



Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: 0404/17

WHEREAS a question has arisen as to whether the provision of an illuminated advertisement inside the premises at Number 124-127 Saint Stephen's Green West, Dublin is or is not development or is or is not exempted development:

AND WHEREAS Indeed Ireland Operations Limited care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin requested a declaration on the said question from Dublin City Council and the said Council issued a declaration on the 21st day of November, 2017 stating that the said matter is not exempted development:

AND WHEREAS Indeed Ireland Operations referred the declaration for review to An Bord Pleanála on the 13th day of December, 2017:

AND 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, as amended,
- (c) section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) article 6(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 2 of Schedule 2 of the Planning and Development Regulations, 2001, as amended:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the exhibition of advertisements is development, as defined in Section 3 of the Planning and Development Act 2000,
- (b) the development that has taken place does not come within the scope of Section 4(1)(h) of the Planning and Development Act 2000, as it constitutes signage which involves works which are not for the maintenance, improvement or other alteration of a structure, and
- (c) the development comes within the scope of Class 2 of Part 2 of Schedule 2 of the Planning and Development Regulations 2001, but does not comply with the Conditions and Limitations to which this Class is subject as the total area of the advertisement in this case exceeds one quarter of the area of the window through which the advertisement is exhibited and is, therefore, not exempted development.

NOW 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 provision of an illuminated advertisement inside the premises at Number 124-127 Saint Stephen's Green West, Dublin is development and is not exempted development:

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.

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

Dated this day of 2018.