



<b>Development</b>	Replacement of 1 Illuminated 6.3m x 3.5m advertising display with 1 Digital 6.28m x 3.4m advertising display and all associated site works.
<b>Location</b>	52 Port Road, Letterkenny, Co. Donegal
<b>Planning Authority</b>	Donegal County Council
<b>Planning Authority Reg. Ref.</b>	2562167
<b>Applicant(s)</b>	JCDecaux Ireland Limited
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party Normal Planning Appeal
<b>Appellant(s)</b>	JCDecaux Ireland Limited
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	28 <sup>th</sup> April 2026
<b>Inspector</b>	Stephanie Farrington

## Table of Contents

1.0	Site Location and Description .....	3
2.0	Proposed Development.....	3
3.0	Planning Authority Decision .....	4
4.0	Planning History.....	7
5.0	Policy Context.....	7
6.0	EIA Screening.....	13
7.0	The Appeal .....	13
8.0	Assessment .....	18
9.0	AA Screening.....	26
10.0	Water Framework Directive.....	<b>Error! Bookmark not defined.</b>
11.0	Recommendation.....	27
12.0	Reasons and Considerations .....	28
13.0	Conditions.....	28
	<b>Appendix 1: Form 1 EIA Pre-Screening .....</b>	<b>32</b>

## 1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 8 sq.m., relates to an existing advertising display on the eastern gable end of an existing 2 storey commercial property at no. 52 Port Road, Letterkenny, Co. Donegal.
- 1.2. Port Road is a single lane carriageway in the vicinity of the site with parallel parking provided along the road. A public footpath is provided along Port Road in the vicinity of the site. The existing sign is visible by travelling from Station Road roundabout to the town centre.
- 1.3. The existing pattern of development within the vicinity of the site along Port Road is primarily retail and commercial. The site is adjoined by Letterkenny Masonic Hall is located c. 6m to the east of the site and is separated from the appeal site by a paved area. An Grianán Theatre is located further east of the site.

## 2.0 Proposed Development

- 2.1. The development seeks permission for the replacement of 1No. illuminated 6.3m x 3.5m advertising display with 1No. digital 6.28m x 3.4m advertising display on the gable end of 52 Port Road, Letterkenny, Co. Donegal and all associated site works and services.
- 2.2. The following documentation is submitted in conjunction with the application:
  - Completed public notices and planning application form
  - Letter of consent from owners of no. 52 Port Road
  - Application Cover Letter
  - Planning Application Report
  - Letter of Consent from applicant – JC Decaux
  - Application Drawings

### 3.0 Planning Authority Decision

#### 3.1. Decision

Donegal County Council issued a notification of decision to refuse permission for the development in accordance with the following reasons and considerations:

- 1) The subject site is located on lands zoned as 'Town Centre', in the Letterkenny Plan and Local Transport Plan 2023-2029. It is an Objective of the Plan: *"To strengthen the urban form of the town centre so as to reinforce the centre as a cohesive, attractive and high-quality urban area that is attractive and safe for residents, visitors and investors and is a place where public life can thrive"*.

Having regard to the highly conspicuous position of the site, it is considered that to permit the large digital signage display proposed along Port Road, sited in a prominent location, the scale of such relative to the host building and by the precedent which same would set, could lead to a proliferation of such inappropriate large digital signage displays which would detract from and hinder the achievement of the Town Centre Strategy, would not contribute positively to the character and distinctiveness of the area, and fails to contribute towards the creation of a strong urban form / streetscape, conducive to a vibrant / high quality urban environment within the town centre. Accordingly, to permit the proposed development would materially contravene the aforementioned policy provisions of the Letterkenny Plan and Local Transport Plan 2023-2029 and would thereby be contrary to the proper planning and sustainable development of the area.

- 2) It is a policy of the County Donegal Development Plan 2024-2030 that 'development proposals comply with the Development and Technical Standards' where applicable, and relevant Governmental guidance and standards as set out in Chapter 16 of the County Donegal Development Plan 2024-2030 (Policy TS-P-1 refers) specifically all signage proposals shall 'not compromise road safety' and 'be, as appropriate, of a scale/character suitable to the subject building and the host environment';

Having regard to the conspicuous position of the site on the Port Road, in particular the proposed digital and continuously alternating nature, the Planning Authority is not satisfied that the proposed development would not constitute a distraction to road users as a result of its scale and position. Accordingly, to permit the proposed development would endanger public safety by reason of a traffic hazard, would be contrary to Policy TS-P-1 of the said Plan and would thereby be contrary to the proper planning and sustainable development of the area.

Note on Decision

The Planning Authority's decision furthermore includes the following note:

*Applicant is advised in terms of the existing signage in situ following a desktop examination, the Planning Authority does not see any evidence of any consents on which the same relies. Therefore, it has not been demonstrated that the existing sign has planning permission.*

**3.2. Planning Authority Reports**

**3.2.1. Planning Reports**

Planner's Report (26/01/2026)

The planner's report recommends that permission is refused for the development in accordance with the planning authority's decision. The following provides a summary of the key points raised:

- The report refers to the location of the site within Letterkenny town centre and outlines that advertising signage can have a significant impact on the visual appearance and character of an area. It is the goal of the PA to ensure that any such signage is designed and located in a manner that integrates effectively with the host environment.
- The report refers to the applicant's cover letter which outlines that the applicant is willing to enter into an agreement with the planning authority to permanently decommission 1No. 6.3m x 3.5m advertising display located on the gable wall of Antrim House, West End, Bundoran, Co. Donegal, by way of planning condition, in the instance of a grant of permission. This matter is deemed irrelevant to the application site.

