

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB1997/23
PROPOSAL	the replacement of the existing advertising display (5.0m wide x 2.6m high and a depth of 350mm) with a digital advertising display (5.12m wide x 2.56m high with a depth of 200mm) on the roof of no. 2 Lincoln Place, Dublin 2, including all associated site works and services and to permanently decommission and remove 1 no. Advertising Display at 151 Pearse Street, Dublin 2. The development is proposed for a temporary period of 5 years
LOCATION	2 Lincoln Place, Dublin 2
APPLICANT	Mr Dave Smith, Lucid Media Ltd
DATE LODGED	13-Nov-2023
ZONING	
APPLICATION TYPE	Permission

15/01/24

AM/EB

Site Notice:

Site notice was in place and acceptable on the 14th December 2023.

2. Pre Planning Meeting(s)

A pre planning meeting was held on the 12/07/23.

3. Zoning

In the 2022 – 2028 Dublin City Development Plan the site is zoned Z5: *'To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.'*

Other Designations

- The site is located within a Conservation Area.
- The site is located between Nos. 1 (RPS Ref: 4824) and 3 Lincoln Place (RPS Ref: 4825).

4. Site Description

The subject site is located on the roof of the single storey no. 2 Lincoln Place, Dublin 2. This is between the four storey building at no. 1 Lincoln Place (RPS Ref: 4824) and the three storey building at no. 3 Lincoln Place (RPS Ref: 4825).

5. Proposed Development

Permission is sought for the replacement of the existing advertising display (5.0m wide x 2.6m high and a depth of 350mm) with a digital advertising display (5.12m wide x 2.56m high with a depth of 200mm) on the roof of no. 2 Lincoln Place, Dublin 2, including all associated site works and services and to permanently decommission and remove 1 no. Advertising Display at 151 Pearse Street, Dublin 2. The development is proposed for a temporary period of 5 years.

6. Site Planning History

No previous history has been recorded on APAS.

7. Observations

Prescribed Bodies: One observation received from TII in relation to Section 49 levy.

Third Parties: One letter of observation was received within the prescribed period. The main points raised in this letter can be summarised as follows:

- Concern in relation to road safety,
- Concern in relation to light pollution, and

- Concern with regards to the number of advertising displays.

The comments raised in this submission are noted and will be taken into consideration in the assessment of the application.

8. Interdepartmental Report

Drainage Division: no objection subject to conditions.

Roads Division: no objection subject to conditions.

9. Planning Assessment

Dublin City Council's policy regarding such developments is set down in the Dublin City Development Plan 2022-2028. The following sections of the Development Plan, amongst others apply:

7.5.9 Outdoor Advertising Strategy

A strategy has been developed for commercial advertising in the public domain (Appendix 17). This strategy forms the basis of a practical policy to be applied to all proposals for outdoor advertising.

This strategy is based on an analysis of how sensitive different parts of the city are to advertisement structures and identifies constraints and opportunities for the location of these structures. It also sets out what types of structures are acceptable as outdoor advertising elements. While commercial viability is a key consideration, it has been balanced with the need to create a high quality public domain and to safeguard and enhance sensitive areas and sites.

CCUV45 Advertising Structures

To consider appropriately designed and located advertising structures primarily with reference to the zoning objectives and permitted advertising uses and of the outdoor advertising strategy (Appendix 17). In all such cases, the structures must be of high-quality design and materials, and must not obstruct or endanger road users or pedestrians, nor impede free pedestrian movement and accessibility of the footpath or roadway.

CCUV46 Removal of Unauthorised Advertisements

To actively seek the removal of unauthorised advertisements, fabric banners, meshes, banner or other advertising forms from private property and public areas.

Appendix 17 – Advertising and Signage Strategy

Section 1.0 Advertising and Signage:

The outdoor advertising strategy seeks to set out guidance for the provision of various types of signage within certain locations in the city. In order to manage an effective programme of outdoor advertising, the City Council has developed a policy based on geographical zones. These zones cover all parts of the city, ranging from areas of architectural, historical and cultural sensitivity, to residential areas, to areas of little architectural or historic significance. Based on these zones, a range of controls and policies have been developed for each zone ranging from the prohibition of outdoor advertising in the most sensitive areas to more general controls in less sensitive areas where certain types of advertising will be considered. Consideration will be also be given to the need for sensitive treatment and an appropriate transition at the interface between zones.

In order to achieve a coherent and standardised typology for outdoor display panels, Dublin City Council has a preference for smaller types of advertising panels such as six-sheet size advertising panels and 8 sq. m. advertising structures. The appropriate size will be determined with regard to the streetscape quality and character of the urban fabric and in accordance with the provisions of this outdoor advertising strategy.

Figure 1 of Appendix 17 illustrates the zones of advertising control. The subject site is located in Zone 1.

Zone 1: This zone encompasses those areas that are most vulnerable and sensitive and primarily relates to the Georgian area of Dublin City. There is a strong presumption against outdoor advertising in this zone.

