

# Board Order PL 29N.249013

Planning and Development Acts 2000 to 2017

**Planning Authority: Dublin City Council** 

Planning Register Reference Number: 2981/17

**Appeal** by The Mountjoy Square Society care of Murray Rees of 25 Mountjoy Square, Dublin against the decision made on the 10<sup>th</sup> day of July, 2017 by Dublin City Council in relation to an application by Carrowmore Property Limited care of BMA Planning of 128 Lower Baggot Street, Dublin for permission for development comprising three number external signs comprising the following:- one number internally illuminated square sign (2.25 metres by 2.25 metres) at fifth floor level on the south (Diamond Park) elevation, one number internally illuminated vertical sign (12.3 metres by 0.5 metres) comprising 13 number individually pinned letters – 'Kavanagh Court' – at second to sixth floor levels on the north (Summerhill) elevation, and one number internally illuminated three-sided cube sign (0.75 metres by 0.75 metres) within the entrance underpass from Gardiner Street Lower; all on site (0.43 hectares) at Gardiner Street Lower, Summerhill and Gloucester Place Upper, Dublin (site bound by Gardiner Street Lower to the west, Summerhill to the north, Gloucester Place Upper to the east and Diamond Park to the south) [the application relates to the permitted Student Residence Complex (planning register reference number 3611/14, An Bord Pleanála appeal reference number PL 29N.245025, as amended by planning register reference number 3345/16] in accordance with the plans and particulars lodged with the said Council (which decision was to grant subject to conditions permission for one number internally illuminated vertical sign (12.3 metres by 0.5 metres) comprising 13 number

individually pinned letters – "Kavanagh Court" – at second to sixth floor levels on the north (Summerhill) elevation, and one number internally illuminated three-sided cube sign (0.75 metres by 0.75 metres) within the entrance underpass from Gardiner Street Lower and to refuse permission for one number internally illuminated square sign (2.25 metres by 2.25 metres) at fifth floor level on the south (Diamond Park elevation).

### **Decision**

GRANT permission for one number internally illuminated vertical sign (12.3 metres by 0.5 metres) comprising 13 number individually pinned letters – 'Kavanagh Court' – at second to sixth floor levels on the north (Summerhill) elevation, and one number internally illuminated three-sided cube sign (0.75 metres by 0.75 metres) within the entrance underpass from Gardiner Street Lower in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for one number internally illuminated square sign (2.25 metres by 2.25 metres) at fifth floor level on the south (Diamond Park elevation) based on the reasons and considerations marked (2) under.

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations (1)**

Having regard to the design and scale of the sign on the northern elevation, and the limited size and scale of the proposed cubed sign and its location within the entrance underpass and off the building facade, it is considered that, subject to compliance with the conditions set out below, these proposed signs would not detract from the building itself or from the overall character, appearance and setting of the Conservation Area, would not, therefore, be contrary to Policy CHC4 as set out in the Dublin City Development Plan 2016-2022 and would not be contrary to the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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 the development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, or any other statutory provision amending or replacing them, no additional advertising signs or structures shall be displayed or erected on the building or within the curtilage of the site unless authorised by a further grant of permission.

**Reason:** In the interest of visual amenity.

3. The vertical sign shall consist of individual lettering mounted onto the façade of the building, in a high quality material such as stainless steel and with a maximum height of 0.5 metres. Illumination of the sign shall consist of backlighting only. A sample of the lettering shall be submitted to the planning authority and written agreement obtained prior to the erection of the signage.

Reason: In the interest of visual amenity.

 The proposed cubed sign shall be provided with a black background and white lettering. All illumination to the lettering and logos shall consist of backlit LED lighting only.

Reason: In the interest of visual amenity.

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

It is the policy of the planning authority, as set out in the current Dublin City Council Development Plan (Policy CHC4), to protect and enhance the character and appearance of Conservation Areas. It is considered that the proposed signage on the south facade of the building, which would be visible from Diamond Park and Gardiner Street, a Conservation Area, and which is located within an area where there is a notable absence of advertising signs, would seriously injure the visual amenities of the area. This element of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of

2017

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