- The report questions the planning status of the existing signage in place.
- The report outlines that the precedent cases cited within the applicant's Planning Report relate to Dublin City and are of no relevance to the proposal.
- The report outlines that having regard to the location of the proposed large digital signage along the Port Road in a prominent location, the scale/visual impact of such relative to the host building, it is considered to permit the proposed signage and by the precedent which the same would set, could lead to a proliferation of such inappropriate digital signage displays which would detract from and hinder the achievement of the Town Centre Strategy, would not contribute positively to the character and distinctiveness of the area and fails to contribute towards the creation of a strong urban form / streetscape, conducive to a vibrant / high quality urban environment within the town centre.
- The report outlines that the development would materially contravene Objective LK-TC-O-01 of the Letterkenny Plan and Local Transport Plan 2023-2029.
- The report raises concern in relation to light emanating from the sign and impact on adjoining residential properties.
- The report outlines that the digital and continuously alternating nature would constitute a distraction to road users as a result of its scale and position. Accordingly, to permit the proposed development would endanger public safety by reason of a traffic hazard.
- Environmental Impact Assessment: Having regard to the limited scale of the proposed development and location of the site, 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.

### 3.2.2. Other Technical Reports

#### Roads Department (12/12/2025)

The report outlines that the sign must not increase glare onto drivers and must be within the maximum luminance allowed under the relevant regulations. It will be up to

the applicant to provide evidence that the luminance meets the current regulations and provide a detailed drawing and report specifying the lux levels protruding from the sign.

Chief Fire Officer (15/01/2026) – No objection

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

1 no. observation was submitted in respect of the application. The observation raises concerns in relation to (1) Traffic Impact and Pedestrian Safety (2) Visual Impact and Scale and (3) Impact and encroachment on Letterkenny Masonic Hall and adjoining streetscape.

## 4.0 Planning History

4.1. None.

## 5.0 Policy Context

### 5.1. Development Plan

Letterkenny Plan and Local Transport Plan 2023-2029

- 5.1.1. The appeal site is located within Letterkenny town centre. The operative Plan for the area is the Letterkenny Plan and Local Transport Plan 2023-2029.
- 5.1.2. Section 1.1 of the Letterkenny Plan and Local Transport Plan 2023-2029 sets out the statutory context for the plan. This outlines that: *“The Letterkenny Plan must be read in tandem with the CDP, as general policies and standards contained within the CDP are also applicable within the Letterkenny Plan area. All proposals for development that are put forward in accordance with the provisions of this LAP must also comply with relevant objectives and policies of the CDP”.*

*Chapter 7: General Development Management Approach and Detailed Policies*

- 5.1.3. The site is located on lands zoned for ‘town centre’ purposes within the Letterkenny Plan. This zoning objective seeks; *“To sustain and strengthen the core of Letterkenny as a regional centre of residential, commercial, retail, cultural and community life and to support active travel and public transport provision”*.
- 5.1.4. Table 7.2 sets out the land use zoning matrix. The Plan outlines that the Zoning Matrix illustrates a range of land uses together with an indication of their broad acceptability in each of the land use zones. Advertising is not listed as a use under the zoning matrix. A wide range of uses are listed as “open for consideration” on lands zoned for town centre purposes including retail, commercial, educational, community and residential uses.
- 5.1.5. The Plan outlines that *“Proposals for land-uses that are not specifically identified on the zoning matrix may also be considered where the proposed use does not materially contravene the relevant zoning objective, and again subject to compliance with the wider policy framework contained in both this Plan and the CDP where relevant, and relevant guidelines”*.
- 5.1.6. The following provisions of the Plan are of relevance:
- *Policy LK-DM-P-1: It is a policy of the Council to support the principle of development proposals that are: (a.) Generally consistent with the zoning objectives as set out in Table 7.1 below and the corresponding zones identified on Map 7.1 entitled ‘Land Use Zoning Map’; and (b.) Supported in the zoning matrix contained in Table 7.2 below. Such proposals will also be considered against the wider policy framework contained in both this Plan and the CDP where relevant, and relevant guidelines.*
  - Proposals for land-uses that are not specifically identified on the zoning matrix may also be considered where the proposed use does not materially contravene the relevant zoning objective, and again subject to compliance with the wider policy framework contained in both this Plan and the CDP where relevant, and relevant guidelines.
  - *Policy LK-DM-P-2: In assessing development proposals within Letterkenny, the Council will implement all relevant policy provisions of the operative*

*County Development Plan in addition to the policy framework of the Letterkenny Plan.*

### *Chapter 9: Town Centre Strategy*

5.1.7. Section 9.1 of the Plan outlines that Letterkenny town centre is the primary retail and services centre for Donegal. Section 9.3 of the Plan relates to Urban Design Issues within the town centre including disconnect between Main Street and New Retail Parks, decline of the traditional town centre and low-density, poor-quality developments on Pearse Road and parts of Port Road, Poor Sustainable Mobility and underutilisation of physical and environmental landscape.

