found for smaller and more specialist retailers to help give the street more character. It is an objective to seek the more intensive use of basements and upper floors in order to create opportunities for the provision of specialist retailers and to provide for intensification of land use.

2.2.2. Key Objective (5): To retain and complement the fine grain of the established streetscape in new development.

2.2.3. The merging of two or more buildings or commercial units on one or more floors through the removal of dividing walls / partitions and / or the insertion of doorways or openings to form larger scale units constitutes development and will require planning permission. Each case shall be dealt with on its own merits and will require sensitive planning and design treatment, to complement the fine grain of the established streetscape.

2.2.4. Proposals to demolish buildings in Grafton Street may be considered in exceptional circumstances only where they are supported by a rationale related to the overall enhancement of the urban structure i.e. linkage, public space and use. New development must respect the established physical character of the street.

New Development should have regard to the following: -

- Established building lines of the existing urban environment
- Existing massing, existing height and plot width
- Existing solid / void ratios
- Predominant materials and colour in use in the area
- Development of active street frontage
- Multiple levels
- Provision of a fully accessible environment for everybody.

Pastiche design proposals for infill buildings or replacement shopfronts will be discouraged.

Separate access to the upper floors of buildings must be maintained and should not be removed as part of any proposal to extend the ground floor use or install a new shopfront.

Part 3 - Shopfronts and Advertisement Structures

3.3.0. Shopfronts

3.3.1. Key Objective (6): To redress the decline in quality and presentation of buildings and shopfronts within the Grafton Street & Environs ACA.

3.3.2. Any alteration or works to shopfronts within the Grafton Street & Environs ACA, other than routine maintenance works, which comprise the carrying out of works to the exterior of a structure requires planning permission under the Planning and Development Act 2000, (as amended).

3.3.3. Shop fronts form an important part of a street's character, as they constitute a highly visible part of the building at street level. Dublin City Council promotes a dual approach to shopfront design: -

- Protecting traditional and original shopfronts
- Encouraging good contemporary shopfront design

It is policy to encourage the retention and reuse of all good-quality traditional and original shopfronts, whether protected or not. Pastiche design will be discouraged. The design approach to a new shopfront should provide a contemporary architectural expression of today within the context of the character and tradition of Dublin city, the character of the individual street and the character of the building itself.

Shopfronts, which are well designed and well maintained, make for a more attractive street for the shopper and passer-by. Poor quality shopfronts, on the other hand, damage the public perception of a street. An assessment of the quality and presentation of existing shopfronts within the Grafton Street & Environs ACA reveals that a number of the shopfronts are characterised by poor design, use of inappropriate materials, proliferation of signage and lack of maintenance.

3.3.4. Any person proposing to install a new shopfront is advised to consult Dublin City Council's Shopfront Design Guide (2001) for general guidance on all matters relating to shopfront design. They are also advised to engage an architect with an expertise in the design of shopfronts to prepare any planning application.

3.3.5. The following five design principles should be observed in the design of shopfronts;

- Shopfront structure and proportion – external and internal
- Materials and colour
- Signage
- Illumination
- Security

3.3.6. Shopfront Structure – External

The following design principles should be followed in the design of any proposed shop front and the preparation of a planning application.

- The relationship of the shop front to the building

  A shop front is an integral part of the building of which it forms part and therefore the shop front should relate to the architectural character of the upper floors in respect of proportion, scale and alignment.

- The relationship of the shop front to the adjoining buildings

  Buildings and shop fronts relate to adjoining buildings and therefore the starting point for the design of a shop front must be its architectural context. Shop fronts should respect the scale and proportions of the streetscape and the established pattern of openings.

- The shop front framework

  A strong framework for the shop front should be provided, including an appropriately scaled and detailed fascia panel, pilasters and a well defined base.

- In all instances clear glazing should be used, no frosted/ tinted / opaque /laminate glass should be used except in exceptional circumstances were the overall design concept would warrant the use of such materials.

- Doors are an integral part of the shop front and will be required in all instances. Generally automatic doors and folding doors will not be favourably considered.

- The removal of separate access to the upper floors will not be favourably considered.

- Access for people with disabilities, the elderly and the very young, should be incorporated into the design of the shopfront.

