

An  
Bord  
Pleanála

## Inspector's Report ABP320771-24

### Development

Retention of the temporary and intermittent use of an internal curved LED screen at ground floor level and part of the first and second floor façade for the intermittent and temporary display of advertising, along with non-commercial artistic / cultural installations (on a 'one for one' basis).

### Location

Grantham House, at corner of Grantham Street and Camden Street Lower, Dublin 8.

### Planning Authority

Dublin City Council.

### Planning Authority Reg. Ref.

WEB1751/24.

### Applicant(s)

Lucid Media t/a Micromedia.

### Type of Application

Retention.

### Planning Authority Decision

Refuse Retention.

### Type of Appeal

First Party

### Appellant(s)

Lucid Media t/a Micromedia.

### Observer(s)

2 Observers.



(1) Grantham Street Residents  
Association

(2) West of Camden Residents  
Association

**Date of Site Inspection**

31/10/2024.

**Inspector**

Anthony Abbott King.



## **1.0 Site Location and Description**

- 1.1. The proposed development to be retained is located at Grantham House. Grantham House occupies a prominent corner site at the junction of Camden Street and Grantham Street.
- 1.2. Grantham House is located on the south side of Grantham Street at the east end of the street. The existing advertising signage the subject of appeal is located on the corner façade of Grantham House as it elevates onto Camden Street.
- 1.3. Camden Street is a north-south radial route. The commercial spine of Camden Street connects with cross streets to the west and east. The streets to the west such as Grantham Street are predominantly residential in character.
- 1.4. Grantham house is a contemporary 3/4-storey infill mixed-use building with a commercial ground floor. There is a tile shop in the ground floor unit elevating onto Grantham Street. The upper floors are in offices. The corner unit of the commercial ground floor is vacant.
- 1.5. The Camden Street / Grantham Street area is characterised by both commercial and residential development. The eastern end of Grantham Street is commercial in character at the junction with Camden Street.
- 1.6. The row of commercial premises on the north side of Grantham Street opposite Grantham House, known as Camden Market, are protected structures.
- 1.7. No. 56 Camden Street (RPS1154) abutting to the south is a protected structure.
- 1.8. The site area is given as 52.6 sqm.

## **2.0 Proposed Development**

- 2.1. Retention of the temporary and intermittent use of an internal curved LED screen at ground floor level and part of the first and second floor façade for the intermittent and temporary display of advertising, along with non-commercial artistic / cultural installations (on a 'one for one' basis).



### 3.0 Planning Authority Decision

#### 3.1. Decision

Refuse permission for retention for the following reason:

*(1) Having regard to the provisions of the Dublin City Development Plan 2022-2028, it is considered that, by reason of its scale, design and location on this prominent junction at the corner of Grantham Street and Camden Street, the development proposed to be retained would lead to a proliferation of signs at this urban village location, which is a designated Conservation area, would set an undesirable precedent for other similar developments, and would detract from the visual amenities and character of the area. The development proposed to be retained, would be contrary to Policy BHA9 (Conservation Areas) and Appendix 17 (Advertising and Signage Strategy) of the Dublin City Development Plan, would seriously injure the visual amenities of this conservation area, and would therefore, and be contrary to the proper planning and sustainable development of the area.*

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflects the case officer recommendation.

##### 3.2.2. Other Technical Reports

The Drainage Division has no objection to the proposal.

TII has no observations to make.

### 4.0 Planning History

The following recent planning history is relevant.

- Under Register ref: WEB1398/24 an application was withdrawn for the retention of the temporary use of part of the first and second floor facade of



Grantham House for the intermittent and temporary display of advertising banners.

- Under Register ref: 0185/24 an exempted development certificate was refused for the intermittent and temporary display of art work and non-commercial messaging on the first and second floor of Grantham House, which was considered development.
- Under Register ref: 0177/24 an exempted development certificate was refused for the use of a curved LED advertising screen inside the corner unit at Grantham House, which was considered development.
- Under Register ref: 0171/22 an exempted development certificate was refused for temporary affixing PVC advertising banners to the Grantham Street and Camden Street facades of Grantham House, which was considered development.
- Under Register ref: 4834/22 (ABP315253-22) retention planning permission was refused for use of part of the ground, first and second floor of Grantham House for advertising banners. The reason for refusal stated:

*(1) Having regard to the provisions of the Dublin City Development Plan 2022-2028, It is considered that, by reason of its scale, design and location, the development proposed to be retained would lead to a proliferation of signs at this urban village location, which is a designated Conservation Area, would set an undesirable precedent for other similar developments, and would detract from the visual amenities and character of the area. The development proposed to be retained would be contrary to the provisions of the development plan, would seriously injure the visual amenities of the area, and would, therefore, be contrary to the proper planning and sustainable development of the area.*



## 5.0 Policy and Context

### 5.1. Development Plan

The relevant local planning policy document is the Dublin City Development Plan 2022-2028.