5.1.8. The following policies and objectives are of relevance to the development:

- Objective LK-TC-O-01: To strengthen the urban form of the town centre so as to reinforce the centre as a cohesive, attractive and high-quality urban area that is attractive and safe for residents, visitors and investors and is a place where public life can thrive.
- Policy LK-TC-P-02: It is a policy of the Council to require that development proposals within the town centre are broadly consistent with, and would not prejudice the delivery of, the Letterkenny 2040 Regeneration Strategy..
- Policy LK-TC-P-07: It is a policy of the Council to support in principle the following strategic urban design/public realm interventions in Letterkenny town centre, subject to compliance with all relevant policies and standards contained in this plan and the CDP:
  - The delivery of walking, cycling and parkland infrastructure (inclusive of the LK Green Connect project)
  - The delivery of a creative hub and urban parkland adjacent to Church Lane, as part of the continued development of the Letterkenny Cathedral Quarter
  - The re-use of the former courthouse for appropriate town centre uses
  - The regeneration of the Main Street area (with particular reference to Lower Main St.) and tackling vacancy and dereliction generally
  - The development of a regional transport hub
  - The development of new public realm to complement the existing Market Square

- Proposals that rebalance pedestrian and vehicular space to give greater priority to active travel
  - Strengthening the linkages between Main Street and Pearse Road, from both an accessibility and urban design perspective
  - Public realm improvements along Port and Pearse Roads, with a view to transforming these key routes into town centre 'boulevards'
  - Improvements to public realm and accessibility at Oldtown, the Station roundabout area and the Polestar roundabout area
  - The provision of green and blue infrastructure, with particular reference to the River Swilly Corridor.
- Policy LK-TC-P-08: It is a policy of the Council to require that development proposals within the town centre area conform to the following design criteria:
    - Proposals shall have regard to the Letterkenny Design Guide and the Linkages & Public Space Action Plan, prepared as part of the Letterkenny 2040 Regeneration Strategy.
    - Proposals shall provide for distinctive buildings of high architectural quality, which contribute to a distinct sense of place and a quality public realm
    - Building lines shall be such that a sense of enclosure is provided to the streetscape (i.e. following established building lines where appropriate or moving the building line closer to the road edge if deemed necessary in order to better define the streetscape) •
    - Proposals shall promote visual interest through modulation and detailing of architectural elements (e.g. variation in building elevations, variations in roof form, cornices, windows, eaves, frontages and entrances and minor variations in setback).
    - Proposals shall provide for minimum 3-storey development along the Pearse Road and 2 Storeys elsewhere in the town centre.
    - Proposals shall avoid the use of industrial type cladding on the exterior of buildings.
    - Proposals for refurbishment and restoration of vernacular buildings must respect the character of the existing buildings, important views and spaces and historic settlement pattern in terms of scale, height, density, grouping, design and materials. Proposals shall be accompanied by a design

statement clearly outlining the rationale behind the concept and chosen design approach

- Proposals shall comply with all relevant statutory planning guidelines
  
- Policy LK-TC-P-09: It is a policy of the Council to:
  - Ensure the retention of traditional shop-fronts as appropriate.
  - Only approve alterations to existing traditional shop fronts if the proposal is an improvement on what exists. Particular care will be taken over proposals for the installation of blinds, canopies, security grilles and shutters to avoid harm to the visual amenity of the shopping streets; if acceptable in principle they must be designed as an integral part of the shop front design.
  - Avoid pastiche shop fronts and facades.
  - Encourage contemporary design resolution where appropriate, avoiding cautious pastiche and given due consideration to the appearance of security lighting and shutters, additional security measures as necessary, signage and advertisements.

#### County Donegal Development Plan 2023-2029

5.1.9. Chapter 16 of the County Development Plan relates to Technical Standards and includes guidance for signage. Policy TS-P-1 is of relevance as follows:

- Policy TS-P-1: *“To require compliance with the following technical standards, where applicable, in addition to all other relevant policy provisions of this Plan and relevant Governmental guidance and standards.”*

#### *Signage:*

5.1.10. The Plan outlines that advertising signage can have a significant impact on the visual appearance and character of an area and it is therefore the goal of the Council to ensure that any such signage is designed and located in a manner that integrates effectively within the host environment. In general terms, signs should compliment the architectural features of buildings and should refrain from cluttering streetscapes. Furthermore, signs should be designed to promote retail, business and community

activity in a way that enhances the pedestrian/visitor experience and avoids any adverse impacts in terms of traffic safety.

5.1.11. The Plan outlines that: *“It is a policy of the Council to only permit general Advertising Signage on/within the curtilage of a business/development or within the defined, or readily identifiable centres of all settlement framework areas.*

*It is a policy of the Council to ensure that all signage proposals, shall:-*

- *Not compromise road safety;*
- *Be of a High Visual Quality in terms of design, colour and materials;*
- *Be, as appropriate, of a scale/character suitable to the subject building and the host environment;*
- *Not detract from built or natural heritage;*
- *Comply with shop front policies set out in the Urban Design Policies of the Core Strategy”.*

#### Letterkenny 2040 Regeneration Strategy

5.1.12. The Letterkenny 2040 Regeneration Strategy aims to guide development of the town centre, putting people at the very heart of regeneration and change. The Strategy seeks to design the town centre as an attractive and thriving place.

