



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3779/21

Appeal by Mannix Flynn of Members Room, City Hall, Dublin against the decision made on the 4th day of January, 2022 by Dublin City Council to grant subject to conditions a permission to Mistomar Ventures Limited care of Manahan Planners of 38 Dawson Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Replacement of the existing advertising sign (six metres high by six metres wide) structure and overhead lighting with a digital display sign (six metres high by six metres wide) at the gable end of 284 Rathmines Road Lower, at 280, 282 and 284 Lower Rathmines Road, Rathmines, Dublin. If granted, the permission would be on the basis of removing and decommissioning, in line with the outdoor advertising policy of Dublin City Council, outdoor signage on the upper floors of number 94 Dorset Street Upper, at its junction with Blessington Street.

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.

Reasons and Considerations

Having regard to the proposed development which includes the removal of signage at the corner of Dorset Street Upper and Blessington Street, it is considered that the replacement sign on the gable end of number 284 Rathmines Road Lower, would achieve an acceptable balance between providing advertising on a thoroughfare where billboard advertising exists and the protection of the amenities of the area. Furthermore, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Outdoor Advertising Strategy in Appendix 19 of the Dublin City Council 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 development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The mechanism of changing the digital advertising display shall be by means of a fade transition of the display at intervals of 10 seconds or more. Any change to the nature of the advertising display, including a flick or scroll transition between advertisements, shall be subject to a prior grant of planning permission.

Reason: In the interest of the proper planning and sustainable development of the area.

3. The proposed development shall incorporate the following:
 - (a) The maximum luminance of the advertisement display between dusk and dawn shall not exceed 250 candelers per square metres (cd/m^2). The luminance level of the display shall be subject to review by the planning authority and, following review, adjustments or amendments shall be carried out in accordance with the requirements of the planning authority.
 - (b) Only static images without movement shall be permitted, that is, no animation, flashing, three dimensional effects, noise, smoke or full motion video shall be permitted without a prior grant of planning permission.

Reason: To ensure the signs do not have any adverse effect on the amenity of the area or road safety.

4. Prior to commencement of development the developer shall remove, decommission and extinguish the licence for the advertising displays on the south-western elevation of number 94 Dorset Street and any advertising use of these display locations shall be subject of a prior grant of planning permission. Details of the existing advertising displays to be removed, including location map and photographs of the structure, and a dated photographic record of their removal, shall be submitted to the planning authority within one month of their removal.

Reason: In the interest of orderly development and visual amenity.

5. All public service cables for the development, including electrical and telecommunications cables, together with support structures shall be located discreetly within the structure. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 23rd day of May 2022.