- Zoning

The zoning objective is Z4 (Map E) Key Urban Villages / Urban Villages: *To provide for and improve mixed-services facilities.*

Chapter 14 (Land-use Zoning), Section 14.7.4 is relevant and states:

*Key Urban Villages and Urban Villages (formerly district centres) function to serve the needs of the surrounding catchment providing a range of retail, commercial, cultural, social and community functions and are easily accessible by foot, bicycle or public transport; in line with the concept of the 15-minute city..*

Advertisement and advertising structures are open for consideration uses.

- Conservation Area Designation

The proposed development is located within the conservation zone red hatching.

Chapter 11 (Archaeology & Built Heritage) Policy Objective BHA9 of the Dublin City Development Plan 2022-2028 *inter alia* states:

*To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives..... Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.*

- Chapter 7 (Urban ) Policy CCUV45 (Advertising Structures) is relevant



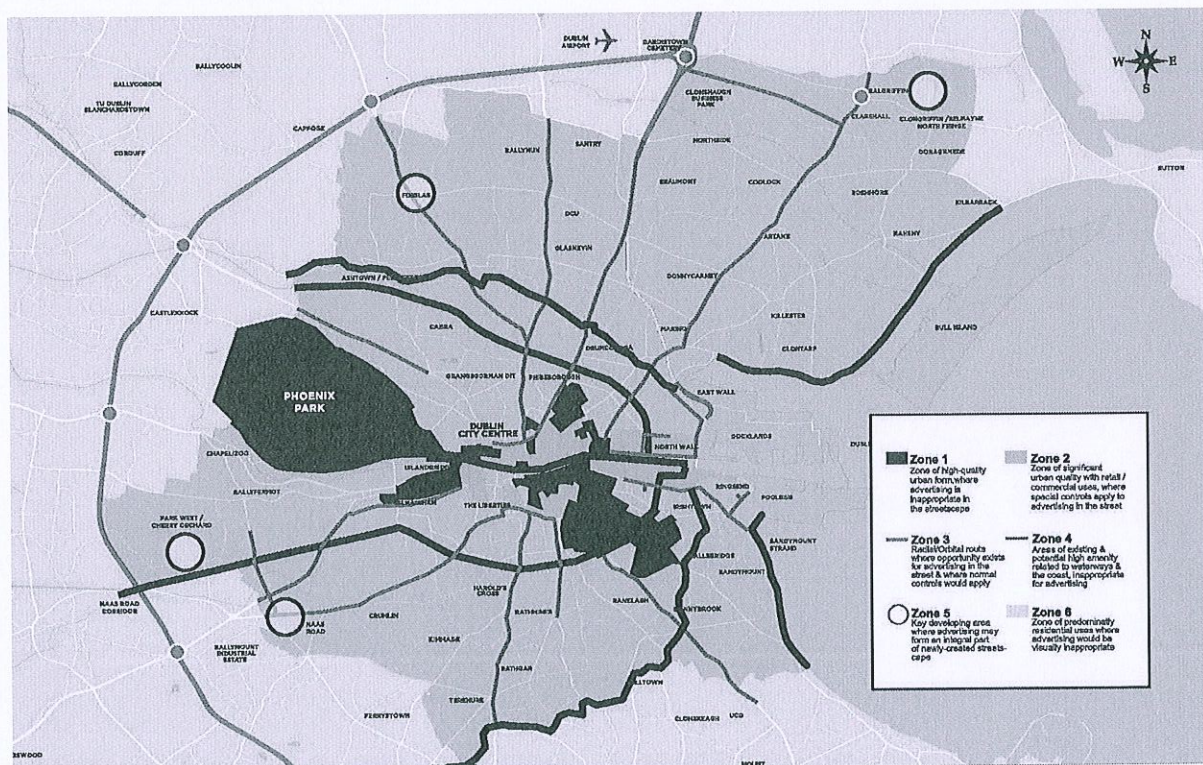
It states:

*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.*

- Appendix 17 (Advertising & Signage Strategy) is relevant.