5.1.13. The Masterplan Objectives include the following:

- Transform our urban environment and movement networks, investing in sustainability and quality.
- Energise our urban core, repopulating the town centre, invigorating its civic spaces and connecting with neighbourhoods.

5.1.14. The masterplan is centred around 4 key concepts and 15 projects including A5. An Grianán Public Space and B. Pearse and Port Roads.

- The Strategy seeks to provide an improved public space at An Grianán including the development of a defined area which steps up to the front of the building, incorporating a raised seating and performance area and streetscape improvements.

- The Strategy outlines that Port Road is a major corridor through the town centre as well as a gateway and first impression for many. The Strategy seeks to create a more people orientated streetscape along this route and outlines that Improving the visitor experience by upgrading the public realm including place-branding, way-finding, legibility and the quality of the public space will transform Port Road into a town centre street.

## 5.2. **Natural Heritage Designations**

The site is not located in or adjacent to a European site. The nearest designated sites to the appeal site include the Lough Swilly Special Area of Conservation (SAC) (Site Code 002287) 1.2km and the proposed Natural Heritage Area (p NHA) Lough Swilly including Big Isle, Blanket Nook & Inch Lake (Site Code 000208) located c.1.26 km from the site.

## 6.0 **EIA Screening**

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 7.0 **The Appeal**

### 7.1. **Grounds of Appeal**

A first party appeal was submitted in respect of Donegal County Council's notification of decision to refuse permission for the development. The following provides a summary of the grounds of appeal:

#### Introduction

- The application seeks to upgrade the existing advertising display that is established in situ at this location since 1980 with a digital display with contemporary design and modern technology.

- The development is deemed to be appropriate on a town centre zoned site in Letterkenny and in accordance with the provisions of Chapter 16 of the County Donegal Development Plan 2024-2030 which outlines that *“digital displays may be considered on/within the curtilage of a business/development or within the defined, or readily identifiable centres of settlement framework areas”*.
- The Commission is requested to overturn the notification of decision of DCC to refuse permission for the development.

### Proposed Development

- Section 2 of the report sets out an overview of the proposed development. The appeal outlines that the proposed digital display is high quality and will represent a significant visual improvement on the existing structure currently on site. The proposed display is stated as being slightly small than the existing advertising structure and will be positioned in the same location.
- The display will be remotely changed at intervals of 10 seconds with a smooth transition.
- The ESB metering unit and cabinet will be placed behind the stone wall within the yard of the Masonic Hall.
- The proposal includes a camera above the display. For GDPR reasons the focus of the camera is on the display only.
- The luminosity of the digital advertising display fully complies with best practice guidelines, operating below the recommended maximum of 300 candelas per m<sup>2</sup> from dusk till dawn.
- The appeal outlines that the applicant is proposing a curfew between 2am and 6am together with controlled illumination between dusk and dawn. This is stated as a planning gain as the existing sign remains illuminated throughout the night.
- The applicant is proposing to remove an existing advertising sign at Antrim House, West End, Bundoran and the appeal suggests a condition to this effect in the instance of a grant of permission.

### Reason for Refusal no. 1

- The appeal outlines that the proposed development does not materially contravene the “town centre” zoning in the Letterkenny Plan and Local Transport Plan 2023-2029 or impact or hinder in any way the Local Authority’s capacity to achieve the town centre strategy.
- It is stated that the development complies with Chapter 16 Technical Standards of the County Donegal Development Plan which outlines that *“policy of the Council to only permit general Advertising Signage on/within the curtilage of a business/development or within the defined, or readily identifiable centres of all settlement framework areas”*. The appeal outlines that the site which is located within Letterkenny town centre is located within a readily identifiable centre. The appeal outlines that the development does not propose a new landuse but upgrades an existing established use.
- The appeal outlines that there is an advertising display in situ at the site. The principle of the use is deemed appropriate as the use is existing.
- The appeal outlines that the area in the vicinity of the site is dominated by An Grianán theatre (including box office signage). The development seeks replacement of existing signage and is not deemed to have an impact upon the urban form of the town centre.
- The appeal refers to the site characteristics and outlines that the adjoining property is set back from the property line on Port Road which created the existing opportunity for signage on the gable elevation of the property.
- The appeal refutes the assertion of DCC that the development would set a precedent for other further development within Letterkenny. The appeal outlines that the existing signage is JC Decaux’s only advertising display in Letterkenny. The development seeks to update the existing outdated advertising display. It is stated that the development is not incompatible with urban development goals.
- The appeal refers to Section 9.4 of the planner’s report which relates to residential amenity. The appeal outlines that the reference to the transition of advertising as “continuously alternating” is misleading. The technology

enables the strict control of transitions so that ad transitions are time restricted.

- The appeal outlines that the proposed curfew is a significant planning gain. Nighttime illumination will be restricted to 300 candelas per sq.m. in accordance with ILP Guidelines for town centres.
- The appeal refers to precedent cases within Dublin City and Dun Laoghaire where similar advertising structures have been approved. The appeal outlines that these precedents illustrate how digital advertising structures can be permitted on Protected Structures, adjacent to Conservation Areas and along major thoroughfares where they represent an upgrade over existing signage.
- The appeal outlines that the proposal represents a modernisation of an existing advertising display through its replacement with a higher quality, digital format that will enhance the appearance and efficiency of the site for both residential and commercial uses.
- The proposal to upgrade an existing outdoor advertising display is appropriately located on lands zoned as “Town Centre” and would not materially contravene the policy of the Letterkenny Plan and Local Transport Plan 2023-2029 and Chapter 16 Technical Standards of the County Donegal Development Plan 2024-2032 “Signage”.

