

GWR Property Co. Ltd.

**Planning Statement**  
**Proposed Digital Advertising Panel**

**22 Fox and Geese, Naas Road, Dublin 22**

**February 2022**

Prepared By:

**Gravis Planning**  
Denshaw House,  
121 Baggot Street,  
Dublin 2,  
Ireland

T: 01 6599445

[www.gravisplanning.com](http://www.gravisplanning.com)



## Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
<b>2.0</b>	<b>Proposed Development</b>	<b>5</b>
<b>3.0</b>	<b>Site and Surrounding Context</b>	<b>8</b>
<b>4.0</b>	<b>Planning Context</b>	<b>10</b>
<b>5.0</b>	<b>Planning Assessment</b>	<b>20</b>
<b>6.0</b>	<b>Conclusion</b>	<b>21</b>

## 1.0 Introduction

- 1.1 Gravis Planning<sup>1</sup> acts on behalf of GWR Property Co. Ltd.<sup>2</sup>, who are seeking planning permission for the proposed digital upgrade of an existing advertising site at 22 Fox and Geese, Naas Road, Dublin 22 (the Site).
- 1.2 The proposed development comprises the replacement of the 2no. existing backlit '48 sheet' panels measuring 3.0m x 6.0m (facing eastbound and westbound along the Naas Road) with a single digital advertising panel measuring 3.0m x 6.0m (facing eastbound only).
- 1.3 This application follows the refusal of planning permission by South Dublin County Council ('SDCC') for an alternative replacement digital advertising panel on the Site on 12<sup>th</sup> November 2020 (Reg. ref. SD20A/0241). The three reasons for refusal are detailed in Section 4 of this Statement and reviewed in the context of the current application in Section 5. We consider that this revised proposal positively addresses the previous reasons for refusal in full.
- 1.4 The development description reads as follows:
- 'The replacement of 2 no. existing backlit '48 sheet' advertising panels (6.0m x 3.0m) with a single 6.0m x 3.0m digital advertising panel along with all associated site works and services at 22 Fox and Geese, Naas Road, Dublin 22.'*
- 1.5 The new panel will facilitate a series of advertisements to be displayed on-screen<sup>3</sup>, with a rate of change no more frequent than one every 10 seconds<sup>4</sup>. It will eliminate the need for frequent site visits to replace advertising sheets and, as a modern platform capable of facilitating multiple campaigns at once, will reduce demand for new advertising sites in the area.
- 1.6 The proposed digital panel will replace two existing, long-established panels, and represents a significant overall reduction in advertising space at this location. The new panel will address eastbound traffic only, as opposed to the two existing panels which address both eastbound and westbound traffic.
- 1.7 The proposed digital panel will be mounted within an upgraded frame, which will utilise high quality and robust materials representing a clear visual enhancement on the existing panels. We provide further details of the proposed digital advertising panel in Section 2.
- 1.8 In Section 5 we assess the Proposed Development against the relevant policies and guidance contained in the South Dublin County Development Plan 2016-2022 ('CDP') and the Council's Outdoor Advertising Strategy (2019). We conclude that the proposed development is acceptable under current zoning and will have no adverse

---

<sup>1</sup> Denshaw House, 121 Baggot Street Lower, Dublin 2

<sup>2</sup> Suite 6 Provident House, Havilland Street, St. Peter Port, Guernsey, GY1 2QE

<sup>3</sup> Which may be interspersed as and when appropriate with public information messages

<sup>4</sup> This will depend somewhat on how the advertising space is sold – some adverts may be on screen for longer – but the frequency of change will be no more than one every 10 seconds

impact on traffic or pedestrian safety<sup>5</sup>, public services or the amenity of the surrounding area.

1.9 We consider that the proposed development is in keeping with the Council's Outdoor Advertising Strategy<sup>6</sup> and that this revised application positively addresses the Council's previous reasons for refusal in full<sup>7</sup>.

1.10 This Statement provides additional detail on the proposal and the planning context applying and should be read in conjunction with the submitted drawings and Highway Safety Report. It is set out as follows:

- Section 1 - Introduction
- Section 2 - Proposed Development
- Section 3 - Site Details
- Section 4 - Planning Context
- Section 5 - Planning Assessment
- Section 6 - Conclusion

---

<sup>5</sup> Refer to the submitted Highway Safety Report

<sup>6</sup> Adopted in December 2019 as Variation No. 5 to the County Development Plan

<sup>7</sup> Refer to the previous application refused on 13th November 2020 (Reg. ref. SD20A/0241, Decision Order No. 1039)

## 2.0 Proposed Development

- 2.1 The proposed development comprises the replacement of the 2no. existing, long established, backlit '48 sheet' panels measuring 3.0m x 6.0m (facing eastbound and westbound along the Naas Road) with a single digital advertising panel measuring 3.0m x 6.0m (facing eastbound traffic only). Figures 1 and 2 show the existing panels on the Site.