- A security hatch or slot of a sufficient scale to accept newspaper deliveries shall be incorporated into the design of all new shopfronts, as appropriate. It shall be located at or immediately above the level of the stall riser and should not interfere with the general proportions and presentation of the front façade of the shopfront.

- No amplified announcements, music or other material shall be played from any premises to advertise goods or services, and no loudspeakers or other amplification apparatus shall be affixed on or about the front of the premises for such a purpose. Any such sounds within the premises shall be controlled so as to be inaudible from adjoining premises or at 2 metres from the frontage.

3.3.7. Shopfront Structure – Internal

- Shopfront displays (this includes gable elevations and upper floor windows) must be provided as an integral part of the shopfront design and these displays shall be managed and maintained.

- The window display fixtures, fittings and illumination must be of high quality and complement the shopfront.

- Display areas at ground floor level shall be located directly behind the glazed shopfront for its full width excluding doors with a minimum depth of 0.75 metres and used to display merchandise associated with the retail unit.

- The design of the interior of retail units, including layout, furniture, display cabinets, materials and colour, should have regard to the visual impact on the exterior of the

shopfront and the requirement to complement the design of the shopfront and building overhead.

- Back of interior display stands and storage units shall not be positioned up against or close to the window display.

3.3.8. Material and Colour

- The materials used should be durable and of high quality. In principle, the following materials are acceptable stone, timber, brick, render, steel, bronze, brass and glass.

- The following materials would generally not be considered acceptable- Materials such as highly polished stone, plastics, acrylic, uPVC, mirrored panels, poor quality flat faced timber panels

- The colours used in the shopfront should be complementary to those of the building and adjoining buildings.

- Garish colours (i.e. those that clash with the colours and tones of the building and adjoining buildings) should be avoided.

- Painting over brickwork is not acceptable.

- Corporate design packages, including colour and material palates and signage, will not generally be acceptable unless fully compatible with and complementary to the character of the building and adjoining buildings. The context for the proposal is considered more important than uniformity between branches of one company.

3.3.9. Shopfront Signage

Several types of use have an over reliance on the use of signage and advertising posters to promote the goods instead of having a designed internal display with merchandise associated with the retail unit, for example mobile phone shops and convenience stores. To actively encourage shopfront display the following signage restrictions shall apply to all uses to ensure the implementation of this policy: -

Notwithstanding Part 2 Exempted Development – Advertisements {Article 6} of the Planning and Development Regulations, 2001 (as amended), within the designated Grafton Street and Environs ACA, all signage and advertisements both external and internal requires planning permission.

- Signage shall form an integral part of the overall design for the shopfront and shall be restricted to the fascia. In general only the name and street number of the shop should be on the fascia panel.

- The signage relating to any commercial ground floor use shall be contained within the fascia board of the shopfront. The lettering employed shall either be painted on the fascia, or consist of individually mounted solid letters on the fascia board. The size of the lettering used should be in proportion to the depth of the fascia board and in all cases shall not exceed 300mm in height.

- Lettering or logos shall not be affixed directly to the glazing of any shop or business windows, other than etched lettering. All sign displays inside the shop should be kept back a minimum distance of 500mm from the glazing. Lettering or logos shall not obstruct the window display and shall not exceed one quarter of the area of the window through which the advertisements are exhibited.

- Projecting signs shall not generally be permitted as a profusion of such signs in a confined area can lead to visual clutter in the streetscape. However, positive consideration may be given to the use of a projecting sign if a building is in multiple occupancy and the proposed sign would lead to a significant overall reduction in the number and scale of advertisement structures on or projecting from the face of the building. In this circumstance the following guidelines must be observed:

  - Not more than one projecting sign should be displayed on a building
  - Signs should not be fixed directly to the face of a building but should be fixed by a bracket
  - Projecting sign should be fixed at fascia height adjacent to the access to the upper floors.
  - Signs should depict a pictorial feature or symbol illustrating the trade or business being undertaken and should be as transparent as possible.
  - Signs should be individually designed to complement the scale, materials and design of the building.
  - Signs should not obscure important features of a building or adjacent buildings.

3.3.10. Illumination

- Illumination of the shopfront should be discreet, either by concealed tubing where the fascia details permit or by rear illumination of the individual letters.

- The colouring and intensity of illumination shall be complementary to the overall shopfront design and architectural context.