*Reason for Refusal no. 2*

- The proposed replacement digital advertising display will not compromise road safety from that of the existing paper advertising display and is in accordance with Donegal Development Plan 2024-2030 (Policy TS-P-1).
- Port Road is a one-way single lane carriageway at this location with parallel parking along its entire extent and within the 30km/ph town centre speed limit.
- The appeal outlines that the proposed structure will not increase glare and will operate within illuminance limits. The appeal outlines that such matters can be addressed by means of condition in the instance of a grant of permission.

- The appeal outlines that the 2<sup>nd</sup> reason for refusal is not based on a technical recommendation, technical standard or advice from the Roads Department in DCC.
- The appeal outlines that the refusal of permission is not consistent with precedent planning decisions of An Coimisiún Pleanála, Dublin City Council and Dún Laoghaire Rathdown County Council in respect of town centre or traffic safety issues. A list of decisions is set out within Table 1 of the appeal.

### Conclusion

- The proposal is not contrary to the provisions of the Letterkenny Plan and Local Transport Plan or the County Donegal Development Plan.
- The development would not detract from built or natural heritage, or shop front objectives set out in urban design policies and the core strategy.
- The modernisation of the existing advertising display will improve the quality and setting of the town centre site without negatively impacting on residential amenity.
- The applicant is willing to accept conditions in relation to advertising display, illumination and curfew. The applicant is willing to remove the existing signage on Antrim House, Bundoran.
- The Commission is requested to overturn the decision of the planning authority and grant permission for the proposed development.

## 7.2. Planning Authority Response

Donegal County Council provided a response to the grounds of appeal. The following provides a summary of the key points raised.

- The appeal response outlines that the Council wishes to rely on the contents of the Planner's Report dated 26<sup>th</sup> of January 2026.
- The appeal response outlines that there is no record of consent for the existing signage in place. The applicant has stated that the signage has been in place since the 1980's which is post the Planning and Development Act 1963. Therefore, it has not been demonstrated that the existing sign has planning permission.

- The Planning Authority has no further comment to make on the appeal.

## 8.0 Assessment

8.1. This is a first-party appeal in respect of Donegal County Council's notification of decision to refuse permission for a replacement advertising sign at no. 52 Port Road, Letterkenny, Co. Donegal. Having examined the application details and all other documentation on file, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Reason for Refusal no. 1 – Principle of Development – Compliance with Policy
- Reason for Refusal no. 2 – Traffic Hazard and Compliance with Policy TS-P-1

In addition to the above, the issue of Appropriate Assessment Screening is addressed in Section 9 of this report and the Water Framework Directive is addressed within Section 10 of this report.

### 8.2. Reason for Refusal no. 1: Principle of Development - Compliance with Policy

8.2.1. The application seeks permission for the replacement of 1 no. illuminated 6.3m x 3.5m advertising display with 1 no. digital 6.28m x 3.4m advertising display on the gable end of 52 Port Road, Letterkenny and all associated site works and services. Donegal County Council's 1<sup>st</sup> reason for refusal outlines that:

*The subject site is located on lands zoned as 'Town Centre', in the Letterkenny Plan and Local Transport Plan 2023-2029. It is an Objective of the Plan: "To strengthen the urban form of the town centre so as to reinforce the centre as a cohesive, attractive and high-quality urban area that is attractive and safe for residents, visitors and investors and is a place where public life can thrive.*

*Having regard to the highly conspicuous position of the site, it is considered that to permit the large digital signage display proposed along Port Road, sited in a prominent location, the scale of such relative to the host building and by the precedent which same would set, could lead to a proliferation of such inappropriate large digital signage displays which would detract from and hinder the achievement of the Town Centre Strategy, would not contribute positively to the character and distinctiveness of the area, and fails to contribute towards the creation of a strong*

*urban form / streetscape, conducive to a vibrant / high quality urban environment within the town centre. Accordingly, to permit the proposed development would materially contravene the aforementioned policy provisions of the Letterkenny Plan and Local Transport Plan 2023-2029 and would thereby be contrary to the proper planning and sustainable development of the area.*