Fig. 1 Westbound view of existing advertising panel from Naas Road



Fig. 2 Eastbound view of existing advertising panel from Naas Road

- 2.2 The proposed digital panel will address eastbound traffic only. The digital panel measuring 18sqm will be mounted within a high-quality metallic frame supported by 4 supporting columns which will be covered at the front by a ribbed metallic plate with a backlit logo box and a camera for screen monitoring<sup>8</sup>. The Proposed Development will result in a total reduction in advertising space from 36sqm to 18sqm at this location and the number of advertisement panels from two to a single panel.
- 2.3 The digital panel will be secured by 4 supporting columns, each cast in a concrete root base (measuring 2500mm deep by 500mm diameter). A drawing showing the typical foundation design has been provided as part of this application, which has been used in the installation of over 300 digital panels in the United Kingdom in the last 24 months<sup>9</sup>. The detailed foundation design would be prepared by the appointed

<sup>8</sup> Refer to drawing no. 19086-PA-07

<sup>9</sup>Refer to drawing no. 19086-PA-08

contractor as part of the design and build process following a grant of planning permission.

- 2.4 The proposed structure measures 6.65m (height) by 3.0m (width) in total<sup>10</sup>. Figure 3 shows an example of the proposed advertising structure.
- 2.5 The proposed digital panel will display advertisements on-screen, with a change frequency no greater than one every 10 seconds. The changeover between adverts will be instantaneous in order to minimise the potential for driver distraction. Furthermore, it is not proposed to display any animated or moving images<sup>11</sup>.



Fig. 3 Example of proposed digital panel

- 2.6 The level of illumination for the digital panel shall not exceed 300cd/sq. m. at night-time, in accordance with established practice and the recommendations of the Institution of Lighting Professionals' (ILP) 'Professional Lighting Guide 05 (PLG05): Brightness of Illuminated Advertisements'. This is the established - and universally accepted - industry guidance document which is used across the UK and Ireland.

<sup>10</sup> Refer to drawing no. 19086-PA-07

<sup>11</sup> The operation of the sign can be controlled using standard planning conditions

- 2.7 The ILP guide sets out a series of area classifications/zones and maximum recommended night-time luminance for each, based on the size of the signage involved as shown in Table 1 and 2 below.

Zone	Surrounding	Lighting Environment	Examples
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically Dark	National Parks, Areas of Outstanding Natural Beauty
E2	Rural	Low District Brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium District Brightness	Small Town Centres or suburban locations
E4	Urban	High District Brightness	Town/city centres with high levels of night-time activity

Table 1 ILP Guide – Environmental Zones

- 2.8 As a large panel in an urban area, the maximum recommended luminance for this proposal should not exceed 300 cd/sq. m. This can be controlled by way of standard planning condition. In any event, the Applicant does not envisage or propose night-time luminance to exceed that of the existing backlit panels (i.e. 150 cd/sq. m.).

Illuminated Area	Zone E0	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10 sq. m.	0	100	400	600	600
Over 10 sq. m.	0	n/a	200	300	300

Table 2 ILP Guide - Maximum Recommend Luminance

## 3.0 Site and Surrounding Context

### 3.1 Location

- 3.1.1 The Site of the Proposed Development is within an existing car sales forecourt area at 22 Fox and Geese, Naas Road, Dublin 22. It is situated approximately 700m east of the M50/N7 junction (see Fig. 3 below). The Site and surrounding area is light industrial/commercial in character and is zoned REGEN under the CDP where advertising structures are 'Permitted in Principle' (i.e. "generally acceptable subject to further assessment against the relevant policies, standards and objectives" of the CDP<sup>12</sup>).