- Neon illumination around windows is unacceptable.

3.3.11. Canopies

- Canopies, if considered necessary by reason of key corner sites / landmark buildings and appropriately integrated into the overall shopfront, shall be traditional style, open ended and in a muted tertiary colour. Shop names or advertising on the blind are not permitted.

- Glass canopies may be considered subject to agreement on design and maintenance.

3.3.12 Flags

- All flags and flagpoles will require planning permission. Flags and flagpoles shall not generally be permitted as a profusion of such items in a confined area can lead to visual clutter in the streetscape.

3.3.13 Security

- The use of externally fitted roller shutters will not be permitted.

- Roller shutters, when proposed, should be located behind the window display area and comprise a fine density open mesh shutter. The colour of the shutter should match the colour of the shopfront.

3.4. Existing Advertisement Structures

3.4.1. An analysis of existing advertisement structures has identified that in a number of instances their inappropriate design, inappropriate colour and over use has had an adverse impact on the character and attractiveness of the area and on the quality and presentation of the built fabric of the architectural conservation area.

The analysis took into account the following:

- The extent to which an advertisement structure obscures, interferes or damages the architectural feature of any structure that contributes to the character of the Architectural Conservation Area.

- The extent to which it interferes with the character of the Architectural Conservation Area by virtue of the prominence or importance of the location at which it is displayed, for example, important entry points or gateways to the area.

- The relationship of the sign or structures to the uses operating within the building on which the structure is displayed.

- The scale and dimensions, composition, colours, materials and form of sign or structure.

3.4.2 It is an objective of the City Council to negotiate with the owners of advertising structures to remove these structures in the interests of improving the architectural character of the area, as well as to seek the removal of redundant signage, lamps, floodlights, hanging baskets and brackets associated with these elements protruding from the elevations of structures.

3.4.3 Ongoing enforcement action will be taken in relation to unauthorised inappropriate advertising structures.

3.4.4 New Advertisement Structures

3.4.5 **Key Objective (7)** It is an objective to ensure that all new advertisement structures erected in the area are well designed. Dublin City Council will permit only advertisements which are designed sensitively and which will enhance the appearance and vitality of the area.

3.4.6 The Outdoor Advertising Strategy contained in Appendix 19 of the Dublin City Development Plan 2016-2022 seeks to manage outdoor advertising in the city based on a number of geographical zones. In general, there is a strong presumption against outdoor advertising at the northern and southern ends of Grafton Street which are located in Zone 1, whilst outdoor advertisement may be permitted subject to special development management measures in the core Grafton Street area which is located in Zone 2.

To ensure the implementation of key objective (7), the following development control standards will be applied to advertisement structures: -

- All advertisement structures displayed at ground floor level for ground and upper floor uses must relate solely to the authorised uses in the building and be provided as an integral part of the overall design of a shop front.

- Advertisements and signs relating to uses above ground floor level should generally be provided at the entrance to the upper floors, in a form and design which does not detract from, or impinge upon the integrity of the ground floor shopfronts or other original elevational features of the building.

- The colours used on any advertisement structures or signs will be required to respect the prevalence of tertiary colours established by the building materials of the buildings in the area. Substantial areas of bright or garish colours will not be allowed as the background of any sign. More prominent colours may be used on individual lettering.

- The provision of any additional advertisement panels, signage or advertising features at or above ground floor level on the facades or gables of buildings will not be permitted.

- Banner type signs and advertising sheeting covering any façade or part of a façade of a building is not acceptable.

- The provision of temporary advertisement structures on or projecting from any part of the façade or gable of a building or hung between buildings will not be permitted.

- The provision of lettering on upper floor windows for the upper floor uses should not exceed 25% of the glazed area (measured as a rectangle enclosing all letters). The remaining window area shall be clear glazing.

- The obscuring of the main façade windows at any level will not be permitted

- Internally illuminated signs including box signs, illuminated scrolling signs, digital signs or signs using exposed neon tubing will not generally be permitted either on fascia board, shopfront, the façade (s) of a building or internally behind the glazing or shopfronts.