- 8.2.2. The first party appeal outlines that the proposed development does not materially contravene the “town centre” zoning in the Letterkenny Plan and Local Transport Plan 2023-2029 or impact or hinder in any way the Local Authority’s capacity to achieve the town centre strategy. The appeal furthermore outlines that the development complies with Chapter 16 Technical Standards of the County Donegal Development Plan which outlines that *“policy of the Council to only permit general Advertising Signage on/within the curtilage of a business/development or within the defined, or readily identifiable centres of all settlement framework areas”*.
- 8.2.3. The appeal outlines that the site which is located within Letterkenny town centre is located within a readily identifiable centre and the principle of signage is established on the site. The first party appeal outlines that the proposal represents a modernisation of an existing advertising display through its replacement with a higher quality, digital format that will enhance the appearance and efficiency of the site for both residential and commercial uses.
- 8.2.4. The appeal site, which has a stated area of 8sq.m., is located along Port Road, on the western approach to Letterkenny town centre. The existing pattern of development within the immediate vicinity of the site is commercial in nature with signage provided in the majority of shop fronts. The site is zoned for town centre purposes within the Letterkenny Plan and Local Transport Plan 2023-2029 with an objective *“To sustain and strengthen the core of Letterkenny as a regional centre of residential, commercial, retail, cultural and community life and to support active travel and public transport provision”*.
- 8.2.5. A wide range of uses are listed as “open for consideration” on lands zoned for town centre purposes including retail, commercial, educational, community and residential uses. Advertising is not listed as a use under the zoning matrix. The plan outlines that *“proposals for land-uses that are not specifically identified on the zoning matrix may also be considered where the proposed use does not materially contravene the*

*relevant zoning objective, and again subject to compliance with the wider policy framework contained in both this Plan and the CDP where relevant, and relevant guidelines”.*

- 8.2.6. The County Donegal Development Plan outlines that it is the *“Policy of the Council to only permit general Advertising Signage on/within the curtilage of a business/development or within the defined, or readily identifiable centres of all settlement framework areas”*. The site is located within Letterkenny town centre on lands zoned for “town centre” purposes within the Letterkenny Plan and Local Transport Plan.
- 8.2.7. Having regard to the location of the site, the town centre zoning objective pertaining to the site and the commercial nature of development within the immediate vicinity of the site which includes signage, I consider that the principle of the proposed replacement signage can be considered acceptable and in compliance with the zoning objective subject to compliance with the wider provisions of the Letterkenny Plan and Local Transport Plan and the County Donegal Development Plan.
- 8.2.8. I have had regard to the technical standards set out within the County Donegal Development Plan which outline that *“It is a policy of the Council to ensure that all signage proposals, shall:-*
- *Not compromise road safety;*
  - *Be of a High Visual Quality in terms of design, colour and materials;*
  - *Be, as appropriate, of a scale/character suitable to the subject building and the host environment;*
  - *Not detract from built or natural heritage;*
  - *Comply with shop front policies set out in the Urban Design Policies of the Core Strategy”.*
- 8.2.9. Donegal County Council’s first reason for refusal outlines that the development would materially contravene Objective LK-TC-O-01 of the Letterkenny Plan and Local Transport Plan on grounds of the size, location and scale of the development relative to the host structure. Objective LK-TC-O-01 of the Plan seeks *“To strengthen the urban form of the town centre so as to reinforce the centre as a cohesive, attractive*

*and high-quality urban area that is attractive and safe for residents, visitors and investors and is a place where public life can thrive”.*

- 8.2.10. No. 52 Port Road is a 2-storey commercial property, and the eastern gable includes a blank façade adjacent to Port Road. 2 no. window openings are provided to the north of the existing advertising sign. The building forms party of a terrace of buildings which front onto Port Road. The building is not designated as a Protected Structure or located within a designated Architectural Conservation Area. At present there is an advertising display on the eastern gable of no. 52 Port Road which is visible on approach from the Station Road roundabout (from southeast). The existing sign is not visible on approach to the site along Port Road to the southwest. Drawing no. P200 Elevations illustrates the position of the existing sign of the gable of no. 52 and its dimensions of 6.3m x 3.5m.
- 8.2.11. In terms of scale, the proposed digital signage with dimensions of 6.28 x 3.4m is slightly smaller to the existing advertising display. The proposed signage is located further south along the eastern gable of no. 52 than the existing sign. The proposal includes the removal of the existing JCDecaux sign and smaller commercial tax accountant sign on the eastern elevation. The planning authority has questioned the planning status of the existing advertising structure on site. However, in this regard, I note that the subject application seeks the removal of the existing signage and its replacement with digital signage. The first party appeal outlines that the existing signage has been in place since the 1980's.
- 8.2.12. Having carried out a site visit I do not consider that the existing signage is excessive in scale relative to the host building. The adjoining building to the east is set back from the streetscape and located c. 5m from the gable of no. 52. I consider that the existing site conditions render the property suitable to accommodate signage of the nature proposed within the application. In considering the criteria for signage set out within Chapter 16 of the County Donegal Development Plan I consider that the proposed signage is acceptable in terms of design, colour and materials and is of a scale/character suitable to the subject building and the host environment and built environment.
- 8.2.13. I do not consider that the proposal represents a scale or format of development which would detract from the public realm or visual amenity of the area. I furthermore

do not consider the proposal to be contrary to Objective LK-TC-O-01 of the Letterkenny Plan and Local Transport Plan which seeks to reinforce the town centre of Letterkenny as an attractive and high-quality urban area. Nor do I consider that the development would lead to a proliferation of large digital signage displays within the town which would detract from and hinder the achievement of the Town Centre Strategy. Future applications for signage would be assessed on their individual merits.

8.2.14. Policy LK-TC-P-08 of the Letterkenny Plan outlines that: *It is a policy of the Council to require that development proposals within the town centre area conform to the design criteria including "Proposals shall have regard to the Letterkenny Design Guide and the Linkages & Public Space Action Plan, prepared as part of the Letterkenny 2040 Regeneration Strategy"*. I refer to Section 5 of this report which provides a summary of the Letterkenny 2040 Regeneration Strategy as it relates to the appeal site and area in the vicinity. I do not consider that the application represents a scale or format of development which would detract from or preclude the delivery of the objectives set out within the Letterkenny 2040 Regeneration Strategy.