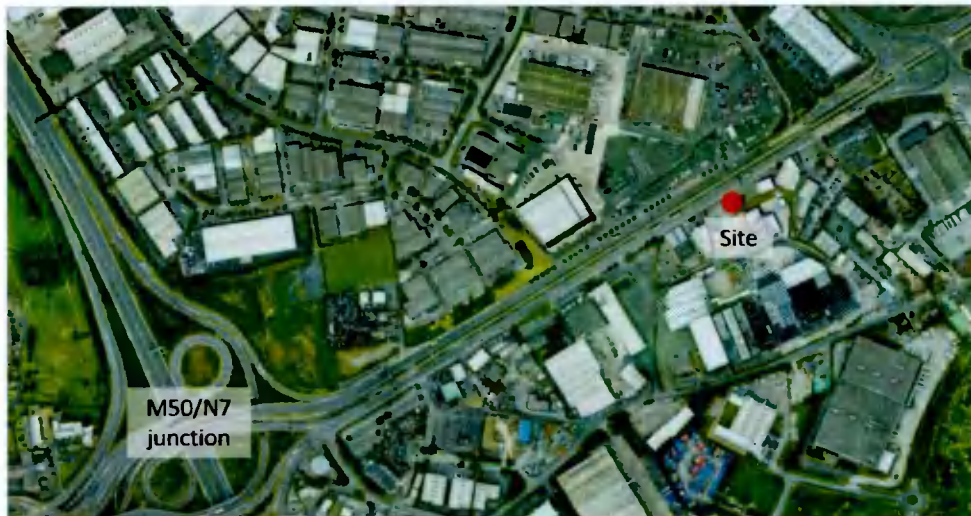


Fig. 3 Site and surrounding area

- 3.1.2 Under the Council's adopted 'Outdoor Advertising Strategy' (2019) the Site lies within Zone 3 for advertisement control (i.e. the main transport corridors into, out of and within the county). This is one of the preferred zones for advertising under the Strategy, where "the development of outdoor advertising... will be open for consideration"<sup>13</sup>.
- 3.1.3 The proposal will not impact on any protected views or prospects, protected structures or architectural conservation areas, and will not impact on the amenity of any adjoining properties<sup>14</sup>.
- 3.1.4 There is an existing 500mm ST19 bar gas line running adjacent to the Site however the proposal will not impact upon it, and all construction work will be undertaken in accordance with the relevant Gas Networks Ireland safety guidance<sup>15</sup>. There are no high voltage electricity lines in the immediate vicinity, and the Site is well outside of the exclusion/danger zone for works in the vicinity of the Luas line<sup>16</sup>.

<sup>12</sup> CDP, Section 11.1.1

<sup>13</sup> CDP, Outdoor Advertising Strategy, Section 2.0

<sup>14</sup> Note: There are no residential properties in the vicinity of the site

<sup>15</sup> 'Safety Advice for Working in the Vicinity of Natural Gas Pipelines'

<sup>16</sup> Refer to TII 'Code of Engineering Practice for works on, near or adjacent the Luas light rail system'



- 3.1.5 There is also an existing water distribution mains and surface gravity mains running adjacent to the site. The Proposed Development is separated from the nearest water mains by approximately 1.7m<sup>17</sup> and will not interfere with these existing services.
- 3.1.6 The highway conditions in the surrounding area have been assessed in detail in the submitted Highway Safety Report. The Report confirms that the proposals, at this location, *“would not be unexpected and would not by their nature be fundamentally distracting”* and that *“there are no specific accident patterns or road geometry that makes this site inappropriate”*<sup>18</sup>. It is noted that no highway safety concerns were raised concerning the principle of digital advertising on the Site during the determination of the previous application for the Site (Reg. ref. SD20A/0241).

---

<sup>17</sup> Refer to drawing no. 19086-PA-04

<sup>18</sup> Highway Safety Report, Section 3.6 & 4.2

## 4.0 Planning Context

4.0.1 In this Section we outline relevant local planning policy and guidance, the planning history of the Site and precedent digital advertising applications in the Dublin area.

### 4.1 Planning Policy and Guidance

- 4.1.1 The Site, as noted above, lies within an area that is zoned 'REGEN' (Objective: *To facilitate enterprise and/or residential led regeneration*) under Variation 3 of the CDP (2016-2022)<sup>19</sup>. The CDP confirms that advertisements and advertising structures are 'Permitted in Principle' in such areas subject to further assessment against the relevant policies, objectives and standards set out in the CDP<sup>20</sup>.
- 4.1.2 The Council adopted an Outdoor Advertising Strategy under Variation 5 of the CDP in 2019 (refer to Schedule 6)<sup>21</sup>. The CDP states that the Outdoor Advertising Strategy *'[balances] the need to create a high-quality public domain and to safeguard and enhance sensitive areas and sites. The strategy also aims to rationalise the location and concentration of existing advertising structures'*<sup>22</sup>.
- 4.1.3 The Strategy was adopted by the Council to provide an up-to-date policy position which reflects advances in modern technology, increasing demand for customer communication and enhanced service delivery in the sector. The Strategy notes that *'SDCC acknowledges the ever-changing technological advances in this sector, most notably with the emergence of digital advertising and will therefore consider new and innovative advertising format solutions'*<sup>23</sup>.
- 4.1.4 The 'Outdoor Advertising Strategy' is part of the Development Plan and is the key policy and guidance document against which new or replacement advertising proposals such as this must be assessed.
- 4.1.5 The Outdoor Advertising Strategy is based on geographical zones. The Site falls within 'Zone 3' (i.e. *'the main transport corridors into, out of and within the county'*) which is identified as one of the *'preferred locations for outdoor advertising panels'* and where, subject to compliance with development management standards, *'the development of outdoor advertising...will be open for consideration'*<sup>24</sup>.
- 4.1.6 The Strategy states that *'SDCC will encourage the upgrade, the removal or replacement of unsightly and outdated advertising structures'* and that applications *'should consider the removal of existing advertising panels, to rationalise the location and concentration of existing advertising structures'*<sup>25</sup>.
- 4.1.7 With regard to form and scale, the Strategy expresses a clear objective to reduce the amount of traditional ninety-six and forty-eight sheet advertising panels, with new

---

<sup>19</sup> Variation 3 South Dublin County Development Plan 2016-2022 (2019)

<sup>20</sup> Table 11.2, p189, South Dublin County Development Plan 2016-2022 (2016)

<sup>21</sup> Variation 5 South Dublin County Development Plan 2016-2022 (2019)

<sup>22</sup> P32, Variation 5 South Dublin County Development Plan 2016-2022 (2019)

<sup>23</sup> P7, Section 6.0, Schedule 6, Variation 5 South Dublin County Development Plan 2016-2022 (2019)

<sup>24</sup> Section 2.0 & Section 3.0, Outdoor Advertising Strategy

<sup>25</sup> P5, Section 3.0, Schedule 6, Variation 5 South Dublin County Development Plan 2016-2022 (2019)

proposals relating to *'the scale of the buildings and streets in which they are to be located'*<sup>26</sup>.