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.

**Figure 1: Zones of Advertising Control**





In respect of replacement signage Appendix 17 states the following:

*Any upgrading and/ or replacement of existing outdoor advertising (e.g. television, scrolling, electronic, digital) will only be permitted if it is acceptable in amenity/ safety terms and an agreement is made to decommission at least one other display panel in the city and to extinguish the licence for that panel. The purpose of this measure is to ensure that other operators do not use the site. Where such an arrangement is not feasible, consideration may be given to replacement signage which would be of a significantly smaller scale; sensitive to the setting; and, of high quality, robust design and materials.*

Appendix 17, Section 2 (Digital Signage) is relevant and states:

*The use of digital signage is becoming more prevalent in the city and is beginning to replace the more traditional paper advertising signs. In this regard, the design and location of digital signage will be controlled as to prevent any adverse impact to road users and pedestrians.*

*Applications for digital signage should comply with the following design criteria:*

- *Set out the details for the material, finishes and colours of the signage structure.*
- *The maximum luminance of the advertisement display between dusk and dawn shall not exceed 300 candelas per square metre.*
- *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.*
- *No more than one advertisement shall be displayed every ten seconds.*
- *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.*

## **5.2. EIA Screening**

5.3. The proposed is not within a class where EIA would apply.



## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal, prepared by Gravis Planning on behalf of the appellant, are summarised below:

- The planning authority refused planning permission on the grounds of a single refusal reason citing visual obtrusiveness, impact on the character and setting of the streetscape, impact on the visual amenities of the area and undesirable precedent. The appellant does not accept the reason for refusal and that the development to be retained would lead to 'a proliferation of signs'.
- Dublin City Council in its assessment of planning reg. ref: 2473/19, elsewhere on Camden Street within the conservation area, for a 6.4m x 6.4m digital advertising panel in close proximity to existing signage, recognised that large format installations do not necessarily detract from conservation areas or create an unacceptable proliferation.
- The ground floor commercial unit of Grantham House on the Camden Street / Grantham Street corner is vacant. The ground floor corner unit has not proved successful for retail or take-away use. The upper floors accommodate a stairwell also not in use.
- The existing signage the subject of this application is well-established at this location. The signage is operated on an intermittent basis only comprising displays lasting an average of 2 weeks with a subsequent break of 2 weeks.
- The existing signage provides vitality, colour and interest to the streetscape instead of a blank street presence advertising vacancy. It does not obstruct or impede road users.
- The intermittent advertising on the 1<sup>st</sup> and 2<sup>nd</sup> floors of the facade and the LED at ground floor level require no structural changes to the building with installation and removal causing no disturbance internally or externally.
- The use is inherently temporary and can cease at short notice.



- The surrounding Camden Street area has a vibrant, mixed-use character with a range of retail, office, residential café / restaurant uses. The application for retention of signage would contribute to the vibrancy of the area. The development to be retained is in keeping with the established character of the street.
- Grantham Street also has a mixed-use character at its eastern end where the development is located. However, the appellant acknowledges the different character of Grantham Street. It is claimed that large format advertising and street art have a long-established presence.
- The appellant acknowledges the 'disconnect' between Camden Street and the residential communities to the west. The appellant proposes using the site for installations that positively express the voice of the local community in the wider area.
- The appellant is prominent in the arts and cultural life of the city. A non-commercial remit is central to the operation of the signage the subject of this application. The appellant proposes a 1:1 ratio rotation between commercial advertising installation and non-commercial artistic / cultural or community-driven installation.
- The development plan supports artistic and cultural expression with particular support for the use of underutilised buildings in this regard. The artistic / cultural content would contribute positively to the character and distinctiveness of the Camden Street Conservation area consistent with Policy BHA9.
- The use of the premises for signage is 'open for consideration' within the land use matrix of the Z4 (Urban village) zoning objective. It is in character with the area where there is a multitude of existing signs of varying nature and scale.
- Furthermore, the development to be retained is within an area where outdoor advertising is stated as being 'open for consideration' under the 'Advertising & Signage Strategy' of the development plan. The appellant claims that the development to be retained is consistent with Appendix 17 (Advertising & Signage Strategy) of the development plan including the proposal to remove 2 existing billboards at Belvedere Road Dublin 1.



