



An
Bord
Pleanála

Board Order

PL 29S.249375

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 3455/17

Appeal by Kinetic Advertising Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 12th day of September, 2017 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: The removal of an existing wall-mounted illuminated sign ('Guinness Sign') measuring 1.2 metres in height and 2.3 metres in width, approximately; and removal of existing associated cabling, wiring, spotlights and brackets which are fixed to the southeast elevation (gable wall) of the subject premises; and installation of a new, replacement wall-mounted illuminated sign ('Heineken Sign') measuring 0.9 metres in height and 1.7 metres in width, approximately; composed of backlit laser-cut brushed stainless steel lettering and logo; and all ancillary site works above and below ground at number 135 Morehampton Road, Dublin (also known as O'Connell's Restaurant).

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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

Having regard to the nature scale and extent of the proposed signage, to the location of the site close to the commercial centre of Donnybrook village, to the high quality of materials proposed, it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would not detract from the character of the Belmont Avenue/Mount Eden Road and Environs Architectural Conservation Area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed signage was sympathetic to its surroundings and subject to the mitigation measure of the omission of the illumination the proposed sign would not injure the residential or visual amenities 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 development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The sign shall not be illuminated.

Reason: In the interest of visual amenity.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