4.1.8 Section 7.0 of the Strategy document sets out a series of development management standards against which applications for advertising structures on private lands (adjacent to primary routes) will be considered, namely:

- *The geographical zone in which the site is located*
- *The rationale for the proposed advertising structure, including proposals for the removal and/or rationalisation of existing outdoor advertising structures*
- *The concentration of existing advertising structures in the area*
- *The design of the advertising panel and the use of high-quality materials*
- *The scale of the panel relative to the buildings, structures, roads and streets in which the advertising panel is to be located*
- *Impact on the character of the street and amenities of adjoining properties, in particular residential properties*
- *Impact of the structure and any proposed lighting on biodiversity*
- *Impact of the structure on Views and Prospects*
- *Advertising panels will not be permitted where they interfere with the safety of pedestrians, the accessibility of the public footpath or roadway, the safety and free flow of traffic or if they obscure road signs*
- *Impact on the character and integrity of Architectural Conservation Areas and Protected Structures*
- *Proposals must meet the safety requirements of Transport Infrastructure Ireland (TII) where appropriate including the policy and codes associated with signage, safety and operational requirements...for both light rail and national roads where appropriate*

#### **4.2 Draft South Dublin County Development Plan 2022 -2028**

4.2.1 The Council is currently preparing the Draft South Dublin County Development Plan 2022-2028 ('Draft CDP'). The Council consulted on the Stage 2 Draft CDP in Summer 2021 and the Chief Executive's Report was published in December 2021. The Draft CDP is expected to come into effect by August 2022. As such, in accordance with Section 43(2)(a) of the Planning and Development Act (as amended)<sup>27</sup>, while the Council can have regard to the draft CDP planning applications should be determined under the current CDP which constitutes the Development Plan for the area.

4.2.2 In the Draft CDP, the Site remains zoned 'REGEN' (Objective: *To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery*)<sup>28</sup>. Under the draft CDP, advertisements and advertising structures are also 'Permitted in Principle' in such areas.

<sup>26</sup> P5, Section 3.0, Schedule 6, Variation 5 South Dublin County Development Plan 2016-2022 (2019)

<sup>27</sup> Section 34 (2)(a) Planning and Development Act, 2000 (as amended)

<sup>28</sup> Draft South Dublin County Development Plan 2022-2028: Chapter 13 Implementation and Monitoring

4.2.3 Section 13.4.7 sets out the criteria which the Council will apply when assessing applications for signage (including advertising). It states that: *'Digital Signs are generally not appropriate with the exception of those that accord with the Council's signage strategy... Not permitted on major roads unless signage relates to the signage strategy or traffic management and safety'*. Table 3.19 sets out the following design criteria for digital signs<sup>29</sup>:

- *Make a positive contribution to the public domain;*
- *Omit no sound;*
- *Have a minimum dwell period of 30 seconds (with a crossfade);*
- *Not result in obtrusive light that will create unacceptable glare (adjusting to environmental conditions);*
- *Have limited hours of operation (esp. at night);*
- *Not contain dynamic content (i.e. video); and*
- *Should not constitute a traffic hazard.*

4.2.4 Table 3.19 also notes that free standing advertisement displays are *'generally not appropriate'* but *'May be considered at the entrances to shopping centres/major commercial premises and service stations'* and should be *'A maximum of 7m in height'*<sup>30</sup>.

4.2.5 It should be noted that the draft CDP does not contain a new signage strategy, rather it refers to the Outdoor Advertising Strategy adopted as Variation 5 to the current CDP in 2019. As such, the current Outdoor Advertising Strategy will remain the key policy and guidance document for advertising proposals once the new CDP is adopted.

### **4.3 Site Planning History**

4.3.1 There is no recorded planning history for the existing advertisement panel on-Site, however it is understood that there has been advertising in place since before 1980.

#### ***Previous planning application (SD20A/0241)***

4.3.2 As noted in Section 1, the Council refused planning permission for an alternative replacement digital advertising panel on the Site on 12<sup>th</sup> November 2020 comprising *'a single pole-mounted digital advertising panel (5m x 7m)'*.

4.3.3 The three reasons for refusal stated on the Decision Order Notice (No. 1039) and as detailed further in the Chief Executive's Order (Ref. PR/1039/20) are outlined below.

