



Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 0083/20

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

AND WHEREAS Olympia Productions Unlimited care of John Spain Associates of 39 Fitzwilliam Place, Dublin requested a declaration on the question from Dublin County Council and the Council issued a declaration on the 16th day of June 2020 stating that

- (a) the proposed replacement of the present signage to the sides of the canopy to number 72 Dame Street and to the shopfront at number 73 Dame Street (only) for 18 months would comprise development which is exempted development, and
- (b) the replacement of the two wall-mounted signs to the Dame Street elevation and the wall-mounted sign on the Crampton Court elevation is not exempted development.

AND WHEREAS Olympia Productions Unlimited referred the declaration for review to An Bord Pleanála on the 24th day of 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 those Regulations,
- (d) relevant case law,
- (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 two number signs to numbers 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 Act, 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 Act, 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 (3)(a) of the 2000 Act, hereby decides that the proposed replacement of wall mounted signage on the Protected Structure, comprising two number signs to numbers 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.

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.

Maria FitzGerald

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

Dated this day of 2021.