



An
Bord
Pleanála

Board Direction
ABP-304490-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/09/2019.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether erection of 2 No. pharmacy signs (each 750mm x 500mm) on the northern and southern elevation of an existing structure is or is not development or is or is not exempted development:

AND WHEREAS Lidl Ireland GmbH requested a declaration on this question from Dun Laoghaire Rathdown County Council and the Council issued a declaration on the 10th day of May, 2019 stating that the matter was development and was not exempted development:

WHEREAS Lidl Ireland GmbH referred this declaration for review to An Bord Pleanála on the 20th day of May, 2019:

WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,

- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Parts 1 and 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) the planning history of the site.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the erection of 2 No. pharmacy signs (each 750mm x 500mm) on the northern and southern elevation of an existing structure is development;
- (b) the works constitute development pursuant to section 3 of the Planning and Development Act, 2000;
- (c) the development does come within the scope of Class 1 of Part II of Schedule 2 to the Planning and Development Regulations 2001;
- (d) the restrictions on exemptions outlined in Article 9(1)(a)(i) are applicable in this instance.

THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the erection of 2 No. pharmacy signs (each 750mm x 500mm) on the northern and southern elevation of an existing structure is development and is not exempted development.

Board Member:

Date: 05/09/2019

Terry Ó Niadh