

File With \_\_\_\_\_

**SECTION 131 FORM**

Appeal NO: ABP -318487-23

Defer Re O/H

Having considered the contents of the submission dated/ received 04/12/23  
from

An Tausce I recommend that section 131 of the Planning and Development Act, 2000

be not be invoked at this stage for the following reason(s): No new material issues raised

E.O.: Aisling Kelly

Date: 05/01/24

**For further consideration by SEO/SAO**

Section 131 not to be invoked at this stage.

Section 131 to be invoked – allow 2/4 weeks for reply.

S.E.O.: \_\_\_\_\_

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

S.A.O.: \_\_\_\_\_

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

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

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

AA: \_\_\_\_\_

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

Task No. 364213 - 27

8/41

11/1/10

Aisling

Lita Clarke

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**From:** Bord  
**Sent:** Monday 4 December 2023 15:24  
**To:** Appeals2  
**Subject:** FW: Observation to Appeal Case reference: RL19.318487 (digital advertising, O'Connor Square, Tullamore, Co. Offaly)  
**Attachments:** Observation to Appeal Case reference\_ RL19.318487 (digital advertising, O'Connor Square, Tullamore, Co. Offaly).pdf

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**From:** Kevin Duff <kevin.duff@antaisce.org>  
**Sent:** Monday, December 4, 2023 3:05 PM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Observation to Appeal Case reference: RL19.318487 (digital advertising, O'Connor Square, Tullamore, Co. Offaly)

The Observation is attached.

Thank you

Kevin Duff

*An Taisce - The National Trust for Ireland*  
5 Foster Place, Dublin 2, Ireland  
Phone: 01 454 1786  
[www.antaisce.org](http://www.antaisce.org)

Company Reg No 12469 | Charity Ref. No CHY4741 | Charity Regulator No. 20006358  
An Taisce is a membership-based charity  
Join at [www.antaisce.org/membership](http://www.antaisce.org/membership)

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

4 December 2023

**Case reference: RL19.318487**

**Re: Observation to S. 5 Reference appeal concerning whether illuminated digital commercial advertising sign is or is not development or is or is not exempted development, O'Connor Square, Tullamore, County Offaly**

Dear Officer,

An Taisce wishes to make an Observation to the Referral Appeal, as follows.

Firstly, it is recommended that, in the interests of clarity, the Referral be decided strictly within the confines of the wording of the subject of the Referral.

O'Connor Square, Tullamore is a notable historic public space of County Offaly and of the Midlands which survives in a relatively good state of preservation containing various historic buildings including the landmark mid-18th century Market House (Protected Structure). It is of concern to An Taisce that, more than two decades after introduction of the architectural heritage provisions of the Planning & Development Act 2000 (Part IV), O'Connor Square has yet to be designated a statutory Architectural Conservation Area (ACA). As part of the measures of Act, planning authorities are obliged to designate ACAs to protect the heritage of their jurisdiction and it is remiss of Offaly County Council not to have yet done so in this instance.

It is considered that modern digital advertising displays are not appropriate to architecturally and historically sensitive locations such as the subject site at O'Connor Square.

The subject advertising display unit forms the back of a public phone fixture. An Taisce would note that the advent of the mobile phone and smartphone in the 21st century has made public phones or phone boxes largely redundant. Since a public phone in this location is likely to receive very low usage, the question must be asked: what is the primary purpose of the fixture in O'Connor Square?

**An Taisce is a membership-based charity | Join at [www.antaisce.org/membership](http://www.antaisce.org/membership)**

***Protecting Ireland's heritage, safeguarding its future***

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EU Transparency Register No. 89747144047-77

**Directors:** John Harnett (Chair), Philip Kearney (Vice-Chair), Trish O'Connell



The sign which is the subject of the Referral, by virtue of its location, scale and illumination impacts adversely on the civic character of O'Connor Square and the appreciation of the architectural quality of the numerous Protected Structures within whose curtilage and attendant grounds it is located. Therefore it should be declared not to constitute exempted development.

Apart from the visual impacts of a bright digital screen on the heritage of the Square, this type of stand-alone fixture contributes physical clutter to its environment, a particular consideration in the case of a town's main civic space. Each new such object added in the public realm constitutes an obstacle to movement for pedestrians, for a parent pushing a buggy and especially for those with sight impairment or other disability.

In conclusion, the subject digital advertising screen is out of character with and seriously detrimental to the quality of this significant and historic public square at Tullamore and results in inappropriate impact on adjacent Protected Structures. As per the request of the Referral appeal, it should therefore not be deemed to constitute 'exempt development'.

Sincerely

Kevin Duff  
Dublin City Planning Officer