PART 4 - The Built Fabric

4.4.1. Key Objective (8): To secure the retention of the historic fabric of the area.

It is the objective of Dublin City Council to seek to achieve sustainability and energy conservation through the refurbishment and restoration of a finite resource and the securing of sustainable uses for these buildings. **The Architectural Conservation Area plan introduces general controls over works to the exterior of non-protected buildings. These controls will continue to apply.**

In order to protect the essential character of the built fabric, owners / occupiers of buildings in the area are advised to observe the following general guidelines and are advised to consult and comply with the **Grafton Street & Environs – Architectural Conservation Area Plan**.

4.4.2. Non- Protected Structures

Under the Grafton Street Architectural Conservation Area plan, planning permission is required for certain types of development previously exempt under the Planning and Development Regulations. In other words, development which would consist of or comprise the carrying out of works to the exterior of a structure located within the Architectural Conservation Area and that would materially affect the character of the area concerned will no longer be exempted development.

- Original architectural features such as mouldings, cornices and window architraves should be retained or where appropriate reinstated or restored.
- All brickwork and stonework, pointing and rendering should be regularly maintained.
- Painting brick or stonework is unacceptable.
- Windows, in particular front windows should be retained or where appropriate reinstated or restored. When replacing front windows on non-protected structures, the original timber / metal window design should be copied taking particular care that the detailing of frames and glazing bars match exactly and that the windows are set at the same depth within the window openings as the originals.
- Modern uPVC or aluminium windows will not be acceptable.
- Interior joinery, fittings and decorative plasterwork should be retained or where appropriate reinstated or restored.

4.4.3. Protected Structures

Under the Planning and Development Act 2000, (as amended), planning permission is required for all works that would materially affect the character of a structure that is included on the Record of Protected Structures or any element of the structure that contributes to its special interest.

An owner / occupier may request Dublin City Council to issue a declaration indicating what works would or would not materially affect the character of the structure or any element thereof.

PART 5 - The Public Realm

5.5.1 Key Objective (9): To promote high quality and inclusive design to improve the quality of the public realm and open spaces.

5.5.2 Key Objective (10): To provide for a high quality range of street furniture that will enhance the public realm.

5.5.3. City centres must provide a high quality environment if they are to continue to be places where people wish to come. Greater consideration of design will help to improve this. The quality of the environment of the area is important for continuing prosperity and enhancement.

5.5.4. 'Your City, Your Space; Dublin City Public Realm Strategy' was adopted by Dublin City Council in September 2012 with the aim of improving Dublin's attractiveness to those who live, work in or visit the city by agreeing standards for how the public realm is planned, designed and managed. One action to be implemented, the Grafton Street Quarter Public Realm Plan, has been progressing well, with public realm works at Harry Street, Balfe Street, Chatham Street and Chatham Lane recently completed. Other projects under way relate to works at Clarendon Street, Clarendon Row, Duke Street, South Anne Street, Duke Lane and Anne's Lane.

5.5.5. The replacement of Grafton Streets brick paving with natural granite is now complete, and this texture complements rather than competes with the visually rich and complex range of shopfront styles and architectural building elevations along Grafton Street. The design includes contemporary high quality street furniture and a way-finding path affording an obstruction free route along one side of the street.

5.5.6 The opening of the Luas Cross City route in 2017 has transformed public realm in the wider area. Whilst the route does not traverse the immediate area of the scheme, the presence of new Luas stops closeby on Dawson Street and Westmoreland Street significantly improve public transport accessibility to the area, particularly from the broader Luas network. The pre-existing St. Stephens Green stop also provides close access to Grafton Street. Various public realm street improvements have been carried out along the new section of the route.

5.5.7. In general, given the relatively narrow width of Grafton Street and the high pedestrian footfall the provision of certain elements of street furniture on the public footpath or private landings will not be favourably considered. These elements include newspaper stands, A-frames and spinner stands erected by retailers or tables and chairs for cafes, restaurants or bars.

5.5.8. Elsewhere within the study area the following standards will be applied to proposals for these elements of street furniture: -

- Street furniture will require either a licence under Section 254 of the Planning and Development Act 2000, (as amended) or planning permission (including street furniture erected on private landings)

- No merchandising or products shall be displayed on the public footpath or outside premises.

- No amplified announcements, music or other material shall be played from any premises to advertise goods or services, and no loudspeakers or other amplification apparatus shall be affixed on or about the front of the premises for such a purpose. Any such sounds within the premises shall be controlled so as to be inaudible from adjoining premises or at 2 metres from the frontage. These standards accord with the general site development standards as set out in paragraph (16.30) of the Dublin City Development Plan 2016-2022.