#### *Conclusion*

8.2.15. On the basis of the above I am satisfied that the proposed replacement signage is appropriately located on lands zoned for "Town Centre" purposes within the Letterkenny Plan and Local Transport Plan and is of a scale/character suitable to the host building and surrounding built environment. I do not consider that the proposal represents a scale or format of development which would detract from the public realm or visual amenity of the area.

8.2.16. I do not consider that the proposal would materially contravene the town centre zoning objective pertaining to the site or the provisions of Objective LK-TC-O-01 of the Letterkenny Plan and Local Transport Plan 2023-2029. I am also satisfied that the proposal is in accordance with the relevant provisions of the County Donegal Development Plan 2024-2030 including Chapter 16 Technical Standards "Signage". I consider that the Panning Authority's reference to material contravention within the reason for refusal is misplaced in this instance.

### 8.3. Reason for Refusal no. 2 – Traffic Hazard and Compliance with Policy TS-P-1

8.3.1. Donegal County Council's 2<sup>nd</sup> reason for refusal outlines that:

*It is a policy of the County Donegal Development Plan 2024-2030 that 'development proposals comply with the Development and Technical Standards' where applicable, and relevant Governmental guidance and standards as set out in Chapter 16 of the County Donegal Development Plan 2024-2030 (Policy TS-P-1 refers) specifically all signage proposals shall 'not compromise road safety' and 'be, as appropriate, of a scale/character suitable to the subject building and the host environment';*

*Having regard to the conspicuous position of the site on the Port Road, in particular the proposed digital and continuously alternating nature, the Planning Authority is not satisfied that the proposed development would not constitute a distraction to road users as a result of its scale and position. Accordingly, to permit the proposed development would endanger public safety by reason of a traffic hazard, would be contrary to Policy TS-P-1 of the said Plan and would thereby be contrary to the proper planning and sustainable development of the area.*

8.3.2. Chapter 16 of the County Donegal Development Plan 2024-2030 sets out technical guidance in respect of signage. Policy TS-P-1, as cited within the 2<sup>nd</sup> reason for refusal, seeks: "To require compliance with the following technical standards, where applicable, in addition to all other relevant policy provisions of this Plan and relevant Governmental guidance and standards".

8.3.3. In terms of Signage, the Plan outlines that: *it is a policy of the Council to ensure that all signage proposals, shall:*

- *Not compromise road safety;*
- *Be of a High Visual Quality in terms of design, colour and materials;*
- *Be, as appropriate, of a scale/character suitable to the subject building and the host environment;*
- *Not detract from built or natural heritage;*
- *Comply with shop front policies set out in the Urban Design Policies of the Core Strategy.*

8.3.4. The second reason for refusal raises specific concerns in relation to the scale, position and continuously alternating nature of the signage and outlines that this

would constitute a distraction to road users as and would constitute a traffic hazard on this basis. The first party appeal outlines that the proposed replacement digital advertising display will not compromise road safety from that of the existing paper advertising display and is in accordance with Donegal Development Plan 2024-2030 (Policy TS-P-1). The ESB metering unit and data cabinet will be positioned behind the stone wall within the yard of the Masonic Hall and would not impact on pedestrian or vehicular safety.

- 8.3.5. Port Road is a one-way single lane carriageway adjacent to the site with parallel parking along its entire extent and within the 30km/ph town centre speed limit. The signage is proposed on the eastern gable of no. 52 Port Road in place of the existing signage. I note the reference within the reason for refusal to the continuously alternating nature of the signage. The Planning Report submitted in conjunction with the application outlines that the advertisements in the digital display will be remotely changed at intervals of 10 seconds with a smooth transition. The application documentation outlines that the luminosity of the digital advertising display fully complies with the best practice guidelines, operating below the recommended maximum of 300 candelas per m<sup>2</sup> from dusk till dawn. The applicant is also proposing a condition providing a curfew between 2am and 6am.
- 8.3.6. I note that the report on file from the Roads Department in DCC does not recommend that permission is refused for the development on grounds of traffic hazard. The report outlines that the sign must not increase glare onto drivers and must be within the maximum luminance allowed under the relevant regulations. The appeal outlines that the proposed structure will not increase glare and will operate within illuminance limits. I am satisfied that such matters can be addressed by means of condition in the instance that the Commission is minded to grant permission for the development.
- 8.3.7. The reason for refusal furthermore raises concern in relation to the impact of the proposed illumination on the host environment. The planner's report which informs the decision of DCC to refuse permission for the development raises concern in relation to impacts of the proposed illumination on the residential amenity of the area. Having regard to the nature and scale of the proposal to replace an existing advertising structure, the existing pattern of development in the area, and to the separation distance to existing residential properties, I consider that the proposed

development would not be seriously injurious to the visual or residential amenities of the area.

- 8.3.8. On the basis of the information set out within the application and appeal and having regard to the location of the site on the eastern gable of no. 52 Port Road, the nature and scale of the proposed replacement advertising display, I am satisfied that the proposal, subject to the conditions, would not be likely to act as a confusion or distraction to motorists along Port Road endangering public safety by reason of traffic hazard and is of a scale which is suitable to the application site and host environment. I do not consider that the proposal would materially contravene the provisions of Policy TS-P-1 of the County Donegal Development Plan 2024-2030 on this basis.