- The appellant claims that a grant of planning permission would not set a precedent for similar development elsewhere in the area given the nature of the site and the potential to regulate limitations and controls by condition.

## **6.2. Applicant Response**

- First Party appeal

## **6.3. Planning Authority Response**

- None recorded to date.

## **6.4. Observations**

There are two observations. The observations of the West of Camden Residents Association and the Grantham Street Residents Association are summarised below:

- The observers support the decision of the planning authority to refuse retention permission. The local community, as expressed by Grantham Street Residents Association and West of Camden Residents Association is opposed to the development and has informed the applicant.
- The retention of the subject development would contribute: (A) to the further degeneration of Camden Street into a drinking emporium inconsistent with the Z4 zoning objective (urban village) within a conservation area; (B) would be inconsistent with the architectural and conservation Z2 (residential conservation) zoning objective.
- Camden Street is characterised by an electric mix of retail and entertainment uses that serves local community and visitors supporting its 'urban village' zoning. The immediate environs are a socially mixed residential area. The mix of use on Camden Street has changed in recent years with the closure of daytime uses and the conversion of neighbourhood pubs into 'super-pubs'. The dynamic has changed the character of the area with public drinking and anti-social behaviour evident.



- It is claimed the subject hording and illuminated signage contributes to the transformation of Camden Street into an entertainment zone.
- It is claimed the subject hording / signage is inconsistent with the townscape and architectural features of Camden Street and undermines the visual attractiveness of the historic Grantham Street.
- The longer the unauthorised display remains in situ the justification for similar development will intensify.
- The public consultation cited by the applicant was not meaningful. The possible benefit to the local community is unfounded. Furthermore, the 'cultural / artistic' content essentially comprises advertisements for festivals. In this regard the applicant has advertised (on an unauthorised site) both Dublin City Council and the Arts Council events.
- The applicant has persisted in further unauthorised use of the premises for both large scale advertising on the upper floors and illuminated displays in the ground floor unit during the life of the current application.
- Images are inserted and appended to one of the observation statements showing a large vertical corner sign (convex) extending from the first floor to the parapet of the building and a recessed ground floor concave sign located within the ground floor commercial frontage of the building onto Camden Street.
- The subject application is the latest in a series of retention applications refused by the planning authority and by An Bord Pleanála.
- The applicant has previously being the subject of enforcement. The local residents have contacted enforcement to communicate new unauthorised advertisements (emails appended). It is understood that enforcement proceedings have been on-going since 07/11/23.
- A grant of retention permission would undermine the authority of the planning process.



## 7.0 Assessment

- 7.1. The following assessment covers the points made in the appeal submission and is my *de novo* consideration of the application. It is noted there are no new matters for consideration.
- 7.2. The applicant proposes to retain an internal concave LED curved screen at ground floor level inside the gazing of the commercial frontage of Grantham House on the Camden Street / Grantham Street corner and high level advertisement banner located on the corner elevation of Grantham House at first and second floor level extending to just below the parapet of the building.
- 7.3. The applicant states that the purpose of the sign is for the intermittent and temporary advertising display (an average 2 week display with a subsequent break of 2 weeks) along with non-commercial artistic / cultural display installations. The appellant claims that the artistic / cultural content would contribute positively to the character and distinctiveness of the Camden Street Conservation area consistent with Policy Objective BHA9 of the development plan.
- 7.4. The LED would effectively occupy the display area inside the glazed corner commercial unit along the ground floor frontage. The digital advertisement measures 5m x 2.5m and provides an advertising display area of 12.5 sqm. The LED panel was in situ on the day of my site visit advertising 'Sky Mobile'.
- 7.5. The high level panel located on the Grantham House corner at first and second floor level is a banner sign that measures 6.72m x 6.55m. The advertising display area measures approximately 40 sqm. The high level panel was in situ on the day of my site visit advertising 'Sky Mobile'.
- 7.6. The signage is unauthorised and the subject of enforcement proceedings. The planning authority is consistent in decision making on exempted development certification of signage at the Grantham Street / Camden street corner of Grantham House, confirming that advertising signage is development. The planning authority and An Bord Pleanála has previously refused high level banner advertisement signage at this location (Re. Ref: ABP315253-22) similar to that proposed for retention.
- 7.7. The planning authority refused planning permission principally on the grounds of the scale and design of the proposed development to be retained and its location on a



prominent junction at the corner of Grantham Street and Camden Street. The planning authority considered that the proposal would lead to a proliferation of signs at this urban village location, which is a designated Conservation Area, would set an undesirable precedent for other similar developments, and would detract from the visual amenities and character of the area.