Appendix 1 Definitions

Amusement arcade
A building or part thereof, used for the playing of gaming machines, video games or other amusement machines. It may also include a bowling alley, quasar complex, pool or snooker hall, or indoor children's play centre.

Book stores
An outlet that primarily sells books as well as related items such as newspapers and maps.

Bookmakers / Betting shop
Premises for the time being registered in the register of bookmaking offices kept by the Revenue Commissioners under the Betting Act, 1931 (No. 27 of 1931)

Catalogue shop
Primary means of displaying goods to customers is via a catalogue. Goods are stored back of shop. Customers can browse through the catalogue, select items to buy, pay for items and then collect the items from a counter in store or request home delivery.

Charity shop
A shop in which a charity sells used goods that are given to it, or in which they sell new goods, in order to generate an income for the work of the charity.

Collect store
A collection facility associated with internet shopping. Collection can require person to person contact, can utilise a self-service locker system, or can utilise both forms of collection.

Comparison goods
Examples of such goods are clothing and footwear, furniture and household equipment (excluding non-durable foods) medical and pharmaceutical products, therapeutic appliances and equipment, educational and recreational equipment and accessories, books, newspapers and magazines, goods for personal care and goods not elsewhere classified.

Convenience goods
Examples of such goods are food, alcoholic and non-alcoholic beverages, tobacco, and nondurable household goods.

Cosmetics / Beauty products
An outlet that sells skin & hair care products; make up, fragrances and other associated accessories.

Discount shop / End of lines / Closing down/ Sales outlets
An outlet that sells reduced items, discontinued lines for an extended periods beyond and outside the normal sales period.

Estate agent
Agency selling and renting property**,** showcasing property Schemes and in some cases (International property agents) providing travel agency services to visit the properties.

Euro store
An outlet selling inexpensive merchandise often with a single price for all items in the shop

Fast food outlet
An outlet that sells hot and cold food and drinks – packaged and wrapped without waiter service for consumption on the premises.

Flagship store
Larger than life statement about the Retailer Company and brand, size, location and prestige image to influence the consumer.

Hairdresser
A shop where washing, cutting, styling, etc of hair takes place.

Health food shop
An outlet that sells an extensive selection of organic produce, grocery, dairy, and bulk foods and herbs, as well as vitamins, slimming / detox products, sports supplements and homeopathics, cruelty-free body care / hair care, and aromatherapy products.

Higher order goods and lower order goods
Goods are classed on a relative scale from lower order to higher order goods. Lower order goods are those goods, which consumers need frequently and therefore are willing to travel only short distances for them. Higher order goods are needed less frequently so consumers are willing to travel further for them. These longer trips are usually undertaken for not only purchasing purposes but other activities as well. (Brian J.L.Berry 1966)

Launderette or dry cleaners
Self-service laundry or service washes and dry cleaning of clothing.

Lifestyle stores
Specialist mini-department stores selling a co-ordinated lifestyle e.g. Urban Outfitters

Mobile phone shop and related goods
An outlet that sells mobile phones, mobile phone accessories and related goods.

Mortgage store / Financial institution
The provision of financial services where the services are provided principally to visiting members of the public.

Newsagents / Convenience store
A retail outlet which sells a range of goods including confectionary, soft drinks, cigarettes, newspapers and magazines, fresh and packaged foods.

Niche
An outlet catering for a restricted target market segment as focused retailing with differentiation.

Off-licence
A retail outlet or part of a retail outlet that sells intoxicating liquor for consumption off the premises, including wines, spirits and beers.

Personal care and grooming services
Notwithstanding hairdresser (above), any other service that involves a person providing a service to another person for the purposes of personal care and/or grooming. Such uses include but are not limited to: beauty treatments and aesthetics (skin and body therapy), electrolysis, massage, piercing, tanning, tattooing / tattoo removal, teeth cleaning & whitening.

Pharmacy
A retail outlet that sells prescription and non-prescription drugs as well as a range of healthcare and beauty products.

Phone call centre / Internet café
An outlet where the service is principally to visiting members of the public and consists of the provision of access to online computer services including the internet and email, with or without (limited or otherwise) restaurant facilities.

