



An
Coimisiún
Pleanála

Commission Order
ABP-322608-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: 3098/25

APPEAL by JCDecaux Ireland Limited care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 28th day of April 2025 by Dublin City Council, to refuse permission for the proposed development.

Proposed Development: Replacement of one number illuminated 12.85 metres x 3.5 metres advertising display with one number digital 6.28 metres x 3.4 metres advertising display at side gable of a Protected Structure and all associated site works and services at 41 Upper Gardiner Street, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the scale and digital nature of the proposed development and its siting on the gable wall of a Protected Structure on a prominent location in a Z4 zoned Conservation Area, the Policy Objectives of the Dublin City Development Plan 2022-2028 and specifically BHA2(b) which aims to protect structures included on the RPS (Register of Protected Structures) from any works that would negatively impact their special character and appearance and BHA9 which aims to protect the special interest and character of all Dublin's Conservation Areas and which requires development within or affecting a Conservation Area to contribute positively to its character and distinctiveness, it is considered that the proposed development would have a significant adverse impact on, and would cause serious injury to, the special architectural character and legibility of both the Protected Structure and its setting and the overall character of the Conservation Area. The proposed development would, therefore, contravene Policy BHA2(b) and BHA9 of the Dublin City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission noted and agreed with the Inspector's comment that the nature of digital advertising of this scale is not compatible with a conservation area or a Protected Structure and that it would not contribute positively to it. Having regard to the totality of the information on file, and specifically the image provided in the appeal showing the vista of the proposed display on the gable wall of the Protected Structure, the adjoining Protected Structures and the Conservation Area, the Commission considered that, notwithstanding the presence of the existing advertising display, and the reduced size of the proposed display, the proposed digital display, in and of itself, would have a significant negative impact on the special character and appearance of both the Protected Structure and its setting, and on the Conservation Area and concurred with the assessment of the planning authority's conservation officer in this regard.



Mary Gurrie

Mary Gurrie

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 19 day of September 2025.