#### *Zoning*

- 7.8. The development to be retained is located at Grantham House, Grantham Street / Camden Street in an area zoned for the purposes to provide for and improve mixed-services facilities (Zoning Objective 4 – Key Urban Villages / Urban Villages).
- 7.9. Advertisement and advertising structures are open for consideration within this commercial zone. An open for consideration use is a use which may be permitted where the planning authority is satisfied that the proposed development would be compatible with the overall policies and objectives of the zone, would not have undesirable effects on the permitted uses, and would otherwise be consistent with the proper planning and sustainable development of the area.
- 7.10. In this regard it is noted that the proposed development to be retained is located within a Conservation Area. Policy BHA9 (Conservation Areas) of the Dublin City Development Plan 2022-2028 *inter alia* requires development within or affecting a Conservation Area must contribute positively to its character and distinctiveness.
- 7.11. The proposed development is assessed below within the relevant policy framework of the Dublin City Development Plan 2022-2028. The relevant policy framework includes the guidance provided for outdoor advertising and digital signage in Appendix 17 (Advertising & Signage Strategy) of the plan and the policies and objectives regulating development within Conservation Areas, including Policy Objective BHA9 (Conservation Areas).

#### *Geographical advertising zones*

- 7.12. Appendix 17 of the Dublin City Development Plan 2022-2028 provides guidance in the matter of various types of advertising signage within certain locations in the city. The planning authority has developed a policy based on geographical zones in order to manage an effective programme of outdoor advertising. This strategy forms the basis of policy implementation applied to all proposals for outdoor advertising in the public domain.



- 7.13. Camden Street is a radial route indicating a Zone 3 geographic location where outdoor advertisement may be a permitted use (See Figure 1: Zones of Advertising Control in Section 5.0 of this report). Zone 3 consists of radial routes leading into and out of the city and are areas where opportunity exists for the managed provision of outdoor advertising.

*High level signage located above ground floor level*

- 7.14. Section 8 (Advertising Development Management Standards) of Appendix 17 requires certain criteria to be satisfied in the assessment of advertisement proposals, including 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, impact on the character and integrity of Architectural Conservation Areas, Protected Structures and Conservation Areas.
- 7.15. The development to be retained is within a designated Conservation Area. Grantham House abuts a protected structure to the south at no. 56 Camden Street. The advertising banner to be retained above ground floor level comprises a display area of 40 sqm. (6.72m x 6.55m), which extends to just below the parapet level of the building and extends for the full width of the corner façade above ground floor level. The banner effectively screens the first and second floor elevation of Grantham House on the Camden Street / Grantham Street urban corner.
- 7.16. I would concur with the assessment of the planning case officer that the location of the banner is highly visible travelling south along Camden street and is visible travelling north along Camden Street and in both east and west directions on Grantham Street. The advertising banner is by nature designed to be prominent and eye catching.
- 7.17. I consider that the size of the advertising panel above ground floor level relative to the Camden Street façade of Grantham House, as it articulates the Camden Street / Grantham Street corner, is disproportionate in scale to the building façade and has an adverse impact on the character of the streetscape and the setting of the adjoining protected structure at no. 56 Camden Street by reason of its visual impact.
- 7.18. Notwithstanding that Camden Street has an electric character including a broad assortment of advertising media, I consider that the incongruous nature of the development to be retained, screening the Grantham House façade on the Camden



Street / Grantham Street urban corner, and the inappropriate scale of the banner would set an undesirable precedent for similar inappropriately scaled and incongruous advertising development depreciating visual amenity in the vicinity and generally.

- 7.19. Furthermore, I consider that the location and size of the advertising panel affixed to the prominent Camden Street / Grantham Street corner façade of Grantham House, in combination with the internal LED ground floor signage, has an adverse impact on the special interest and character of this designated Conservation Area inconsistent with Policy BHA9 (Conservation Areas), including the requirement to contribute positively to the character and distinctiveness of the conservation area.