#### **Zoning and Council Policy - Outdoor Advertising Strategy**

<sup>29</sup> Table 3.19, p545, Ch 13, Draft South Dublin County Development Plan 2022-2028 (2021)

<sup>30</sup> Table 3.19, p546, Ch 13, Draft South Dublin County Development Plan 2022-2028 (2021)

4.3.4 The first reason for refusal in the Decision Order Notice states: *'The proposed advertisement structure, by reason of its excessive height, scale and significant increase in size in comparison to the existing structure, would result in an incongruous and visually prominent feature that would detract from the visual amenity and character of the area. Thus, the proposal would contravene the South Dublin County Development Plan 2016-2022, the Outdoor Advertisement Strategy and the proper planning and sustainable development of the area.'*<sup>31</sup>

4.3.5 The Chief Executive's Order states that *'the applicant has not put forward a sufficient justification or rationale for increasing the size of the structure other than to state that it would be more modern'*<sup>32</sup>. The Order notes that, whilst the advertisement is located within Zone 5, meaning applications are open to consideration, the increased scale and therefore visual impact is not a preference of the Council, and a smaller proposal would be more favourable.

#### Access and Parking

4.3.6 The second reason for refusal in the Decision Order Notice states: *'Having regard to the lack of information submitted in relation to the stability of the structure, and the proximity of the footpath and road, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not result in a traffic hazard and endanger pedestrian/public safety and therefore is not in the interests of the proper planning and sustainable development of the area'*<sup>33</sup>.

4.3.7 The Chief Executive's Order identifies that the Roads Department expressed *'concern over the stability of the structure throughout its design life'* because the submitted drawings did not show the foundation design. However, the Road's Department confirmed they had no objection to the proposal subject to the following conditions: *'1. Prior to commencement the applicant shall submit a foundation design layout. 2. The digital advertising panel shall operate and be tested as described in the 'Digital Advertising Highway Safety Report...'. The Order recognises that 'Ordinarily this information would be requested as additional information. However, given the other concerns with the proposal it is considered that given the proximity of the site to the footpath and road and the potential traffic safety issues, that this would warrant a reason for refusal'*<sup>34</sup>.

#### Services and Drainage

4.3.8 The third reason for refusal in the Decision Order Notice states *'Having regard to the lack of information submitted in relation to foul and surface water, the Planning Authority is not satisfied, on the basis of the information submitted, that the proposed development would not be prejudicial to public health and therefore is not in the interests of the proper planning and sustainable development of the area'*<sup>35</sup>.

<sup>31</sup> Decision Order Notice (No. 1039)

<sup>32</sup> Record of Executive Business and Chief Executive's Order

<sup>33</sup> Decision Order Notice (No. 1039)

<sup>34</sup> Record of Executive Business and Chief Executive's Order

<sup>35</sup> Decision Order Notice (No. 1039)

4.3.9 The Chief Executive's Order identifies that *'Water Services and Irish Water have both assessed the proposal and have requested further information in relation to surface and foul water due to the lack of information regarding the distance between the structure of the proposed sign and all existing adjacent watermains and surface water sewers'*. The Order recognises that *'Ordinarily this information would be requested as additional information. However, given the other concerns with the proposal it is considered that both of these issues would warrant a reason for refusal'*<sup>36</sup>.

#### **4.4 Planning Precedent**

4.4.1 Digital advertising of the type proposed is well-established internationally and has become increasingly common in the Dublin area over recent years. Some examples of planning precedent in Dublin are set out below.

##### ***D20A/0045 (Dun Laoghaire-Rathdown County Council)***

4.4.2 Planning permission was granted by Dun Laoghaire-Rathdown County Council in March 2020 - under planning reg. ref. D20A/0045 – for a digital upgrade of an existing advertising site located to the north-east of the Loughlinstown roundabout, adjoining the N11 national road.

4.4.3 The development will see the replacement of an existing internally illuminated panel (6.45m x 3.25m) with a digital advertising panel (6.45m x 3.57m). The site lies within an area zoned 'to protect and/or improve residential amenity' and the planning assessment noted that, in light of the established nature of advertising at this location and the nature and scale of the proposed development, there would be no adverse impact on residential amenity. The switch to digital did not raise any objections from the Transportation Planning department of the Council, or from Transport Infrastructure Ireland, and it was not considered create any potential for significant effects on the environment/biodiversity.

4.4.4 Conditions included a requirement for light permeable fabric (90% opacity) to be continuously in place on the panel when an advertisement is not in place, in order to remove any chance of glare affecting drivers on the N11.

##### ***2473/19 (Dublin City Council)***

4.4.5 In September 2019 Dublin City Council granted planning permission for the replacement of a 6.4m x 6.4m traditional poster panel with a 6.5 x 6.5m digital panel on an existing building at the corner of Cuffe Street and Wexford Street, Dublin 2.

4.4.6 This site is located within a Conservation Area, and the planning assessment noted that the digital upgrade would represent a visual improvement on the existing panel, and also that there would no longer be a requirement for visits to the site by operatives to manually erect posters.

