

An Bord Pleanála



Inspector's Report

Appeal Reference No: PL27.245727
Development: Retention of illuminated signage to front façade of premises

Planning Application

Planning Authority: Wicklow County Council
Planning Authority Reg. Ref.: 15/899
Applicant: Bentley Leisure Limited
Planning Authority Decision: Refuse permission

Planning Appeal

Appellants: Bentley Leisure Limited
Type of Appeal: First party
Date of Site Inspection: 11/2/2016

Inspector: Siobhan Carroll

1.0 SITE LOCATION AND DESCRIPTION

- 1.0.1 The appeal site is located at Strand Road, Bray, Co. Wicklow. The site has a stated area of 0.012 hectares contains a double bay fronted single building with frontage onto Strand Road which runs parallel the Bray seafront. The National Sea Life Aquarium is located opposite the building.
- 1.0.2 Immediately to the north of the site is Marlborough Terrace which contains three-storey Victorian properties. The adjoining property to the south is a two-storey building with a Gelateria at ground floor and this building adjoins a two-storey Victorian property containing a restaurant and wine bar.
- 1.0.3 The building is occupied by the Silver Strand Casino. It is an amusement arcade containing slot machines. The building has frontage of 29.5m along the Strand Road. The signage which is proposed for retention is mounted on timber fascia which is erected above the two entrances to the building. The wording "SILVER STRAND" is used on the two sections of signage with circular logos between the wording and "CASINO" is used in smaller lettering below the main signs.

2.0 PROPOSED DEVELOPMENT

Permission is sought for the retention of illuminated signage to front façade of the premises. Features of scheme include;

- Site area – 0.012 hectares,
- The proposed signage comprises 2 no. signs 10.3m (length) x 0.9m (height).

3.0 PLANNING HISTORY

Reg. Ref. 01/06 – Permission was granted for the replacement of the amusement arcade with a double sized ground floor level with a public bar and ancillary facilities at ground floor level and ancillary facilities at first and second floor levels.

4.0 PLANNING AUTHORITY DECISION

4.1 Planning and technical reports

Internal Reports:

Bray District Engineer: No objections

Submissions

The Planning Authority received one submission in relation to the planning application. The main issue raised concerned the scale and proportion of the illumination of the signage relative to existing surrounding signage and that it would be contrary to the relevant policies contained in the Bray Development Plan.

4.2 Planning Authority Decision

The Planning Authority refused permission for one reason. The refusal reason refers to the fact that the retention of the signage would be contrary to section 12.5 of the Bray Development Plan, would be detrimental to the visual and residential amenities of the area and would create a traffic hazard due to glare.

5.0 GROUNDS OF APPEAL

A first party appeal was submitted by CM Designs on behalf of Bentley Leisure Ltd on the 10th of November 2015. The content of the appeal submission can be summarised as follows;

- The premises has been operating as an amusement arcade for the past twenty years. It previously operated under the name 'Fun Palace' and began trading as 'Silver Strand Casino' in July 2014 when Bentley Leisure Ltd purchased the business.
- The building was renovated which included the exterior and new signage was erected.
- The appellants confirm that the previous signage to the façade was back lit and the entire area had floodlighting.
- The amusement arcade is located within the Gaming and Lotteries Act 1956 designated areas as set out in the Bray Town Development Plan 2011 – 2017. It is noted that there was always signage at the premises for the past twenty years.

- The signage is not considered visually obtrusive. There are numerous examples of illuminated signage of various types and scale in the surrounding area.
- The signage should be considered in the context being located in tourist area. The premises are an established part of the tourist amenity of the area.
- The appellants consider that the signage is of high quality and that it creates a good visual frame for the building and that the colour and texture of materials used integrate with the architectural character of the building. The lettering is fascia mounted and is of a depth appropriate to the proportions of the building. The timber cladding is of high quality which enhances the appearance of the signage.
- The appellants request that the Board take into consideration the issues raised in the appeal and overturn the decision of Wicklow County Council to refuse permission.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority response

- None received

7.0 POLICY CONTEXT

The site is governed by the Bray Town Development Plan 2011 - 2017. The site is zoned objective 'SF' Seafront Uses "To protect and enhance the character of the seafront area and to provide for mixed-use development including appropriate tourism, leisure and residential uses. The seafront area shall be promoted as the primary tourist, recreational and leisure centre of the town."

Relevant sections of the Development Plan

- Chapter 11 – Bray Seafront Area

In the SF zoned Seafront area, a proposed development will only be permitted where it does not negatively impinge on:

- the amenity and character of the area;
- its natural and built heritage;
- protected views and prospects;
- protected structures.