**Development Management standards are set out in section 8.*

Section 8.0 Advertising Development Management Standards:

'Applications for new advertising structures will, in addition to the above considerations, be considered having regard to the following:

- The geographical zone in which the site is located, as set out in the figure showing zones of advertising control. 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 and streets in which the advertising panel is to be located.*
- Impact on the character of the street and the amenities of adjoining properties.*
- 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, Protected Structures and Conservation Areas.*
- Proposals must meet the safety requirements of the Transport Infrastructure Ireland (TII), where appropriate.*
- To ensure that all proposals do not interfere with the safety and accessibility of pedestrians and wheelchair users on the public footpaths.'*

The Proposal

This proposal is for the replacement of the existing advertising display (5.0m wide x 2.6m high and a depth of 350mm) with a digital advertising display (5.12m wide x 2.56m high with a depth of 200mm) on the roof of no. 2 Lincoln Place, Dublin 2, including all associated site works and services and to permanently decommission and remove 1 no. Advertising Display at 151 Pearse Street, Dublin 2. The development is proposed for a temporary period of 5 years.

Planning Assessment:

The proposed development provides for the replacement of an existing advertising display (5.0m wide x 2.6m high and a depth of 350mm) with a digital advertising display (5.12m wide x 2.56m high with a depth of 200mm) and associated works. The subject site is zoned Z5 which lists advertisement and advertising structures as open for consideration.

The proposed digital advertising display is c. 13.10 sq. m. which significantly exceeds the 8 sq. m. as set out in Appendix 17. The applicant shall be requested to reduce the size of the advertising display through condition. The attached report outlines that the display will not exceed the maximum luminance of 300 candelas per sq. metre which is acceptable for an urban context. The report also states that the sign will be switched off at midnight. It is considered that a condition should be attached in relation to this.

The subject site is located within zone 1 of advertising control (Appendix 17 Fig. 1) which has a presumption against outdoor advertising. However, this application is for the replacement of an existing advertising display and the decommissioning of 1 no. advertising display at 151 Pearse Street. Their removal is considered commensurate to the upgrading of the current location in terms of overall advertising space. The removal of the one panel and replacement of another would be sufficient planning gain with regard to the rationalisation of external advertising within the public realm of the inner city.

Permission for the sign for a temporary period of 5 years would be consistent with similar decisions/recommendations taken by the Planning Authority and would allow for a review, having regard to the circumstances then prevailing in the immediate area and having regard to the location of this signage structure in the public realm.

Appropriate Assessment

No screening exercise for Appropriate Assessment has been carried out by the Applicant, in accordance with the requirements of Article 6 (3) of the EU Habitats Directive (92/43/EEC). Having regard to the nature and scale of the proposed works, the Planning Authority can conclude that no appropriate assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on any European site within the 15km zone of influence. It is the opinion that the application for planning permission for the proposed development does not require an Appropriate Assessment.

EIA:

Having regard to the nature of the development in an urban area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore be excluded at preliminary examination and a screening determination is not required.

Conclusion:

Having regard to the temporary nature of the application and the planning gain with regard to the rationalisation of external advertising within the public realm of the city centre, it is considered that the proposal is in accordance with the 2022-2028 Dublin City Development Plan and the proper planning and sustainable development of the area.

Recommendation:

Accordingly, it is recommended to **GRANT** permission, subject to the following conditions:

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. (a) This Planning Permission is granted for a limited period of 5 years from the date of this grant, at which date the Permission shall cease and the structure shall be removed and the land returned to its former state, unless a further Permission has been granted before the expiry of that period.

(b) This permission shall expire upon the removal of the structure for any reason within the 5 year period. Any proposal to reinstate or operate a similar structure shall require a separate grant of planning permission.

Reason: In the interests of the proper planning and development of the area, and so that the effect of the development may be reviewed having regard to the circumstances then prevailing.

3. Prior to commencement of development revised drawings shall be submitted for the written agreement of the Planning Authority illustrating the following revisions:

a. The digital advertising display panel shall be reduced to a maximum of 8 sq. metres.

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

4. The Developer shall comply with the Transport requirements of the Planning Authority as follows:

a. No more than one advertisement shall be displayed every ten seconds.

b. The 'fade' method of transition shall be used between advertisements.

- c. No animation, moving images or video or any other special effects shall be displayed as part of the advertisement.
- d. The maximum illumination of the advertisement display shall not exceed 300 candelas per sq. m.
- e. The advertisement display sign shall be switched off between midnight and 7am Monday to Sunday.
- f. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
- g. The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interests of pedestrian and traffic safety.

5. Prior to commencement of the development, the developer shall remove, decommission and extinguish the licence for the advertising display of 1 no. Advertising Display at 151 Pearse Street, Dublin 2. A dated photographic record of their removal shall be submitted to the Planning Authority within one month of their removal. Any future proposed advertising use at this location shall be subject to a prior grant of planning permission.

Reason: In the interest of visual amenity, the prevention of visual clutter and to comply with Dublin City Council's Outdoor Advertising Strategy.

6. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

b) Deviation from these times will only be allowed where a written request with compelling reasons for the proposed deviation has been submitted and approval has been issued by Dublin City Council. Any such approval may be subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

7. (a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

8. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

9. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.