#### 8.4. **Other Issues**

##### Planning Status – Existing Signage

- 8.4.1. Donegal County Council's response to the grounds of appeal questions the planning status of the existing signage on site and outlines that there is no record of permission for the existing sign. The first party appeal outlines that the signage has been in place since the 1980's.
- 8.4.2. In considering the issue raised I note that the subject application seeks the removal of the existing signage and its replacement with digital signage. The application is not dependent on the existing signage structure. As there is no record of permission for the existing sign, I recommend the inclusion of a development contribution condition in the instance that the Commission is minded to grant permission for the development.

##### Ownership

- 8.4.3. The submission on the application raises concerns in relation to the proposed siting of the proposed EBS metering unit and data cabinet within the yard of the Masonic Hall and outlines that no third-party consent has been submitted in this regard.
- 8.4.4. In terms of the legal interest, I am satisfied that the applicants have provided sufficient evidence of their legal intent to make an application. Any further legal dispute is considered a Civil matter and are outside the scope of the planning

appeal. In any case, this is a matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

#### Recommended Condition- Removal of Signage in Bundoran

- 8.4.5. The application documentation outlines that the applicant is willing to remove the existing 6.3m x 3.5m advertising display located on the gable wall of Antrim House, West End, Bundoran, Co. Donegal, by way of planning condition, on foot of a successful Grant of Permission. The planner's report which informs the decision of Donegal County Council to refuse permission for the development outlines that this matter is irrelevant to the site in question and can be sought under a separate remit under statutory provisions.
- 8.4.6. The application documentation outlines that the proposed signage is the only JCDecaux sign in Letterkenny. I concur with the view of the planning authority the exiting signage in Bundoran is not of relevance to the appeal site or the surrounding streetscape of Letterkenny. I do not recommend the inclusion of a condition to this effect.

## 9.0 **AA Screening**

- 9.1. I have considered the proposed replacement signage in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in a well-serviced urban area c. 1.2km from the closest European site at Lough Swilly SAC (Site Code 002287). The development relates to replacement signage. No nature conservation concerns were raised within the planning authority's decision.
- 9.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- The limited scale and nature of works
  - The location of the site within an established, serviced urban area
  - Lack of connections to nearest European sites

- 9.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 **Water Framework Directive**

- 10.1. The proposed development seeks to replace an existing billboard with a digital display panel on the side of a commercial building at no. 52 Port Road, Letterkenny. No watercourses area identified in the immediate vicinity of the site within EPA mapping. No water deterioration concerns were raised by the Planning Authority. The nearest waterbody is the River Swilly (Donegal) \_010 located c. 340m southwest of the appeal site.
- 10.2. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.
- 10.3. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.
- 10.4. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

## 11.0 **Recommendation**

I recommend that permission is granted for the development in accordance with the following reasons and considerations.

## 12.0 Reasons and Considerations

Having regard to the nature and scale of the replacement advertising sign, the site location and the town centre zoning objective for the site, and the established pattern of development in the area, it is considered that the proposed development, subject to the following conditions, would be visually acceptable, would not seriously injure the built heritage, visual or residential amenity of the area and would not distract motorists and endanger public safety by reason of traffic hazard. The proposed development would be in accordance with the town centre zoning objective pertaining to the site and the provisions of Objective LK-TC-O-01 of the Letterkenny Plan and Local Transport Plan 2023-2029 and Policy TS-P-1 and the Technical Standards of the County Donegal Development Plan 2024-2030. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.

2. Prior to commissioning of the new digital display advertising structure, the developer shall remove the existing static advertising panels on the site.

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

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no additional advertising signs or structures shall be displayed or erected on

the building or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interests of visual amenity.

4. (a) The maximum luminance of the advertisement display between dusk and dawn shall not exceed 300 candelas per square metre. The luminance level of the display shall be subject to review by the planning authority and, following review, adjustments or amendments shall be carried out in accordance with the requirements of the planning authority.
- (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.
- (c) No more than one advertisement shall be displayed every ten seconds.
- (d) 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.
- (e) The display shall not operate for a minimum of 4 hours between the hours of 2am and 6am.

Reason: In the interest of visual amenity.

5. All public service cables for the development, including electrical and telecommunications cables, together with support structures shall be located discreetly within the structure. Details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. Site development and building works shall be carried out between the hours of 07:00 to 18:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

7. 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.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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 me, directly or indirectly, following my

professional assessment and recommendation set out in my report in an improper or inappropriate way.”

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Stephanie Farrington  
Planning Inspectorate  
4<sup>th</sup> of June 2026

**Appendix 1: Form 1 EIA Pre-Screening**

<b>Case Reference</b>	PL-500904-DL-26
<b>Proposed Development Summary</b>	Replacement of 1No. illuminated 6.3m x 3.5m advertising display with 1No. digital 6.28m x 3.4m advertising display on
<b>Development Address</b>	gable end of 52 Port Road, Letterkenny, Co. Donegal
<b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	

<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations).
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. <b>EIA is Mandatory. No Screening Required</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.	
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
Yes <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_