

17th February 2023

Niamh Smyth TD
Cathaoirleach
Joint Committee on Tourism, Culture, Arts, Sport and Media
Leinster House
Dublin 2
D02 XR0

Graffiti art murals

Dear Deputy Smyth,

I am writing this brief submission in response to an invitation from your committee's secretariat to do so in the context of its consideration of the development of local and community arts, and I will confine myself to the issue of street art — specifically, the creation of colourful murals such as those executed by the Subset arts collective in Dublin.

One might have imagined that this would be regarded by officialdom as a positive contribution to the urban environment and, therefore, non-controversial. Instead, Dublin City Council took legal action in the District Court to prosecute Subset for infringing a provision of the 2001 Planning Regulations that, whereas anyone can paint a building in any colour they choose, planning permission must be obtained in advance for the painting of a mural on the front or gable of any building, whether or not it is a protected structure. Yet the council has taken little or no action to deal with the plague of vandalistic graffiti “tagging” — particularly in Temple Bar, where I lived for 27 years.



DCC claimed that graffiti art murals constitute “unauthorised development” and were therefore breaches of the Planning Acts — even in cases where the owners of a building gave their consent to the work being carried out. Indeed, one such owner of a Victorian house on the corner of Longwood Avenue and South Circular Road, where Subset had painted a very colourful mural featuring David Attenborough (above), was also prosecuted by the council. Similar actions were taken in relation to another Subset mural on Stirrup Lane, near Smithfield, dubbed “Horseboy”, which refers to the long tradition of holding horse fairs in the area.

Banksy, one of the most famous artists in the world, is chiefly known for his often satirical graffiti art murals, some of which have been sold or re-sold for staggering sums of money. Indeed, they have become more valuable than some of the walls on which they were installed have actually been taken down to salvage his works of art. Graffiti art has become recognised as a legitimate art form in recent decades and must be distinguished from the vandalistic practice of “tagging” buildings, including our own. Indeed, we have had to clean off or repaint our façade on Cecilia Street as well as our entrance door on countless occasions over the years.

In Temple Bar, despite its designation as a “cultural quarter”, the arts have become less and less visible over the years as the area came to be dominated by pubs, nightclubs and fast-food joints. A survey in 2020 by a post-graduate planning student at UCD found that the



number of cultural facilities in the area had declined from 16 in 2006 to 11 in 2019. That’s why we were particularly heartened by Subset’s work in the area, notably the transformation of the Art Deco-era ESB building in Fleet Street. Instead of being barely noticeable, and with no “active” ground-floor use, this building was given a stunning mural covering its walls that it became one of the much-photographed features of Temple Bar.

I myself lived in The Granary, an 1840s warehouse building on the corner of Cecilia Street and Temple Lane which Temple Bar Properties converted into five apartments and three retail units in the mid-1990s. In September 2020, shortly after we had its Cecilia Street façade re-painted, I was approached by Subset with a proposal to turn the façade of our building into a work of art, using the paint that our painting contractors had applied only a month earlier as a base for



large mural. We thought the design was stunning and not only agreed to the proposal but contributed €1,000 towards the cost of installing what is one of Subset's largest works of art to date.

Those who lived there firmly believe that the mural has enhanced the building. Located as it is opposite the much-photographed "Wall of Fame", where many tour groups gather on a daily basis, we think that the Subset mural on The Granary adds interest and colour to the area. Visitors seem to agree, given how often it is photographed. The mural-coated façade was also featured as a picture for the month of February in the 2022 calendar produced by the *Evening Herald*.

Given that DCC's prosecution of Subset has dragged on for two years, causing great anxiety and stress to those involved in this talented street art collective, I welcome the Private Member's Bill introduced by Eoin Ó Broin TD on February 2nd, with the aim of exempting public art murals from planning control, and hope that the Oireachtas Joint Committee will be convinced that street art should be encouraged and facilitated, rather than condemned and prosecuted.

Yours sincerely,

Frank McDonald

(Author, journalist and former Environment Editor of *The Irish Times*)