Restaurant and Café
A building where the primary function is for the sale of food, meals / refreshments for consumption on the premises.

Seasonal shop
A shop that sells seasonal items. This includes but is not limited to: calendar shops and shops that sell seasonal decorations, gifts and costumes (i.e. those associated with Halloween, Christmas, St. Patrick's Day & Easter etc).

Sex shop
A retail outlet, which inter alia rents or presents for viewing sexually explicit printed material or films including videos, clothing, sex aids and toys.

Souvenir/Gift shop
An outlet selling mainly memorabilia, for example shirts, hats, pins, toys and books.

Stationary / Card shop
An outlet selling stationary and cards.

Supermarket
A retail outlet selling mainly food, but also on occasions confectionary, soft drinks, cigarettes, newspapers, magazines and alcohol.

Take-away
An outlet that sells hot food for consumption off the premises

Travel agent
A travel agency is a business that sells travel related products and services to customers on behalf of third party travel suppliers such as airlines, hotels and cruise lines.

Wine shop
A retail outlet or part of a retail outlet that sells wine.

Appendix 2: Appropriate Assessment and Strategic Environmental Assessment

Appropriate Assessment (AA)

An Appropriate Assessment Screening of the proposed review and amendments to the Scheme of Special Planning Control for Grafton Street and Environs**,** has taken place in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC).

The proposed review and amendments has been assessed to ascertain if it is required to be subject to an *'Appropriate Assessment'* under the EU Habitats Directive. Based on the *'Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*, a *'Screening Matrix'* and a *'Finding of No Significant Effects Matrix'* have been completed.

The principal trigger for undertaking an *'Appropriate Assessment'* would be if the proposed amendments were likely to have significant effects on a Natura 2000 site. For the purposes of Article 6 assessments, Natura 2000 sites are those identified as Sites of Community Importance under the Habitats Directive (normally called Special Areas of Conservation) or classified as Special Protection Areas under the Birds Directive (79/409/EEC).

Dublin City Development Plan 2016-2022 was subject to a full Appropriate Assessment (AA) throughout all stages of the plan preparation. The appropriate assessment assessed the potential significant impacts on Natura 2000 sites as a result of implementing the policies, objectives and land use zoning objectives of the development plan. Land use zoning objectives were informed by the policies and objectives of the plan as they evolved during the plan-making process. The AA process was undertaken in accordance with established best-practice to date and the methodology was refined in consultation with the National Parks and Wildlife Services (NPWS). It is relevant to note that all the policies and the objectives of the development plan had been screened for AA.

The proposal did not require the benefit of an appropriate assessment because the proposed review and amendments to the Scheme of Special Planning Control (SSPC) for Grafton Street and Environs does not significantly alter any policy or objective of the development plan

However, in line with the precautionary principle, it was considered appropriate to undertake an appropriate assessment screening as the proposal forms part of the Dublin City Development Plan 2016 – 2022.

Stage 1 screening indicates that the proposed review and amendments to the Scheme of Special Planning Control (SSPC) for Grafton Street and Environs will not have any significant cumulative, direct or indirect impacts upon any of the Natura 2000 sites. Therefore it is not considered necessary to undertake any further stages of the Appropriate Assessment process.

Strategic Environmental Assessment (SEA)

The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21st July 2004. The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011).

A Strategic Environmental Assessment Screening of the proposed revisions to the Scheme of Special Planning Control for Grafton Street and Environs**,** has taken place.

The proposal does not require a Strategic Environmental Assessment because the proposed review and amendments to the Scheme of Special Planning Control (SSPC) for Grafton Street and Environs does not significantly alter any policy or objective of the development plan. However, it was considered appropriate to undertake an SEA Screening as the Scheme forms part of the Dublin City Development Plan 2016 – 2022 and is located in an Architectural Conservation Area.

The Planning Authority determined, using the criteria set out in Schedule 2A Planning and Development Regulations, 2001 (as amended), the DoEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC that a Strategic Environmental Assessment is not required for the proposed review and amendments.

The Scheme of special planning control has been examined and by reason that the proposed review and amendments affects a limited area and taking into consideration the restricted nature of its intended impact, the revised Scheme is deemed not to have any significant environmental effects.