- Section 12.5 – Shopfronts
- Appendix – Guidelines on Shopfront design for Bray
- Map No.15 – Gaming and Lotteries Act 1956 designated areas

8.0 ASSESSMENT

- 8.0.1 It is proposed to retain the signage to the front elevation of the amusement arcade located at Bray seafront. The proposed signage comprises 2 no. signs 10.3m (length) x 0.9m (height). The signage is attached to timber fascia and is formed by silver lettering stating the name of the business “SILVER STRAND” which is used on the two sections of signage with circular logos between the wording and “CASINO” is used in a smaller lettering below the main signs.
- 8.0.2 The proposed signage is internally illuminated and there are also six floodlights above the signage. The Planning Authority refused permission to the retain the signage on the basis that it would be contrary to section 12.5 of the Bray Development Plan, would be detrimental to the visual and residential amenities of the area and would create a traffic hazard due to glare.
- 8.0.3 In the grounds of appeal the appellants contend that the development does not negatively impact on the character and amenity of the Bray seafront area. The appellant’s are of the opinion that the signage and timber fascia is of high quality and that it integrates with the architectural character of the building.
- 8.0.4 It is noted that there has been an amusement arcade on the site for the past twenty years and the site is located within the Gaming and Lotteries Act 1956 designated areas as set out in the Bray Town Development Plan 2011 – 2017. It is also indicated in the appeal that the usage of lighting and signage merely highlights the presence of the commercial premises within this tourist area and does not detract from the character of the area. The presence of similar illuminated signage of various types and scale in the surrounding area is also noted.
- 8.0.5 As per the Bray Town Development Plan 2011-2017 the site is zoned ‘SF’ “To protect and enhance the character of the seafront area and to provide for mixed-use development including appropriate tourism, leisure and residential uses. The seafront area shall be promoted as the primary tourist, recreational and leisure centre of the town.” Section 12.5 of the Bray Town Development Plan 2011 – 2017 refers to shopfronts and states that all shopfronts should be designed in accordance with the recommendations as contained in the document ‘Guidelines on Shopfront Design for Bray’ (produced by Colum O’Broin and Partners).

- 8.0.6 The 'Guidelines on Shopfront Design for Bray' is a positive document as it does not precluding signage but sets out parameters which should be observed and taken into account. In relation to signage it is recommended that lettering be in proper proportion to the size of the fascia and to the scale of the building. As a general rule, the lettering should be restricted to half the fascia width, taking care to leave sufficient space at top, bottom and sides.
- 8.0.7 Regarding the illumination of shopfronts and signage it is stated in the guidelines that it is generally considered unnecessary. The use of modest levels of discreet lighting is considered acceptable in certain circumstances, where the business is open in the evening. In essence the plan requires that new signage shall respect the scale, character and setting of the building to which it is attached and the surrounding area.
- 8.0.8 In relation to the siting of the existing amusement arcade, I note that there are a mix of commercial uses in the vicinity including a restaurant and gelateria adjoining the building to the south. The building across the road within the promenade contains a restaurant, café and the National Sea Life Aquarium. The signage serving these surrounding commercial premises is generally of a more limited scale than the subject signage. Furthermore, none of the signage in the immediate surroundings is internally illuminated.
- 8.0.9 The signage which previously used on the building was more discrete and was not internally illuminated. While the building containing the amusement arcade is not Protected Structure it is adjacent to Marlborough Terrace which contains Victorian properties and the building to the south of the site at the corner of Strand Road and Albert Avenue is an attractive Victorian property where the signage is respectful of the character of the building.
- 8.0.10 In relation to the current appeal I consider that the proposed signage is visually dominant in relation to the scale, character and setting of the building and rather than integrating with the design of the building it is unduly obtrusive. Furthermore there is a lack of visual relationship with the adjoining signage on the premises to the south. Accordingly the proposed signage would negatively impact upon the character and visual integrity of the streetscape along the seafront. Having regard to the internally illuminated nature of the proposed signage it would also appear obtrusive in the streetscape at night and it would be contrary to the provisions of the 'Guidelines on Shopfront Design for Bray'. As the guidelines recommend that where the lighting of signage is provided that it be discreet.
- 8.0.11 The refusal reason issued by the Planning Authority refers to the signage resulting in a traffic hazard due to the glare associated with its illumination. I note that the District Engineer had no objections to the proposals. In relation

to the matter of traffic hazard, I note that this section of the road along the seafront is one-way and while I agree that the signage would be visually obtrusive I am not of the opinion that the signage would definitively constitute a traffic hazard given the one-way system which is in operation along Strand Road.

Appropriate Assessment

8.0.12 In relation to the matter of appropriate assessment, I consider that having regard to the nature of the proposal the retention of signage and the nature of the receiving environment, namely a suburban and fully serviced location that no appropriate assessment issues arise.

9.0 CONCLUSIONS AND RECOMMENDATION

9.0.1 I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I recommended that permission be refused for the following reason.

REASONS AND CONSIDERATIONS

1. Having regard to the provisions of the Bray Town Development Plan 2011 - 2017 specifically Section 12.5 of the Plan and the 'Guidelines on Shopfront Design for Bray', it is considered that the development proposed to be retained, by reason of its excessive scale, its internal illumination and its lack of visual relationship with the adjoining signage would be unduly obtrusive and would negatively impact upon the character and visual integrity of the streetscape along the seafront. The proposed development would therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

Siobhan Carroll,
Inspectorate
15th of February 2016