4.4.7 The site is also located at a busy traffic junction, and there was no objection raised by the transportation planning team or Transport Infrastructure Ireland.

---

<sup>36</sup> Record of Executive Business and Chief Executive's Order

4.4.8 In a Response to Further Information the applicant clarified that they had ceased use of two other sites in the Dublin City Council area, in accordance with the Council's requirement - under its Outdoor Advertising Strategy - for new proposals to include the removal/rationalisation of existing sites.

4.4.9 Standard conditions applied to the permission included control over change frequency, luminosity, and the use of animation or other effects:

*'2. The mechanism of changing the digital advertising display hereby approved 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 to 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 development hereby approved shall incorporate the following: a) The maximum luminance of the advertisement display between dusk and dawn shall not exceed 300 candelas per square metre. The applicant shall be required to review the luminance level with the planning authority within 12 months. b) Only static images without movement shall be permitted, i.e. 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.'*

***Irish Rail Digital Advertising (Dublin City Council)***

4.4.10 Irish Rail secured planning permission for digital upgrades of a number of large, existing advertising panels on railway bridges across the city during 2018 (Planning Reg. Ref. s 2512/18; 4642/17; 4639/17; 4633/17).

4.4.11 Standard planning conditions - consistent with those copied above - were applied across all of these consents.

***JC Decaux Digital Panels (Dublin City Council)***

4.4.12 JC Decaux has an extensive portfolio of digital advertising panels in roadside locations throughout the Dublin City Council area.

4.4.13 These include double-sided digital panels that have been erected in place of previously existing backlit 'metropole' panels, as permitted under Planning Reg. Ref. WEB1693/18 (Amiens Street) and WEB1694/18 (Swords Road).

4.4.14 There were no highway or pedestrian safety objections raised to the switch to digital in these locations by the Council or Transport Infrastructure Ireland, notwithstanding the busy traffic conditions applying in each case, and the planning assessments noted the general "upgrading in quality" of the displays that would result.

- 4.4.15 Standard planning conditions – consistent with those copied above – were applied in order to control luminosity, rate of change, etc.

**3779/21 (Dublin City Council)**

- 4.4.16 Permission has recently been granted by Dublin City Council for the digital upgrade of an existing 6m x 6m panel at 284 Rathmines Road Lower (Decision Date: 04 Jan 2022). The proposal included the decommissioning of an existing, commensurate area of advertising space at 94 Dorset Street. The digital upgrade panel is of an equivalent scale to the existing traditional panel. The planning assessment concluded that *“Having regard to the nature of the application site on a radial route (Zone 3 of the Advertising Strategy) and the planning gain with regard to the rationalisation of external advertising within the public realm of the inner city, it is considered that the proposal is in accordance with the Dublin City Development Plan and the proper planning and sustainable development of the area”<sup>37</sup>.*

**SD20A/0240 (South Dublin County Council)**

- 4.4.17 Permission was granted to the applicant, in December 2020, for the replacement of an existing ‘96 sheet’ panel with a 6m x 3m digital panel at the junction of New Nagor Road and Killeen Road, Dublin 12. The planning assessment noted the improved visual appearance of the structure, *“the REGEN zoning objective of the site, the SDCC Outdoor Advertisement Strategy and the nature and scale of the proposed signage”* and considered the development to be in accordance with the CDP 2016 – 2022.
- 4.4.18 Standard conditions controlling luminance and ‘fade transition’ change mechanism were applied. The new panel is now in place and is a significant visual enhancement over the original panel.

**FW20A/0114 (Fingal County Council)**

- 4.4.19 Permission was granted to Eircom Ltd, in October 2020, for the replacement of an existing telephone kiosk with integrated communication unit and 1.53 sq. metre digital advertising display on Drogheda Street, Balbriggan, Co. Dublin. The Chief Executive’s Order report noted that this kiosk is in a commercially active area and would *“integrate appropriately within the surrounding context without undue impact to the visual amenities of the area”* and that is in accordance with policies and objectives of the Fingal Development Plan 2017-2023.
- 4.4.20 Standard conditions controlling luminance levels, fade transition change mechanism and requiring the screen brightness to adapt to ambient light conditions were applied as set out in the Council’s final grant notice.

---

<sup>37</sup> Planner’s Report, DCC Planning Ref. 3779/21



## 5.0 Planning Assessment

5.0.1 In this Section we assess the Proposed Development against the relevant policies of the CDP and the Council's Outdoor Advertising Strategy, which represent the key policy and guidance documents against which advertising proposals should be assessed. In the second part of this Section, we consider the Council's previous reasons for refusal in the context of the current application. This assessment concludes that the Proposed Development is acceptable, and wholly appropriate, under the applicable zoning contained in the CDP and Outdoor Advertising Strategy and that the Council's previous reasons for refusal have been fully addressed by this application.