*Ground floor LED digital sign*

- 7.20. The LED digital sign to be retained occupies the ground floor window display area of the corner commercial unit at Grantham House. The appellant argues that the vacant status of the unit would warrant a positive assessment of the concave LED sign given that it provides vibrancy and animates the street.
- 7.21. Appendix 17 (Advertising & Signage Strategy) provides guidance in the matter of digital signage. I consider that the applicant has not demonstrated compliance with Section 2 (Digital Signage) of Appendix 17.
- 7.22. The applicant clearly states in the letter of application that advertisement installations will be displayed by way of an internal curved LED screen at ground floor level along with banners on part of the first and second floor façade. I note that the LED ground floor advertisement panel and the above ground floor banner advertisement operate concurrently. The subject advertisement panels advertised cumulatively 'Sky Mobile' on the day of my site visit.
- 7.23. It is considered that the impact of the high level external banner panel and the ground floor internal LED panel to be retained represent an unacceptable proliferation of advertising signage at a single location and would set an undesirable precedent for multiple advertisement on the facade and / or within the display area of buildings within the immediate streetscape or generally depreciating visual amenity.



*Artistic / cultural or community-driven displays as mitigation*

- 7.24. The appellant proposes a 1:1 ratio rotation between commercial advertising installation and non-commercial artistic / cultural or community-driven installation. I do not consider this a relevant matter given that the principle of the retention of the existing advertisement panels is unacceptable by reason of their physicality.

*Decommissioning of existing billboard signs*

- 7.25. In the matter of decommissioning of signage as proposed by the appellant at Belvedere Road Dublin 1, where it is proposed to decommission 2 existing billboards, the incongruous nature of the high level banner advertisement panel, screening the Grantham House façade on the Camden Street / Grantham Street urban corner, the inappropriate scale of the panel with reference to the corner façade of Grantham House and, the cumulative visual impact of the above ground floor external banner and ground floor internal LED panel would not warrant consideration of same.

*Other matters*

- 7.26. Finally, I note the observations of third parties including the proximity of residential development and the adverse impact on residential amenity of the subject advertisement panels.

*Conclusion*

- 7.27. I conclude that the incongruous nature of the high level banner advertisement panel, screening the Grantham House façade on the Camden Street / Grantham Street urban corner, the inappropriate scale of the panel with reference to the modest corner façade of Grantham House and, the cumulative visual impact of the above ground floor external banner and ground floor internal LED panel has an adverse visual impact on the character of the streetscape and the setting of the adjoining protected structure at no. 56 Camden Street, sets a precedent for similar inappropriately scaled and incongruous advertising development that would depreciate visual amenity in the vicinity and generally and, is inconsistent with the special interest and character of this designated conservation area.

- 7.28. **Appropriate Assessment Screening**



The proposed development comprises advertisement signage located within / on an existing building in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

## 8.0 Recommendation

- 8.1. I recommend refusal of planning permission for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

Having regard to the grounds of appeal, the reason for refusal, the observations of third parties, the Z4 area zoning objective 'Urban Village, the Conservation Area designation and the relevant policy framework of the Dublin City Development Plan 2022-2028, it is considered that the development to be retained, comprising an external high level banner sign at first and second floor level on the corner façade of Grantham House and an internal concave LED curved screen at ground floor level, would by reason of scale, design and cumulative visual impact be inconsistent with Policy BHA9 (Conservation Area) and with Appendix 17 (Advertising & Signage Strategy) of the Dublin City Development Plan 2022-2028 and, as such, would be contrary to the proper planning and sustainable development of this designated conservation area.

## 10.0 Refusal

1.	Having regard to the provisions of the Dublin City Development Plan 2022-2028, It is considered that, by reason of its scale, design and location, the development proposed to be retained would lead to a proliferation of signs at this urban village location, which is a designated Conservation Area, would set an undesirable precedent for other similar developments, and would detract from the visual amenities and character of the area. The development proposed to be retained would be contrary to the provisions of the development plan, would seriously injure the visual amenities of the
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	area, and would, therefore, be contrary to the proper planning and sustainable development of the area.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

  
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Anthony Abbott King  
Planning Inspector

5 November 2024