



An  
Bord  
Pleanála

**Board Direction**  
**ABP-307426-20**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/02/2021.

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

Board Order as follows:-

**WHEREAS** a question has arisen as to whether the replacement of non-original, existing signage at nos. 72 and 73 Dame Street and the facade at Crampton Court, for 18 months is or is not exempted development.

**AND WHEREAS** Olympia Productions Unlimited requested a declaration on this question from Dublin City Council and the Council issued a declaration on the 16<sup>th</sup> June 2020 stating that the development referred to above would comprise development that is not exempted development,

**AND WHEREAS** the said question was referred to An Bord Pleanála by Olympia Productions Unlimited on the 24<sup>th</sup> June 2020.

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to:

(a) Sections 2, 3, 4(1)(h) and 57 (1) of the Planning and Development Act, 2000, as amended,

(b) Articles 6 (2) and 9 of the Planning and Development Regulations, 2001, as amended,

(c) Part 2 of the Second Schedule to the Planning and Development Regulations, 2001, as amended,

(d) Relevant case law, and

(e) The planning history of the site and the documentation submitted with the referral, and

(f) the report of the Planning Inspector.

**AND WHEREAS** An Bord Pleanála has concluded that –

(a) The erection of the signage constitute “works” as defined in section 2 of the Planning and Development Act, 2000, as amended,

(b) Having regard to the planning history on the site which indicates that the wall mounted signage on the Protected Structure, comprising 2 no. signs to nos. 72 and 73 Dame Street and the façade at Crompton Court are structures which do not have the benefit of planning permission,

(c) The erection of the signage does not come within the meaning of section 4(1)(h) of the Planning and Development Act, 2000, not being “development consisting of the carrying out of works for the maintenance, improvement or other alteration of the structure”, that is the existing building structures on Dame Street and Crompton Court and therefore, the exempted development provisions of Section 4(1)(h) of the Planning and Development Act 2000, as amended are not applicable to the signage structures,

(d) Article 9 (1)(viii) of the Planning and Development Regulations, 2001, as amended, restricts exemptions on structures which consist of, or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use, and

(e) There are no other exempted development provisions that would apply to the replacement of these structures.

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 of the 2000 Act (as amended), hereby decides that;

(a) The proposed replacement of wall mounted signage on the Protected Structure, comprising 2 no. signs to nos. 72 and 73 Dame Street and the façade at Crompton Court for 18 months (or for any other period) constitutes development that is not exempted development.

**Board Member:**

**Date:** 08/02/2021

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Maria FitzGerald