### 5.1 South Dublin County Development Plan

5.1.1 The Site is zoned 'REGEN' under the CDP, which identifies that advertisements and advertisement structures are permitted in principle within this zone, making this proposal entirely appropriate as an upgrade to an existing advertising structure.

5.1.2 The proposed advertising structure will replace two existing, traditional backlit '48 sheet' panels with a single digital panel set within a durable, high-quality metallic frame thereby reducing the total amount of advertising space at this location. The proposal is entirely in keeping with the Council's stated objectives under the Outdoor Advertising Strategy to 'encourage the upgrade, the removal or replacement of unsightly and outdated advertising structures' and to 'rationalise the location and concentration of existing advertising structures'.

5.1.3 The proposed advertising panel will represent a significant visual enhancement to the streetscape and will have no adverse impact on highway or pedestrian safety or on the amenity of the area.

5.1.4 The proposal has been subject to a comprehensive highway safety assessment, which confirms that the Site is an appropriate location for a digital panel in highway safety terms and that the imposition of standard planning conditions would minimise any prospect of driver distraction (in keeping with conditions applied throughout the Dublin area).

5.1.5 The Proposed Development complies fully with the development management standards of the Council's Outdoor Advertising Strategy as detailed below:

#### The geographical zone in which the site is located

5.1.6 The site is located in a 'Zone 3' area, one of the preferred locations for advertising panels under the Outdoor Advertising Strategy.

#### The rationale for the proposed advertising structure, including proposals for the removal and/or rationalisation of existing outdoor advertising structures

5.1.7 The Proposed Development will rationalise existing outdoor advertising structures on this Site. The proposed advertising structure will replace two existing backlit panels (3.0m x 6.0m) with a single digital panel (3.0m x 6.0m) set within a durable high-quality metallic frame. The proposal will result in a total reduction in advertising space

from 36sqm to 18sqm and from two advertisement panels to a single panel at this location.

The concentration of existing advertising structures in the area

- 5.1.8 The area immediately surrounding the Site is not considered to have an over-concentration of advertising structures. In any case, the proposal will replace two existing panels with a single digital panel of the same dimensions which will reduce the amount of existing outdoor advertising space in the area.

The design of the advertising panel and the use of high-quality materials

- 5.1.9 The proposed advertising structure represents a significant visual improvement in design terms. The proposed digital panel will be displayed within an upgraded durable frame using high quality materials.

The scale of the panel relative to the buildings, structures, roads and streets in which the advertising panel is to be located

- 5.1.10 The proposed digital panel is the same size as the existing panels on the Site at 3.0m x 6.0m. The scale of the proposed advertising structure is entirely appropriate to its context, located along a major regional transportation corridor and surrounded by large light industrial/commercial warehouse buildings.

Impact on the character of the street and amenities of adjoining properties, in particular residential properties

- 5.1.11 The proposal will not impact negatively on the amenities of adjoining commercial properties and as noted above, represents a significant visual enhancement to the streetscape compared to the existing panels on the Site.

Impact of the structure and any proposed lighting on biodiversity

- 5.1.12 The proposed advertising structure will replace two existing traditional backlit panels (3.0m x 6.0m) with a single digital panel (3.0m x 6.0m). Given the presence of an existing streetlight immediately adjacent to the Site it is considered that the proposal will have a negligible impact on biodiversity.

Impact of the structure on Views and Prospects

- 5.1.13 The proposed replacement advertising structure will not impact on any protected Views or Prospects identified in the CDP.

Advertising panels will not be permitted where they interfere with the safety of pedestrians, the accessibility of the public footpath or roadway, the safety and free flow of traffic or if they obscure road signs

- 5.1.14 The proposal is set back from the roadway and public footpath, at a safe height above ground and with ample separation distance to the Luas line. The submitted Highway Safety Report assesses the proposal within the context of existing highway conditions in the surrounding area and concludes that it will have no impact on pedestrian safety,

accessibility of the public footpath or roadway, or the safety and free flow of traffic. The Report also finds that the proposal will not obscure any road signs. It is also notable that no highway safety concerns were raised concerning the principle of digital advertising on the Site during the determination of the previous application (Reg. ref. SD20A/0241).

#### Impact on the character and integrity of Architectural Conservation Areas and Protected Structures

- 5.1.15 There are no Conservation Areas or Protected Structures within the vicinity of the Site which would be affected by the proposal.

Proposals must meet the safety requirements of Transport Infrastructure Ireland (TII) where appropriate including the policy and codes associated with signage, safety and operational requirements...for both light rail and national roads where appropriate

- 5.1.16 The proposal does not adjoin a national road and is located outside of the exclusion zone for works in the vicinity of the Luas line. All works will be undertaken in accordance with the relevant safety and technical codes.

#### **5.2 Previous reasons for refusal (Reg. ref. SD20A/024)**

- 5.2.1 As identified in the introduction, the Council refused planning permission for an alternative replacement digital advertising panel on the Site comprising '*a single pole-mounted digital advertising panel (5m x 7m)*' on 12th November 2020. The three reasons for refusal stated on the Decision Order Notice (No. 1039) are reproduced in full in Section 4 of this Statement along with extracts from the Chief Executive's Order (Ref. PR/1039/20), and so are not repeated here. We review the current proposal against the three previous reasons for refusal in turn below.

