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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2040/21**

**APPEAL** by Hugh Courtney care of McCutcheon Halley of Kreston, Arran Court, Arran Quay, Dublin against the decision made on the 6<sup>th</sup> day of October, 2021 by Dublin City Council to refuse permission to the said Hugh Courtney.

**Proposed Development:** Permission and retention permission for development consisting of :1. retention of outdoor enclosed seating area and branded advertising to canopy and screens at front of premises (Haddington Road entrance), 2. permission for the provision of new high level facade signage to front of premises (Haddington Road entrance), all at Smyth's Pub, 10, Haddington Road (rear onto Percy Place), Dublin.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations 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

1. Having regard to the scale, extent and positioning of the raised plinth, screen and canopy structure for which retention permission is sought, located forward of the building line and obscuring the main façade and signage of the premises and having regard to the associated new high level signage proposed on the main façade of the premises, it is considered that the development for which retention permission is sought and the proposed development would adversely affect the character of the streetscape along Haddington Road and the setting of the adjacent residential conservation area, would seriously injure the visual amenity of the area including the amenities of properties in the vicinity and would be contrary to the relevant provisions of the Dublin City Development Plan 2016-2022. The development for which retention permission is sought and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed high-level signage would be contrary to the provisions of the Dublin City Development Plan 2016-22 including sections 16.24.2 and 16.24.3 and the associated Shopfront Design Guide. When combined with the number of projecting signs and advertisements on the façade of the building and on the canopy structure for which retention permission is sought, the proposed additional signage would contribute to visual clutter which, by itself and by the precedent it would set, would seriously injure the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.



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

Dated this 14<sup>th</sup> day of March 2022.