#### Zoning and Council Policy - Outdoor Advertising Strategy

- 5.2.2 The first reason for refusal states that the proposed advertisement structure would contravene the Council's Outdoor Advertisement Strategy by reason of its excessive height, scale and significant increase in size in comparison to the existing structure<sup>38</sup>.

- 5.2.3 As identified in Section 2, the current proposed advertising structure will replace two existing backlit panels (3.0m x 6.0m) with a single digital panel (3.0m x 6.0m) of the same dimensions. We consider that the scale of the proposed advertising structure is entirely appropriate in its surrounding context, located along a major regional transportation corridor and surrounded by large light industrial/commercial warehouse buildings. Furthermore, it would, in our view, represent a significant improvement to the streetscape.

#### Access and Parking

- 5.2.4 The second reason for refusal states that the Planning Authority is not satisfied that the proposed development would not result in a traffic hazard and endanger

---

<sup>38</sup> Decision Order Notice (No. 1039)

pedestrian/public safety because insufficient information was submitted to demonstrate the stability of the structure throughout its design life.<sup>39</sup>

- 5.2.5 To address the Council's concerns in this area the planning application is accompanied by a drawing showing the typical foundation design for the proposed advertising structure<sup>40</sup>. This design has been used in the construction of over 300 advertisement panels in the last 24 months in the UK. The proposed digital panel will be secured by 4 supporting columns, each cast in a concrete root base (measuring 2500mm deep by 500mm diameter). The detailed foundation design would be prepared by the appointed contractor as part of the design and build process following a grant of planning permission.

#### Services and Drainage

- 5.2.6 The third reason for refusal states that the Planning Authority was not satisfied that the proposed development would not be prejudicial to public health<sup>41</sup> due to the absence of information confirming distances between the proposed structure and existing adjacent watermains and surface water sewers<sup>42</sup>.
- 5.2.7 To address the Council's concerns in this regard the planning application is accompanied by a drawing showing the distance between the proposed advertising structure and all existing watermains and surface water sewers<sup>43</sup>. The proposed structure is separated from the nearest watermain by approximately 1.7m and the nearest surface water sewer by approximately 8.7m. Existing services will not be affected by the Proposed Development.

---

<sup>39</sup> Record of Executive Business and Chief Executive's Order

<sup>40</sup> Refer to drawing no. 19086-PA-08

<sup>41</sup> Decision Order Notice (No. 1039)

<sup>42</sup> Record of Executive Business and Chief Executive's Order

<sup>43</sup> Refer to drawing no. 19086-PA-04

## 6.0 Conclusion

6.1 In light of the foregoing planning assessment we consider that the Proposed Development accords with relevant planning policy and guidance and will have no adverse impact on traffic or pedestrian safety, public services or the amenity of the surrounding area.

6.2 The proposed replacement structure is acceptable, and wholly appropriate, under the applicable zoning contained in the CDP and guidance contained in the Outdoor Advertising Strategy for the reasons summarised below:

- The Site is located in 'Zone 3', which is one of the preferred locations for advertising panels under the Outdoor Advertising Strategy.
- The proposal will rationalise existing outdoor advertising structures – the proposal involves removing 1 no. existing 3.0 x 6.0m panel (westbound facing) and replacing 1 no. existing 3.0 x 6.0m panel (eastbound facing) with a new digital panel of the same dimensions, resulting in a total reduction of advertising space on the Site.
- The proposal will reduce the concentration of existing advertising structures in the area – the existing westbound facing panel will be removed as part of this proposal.
- The proposal represents a significant visual enhancement to the streetscape compared to the existing panels on the Site - the proposed digital panel will be set within an upgraded durable frame using high quality materials.
- The height and scale of the proposal is entirely appropriate to its context being located along a major regional transportation corridor surrounded by large scale commercial warehouse buildings. The proposed digital panel is the same size as the existing panels on the Site at 3.0m x 6.0m.

6.3 The Outdoor Advertising Strategy states that SDCC will consider new and innovative advertising format solutions such as the Proposed Development. As a modern platform capable of facilitating multiple campaigns at once the proposed digital panel will eliminate the need for frequent site visits and will reduce demand for new advertising sites in the area.

6.4 In accordance with established precedent for developments of this nature, the applicant proposes that conditions are applied to ensure the following:

- I. Prior to the first operation of the digital advertising, a scheme for the testing of the appropriate level of illumination shall be submitted to and approved in writing by the local planning authority. Nonetheless, the maximum intensity of illumination of the digital advertisement signs shall not exceed a 300cd/sqm at night-time.
- II. The signs shall not display any moving, or apparently moving, images.
- III. The sequential advertisements shall not change more than once every 10 seconds.
- IV. Any change between advertisements will be immediate.

