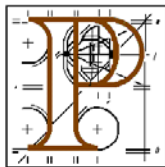


An Bord Pleanála



Inspector's Report

Development: New Internally Illuminated Practice Sign and new street coping to existing external wall at 10 The Sycamores, Naas, Co. Kildare

Planning Application

Planning Authority: Kildare County Council
Planning Authority Reg. 15/786
Applicant: Clive Dennis
Type of Application: Permission
Planning Authority Decision: Refuse Permission

Planning Appeal

Appellant(s): Clive Dennis
Type of Appeal: First Party Vs Decision
Observers: The Sycamores Resident's Association

Date of Site Inspection: 01/02/2016

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The site is located in the heart of Naas town. Wolfe Tone Street is an access to a large shopping centre which is bounded to the north by housing, including the Sycamores, where the applicant's chiropractic practice is located in an end of cul de sac dwelling. There is a pedestrian access to 10 The Sycamores from Wolfe Tone Street where it is proposed to locate the subject sign. Opposite the subject site along Wolfe Tone Street are individual shopping units.
- 1.2 The main vehicular entrance to No. 10 The Sycamores is via the residential estate and the subject site is an end of cul des sac dwelling. There is also a pedestrian access from No. 10 The Sycamores onto Wolfe Tone street. The practice has its gable end onto Wolfe Tone Street.

2.0 PROPOSED DEVELOPMENT

- 2.1 The applicant operates a Chiropractic Clinic at No. 10 The Sycamores. He has a pedestrian link from his clinic onto Wolfe Tone Street a shopping arcade.

The proposal is for an internally illuminated sign and new street coping at the pedestrian access to No. 10 The Sycamores positioned at Wolfe Tone Street, i.e. the southern boundary of No. 10 The Sycamores and the estate.

3.0 SUBMISSIONS RECIEVED

The Sycamore Residents Association strongly object to an illuminated sign into a residential estate of 26 houses. The existing brass signage is accepted as the norm for such professional practices.

4.0 TECHNICAL REPORTS

The Planning report is in line with the planning authority's decision to refuse. The proposed signage is considered to be excessive having regard to the location and setting which forms part of an existing boundary wall to an well-established housing estate.

5.0 PLANNING AUTHORITY'S DECISION

Kildare Co. Co. refused the proposal for one reason:

The proposed signage would seriously injure the amenities of the residential properties in the area and be contrary to section 13.10.5 of the Naas Town Plan 2011-2017, and would set an undesirable precedent.

6.0 APPEAL GROUNDS

The following is a summary of the appeal:

- The subject development is a modest (1.5m x 0.3m) wall mounted name sign.
- There was no objection from the Area Engineer/ Roads Engineer.
- The dimensions of the proposed sign are below the exempted development dimensions.
- The site is within a Town Centre zoning objective of the Naas Town Development Plan.
- The applicant was granted a change of use for the Naas Chiropractic Clinic in 1999, and a further permission to extend the hours of business in 2006.
- The Council refused signage on the property in 2006 under the extension of the hours planning application, for similar reasons to the current proposal, even though the sign proposed in 2006 was a 1.8metres free standing structure.
- The lack of signage is an ongoing difficulty for the practice. The clinic is beside the town centre and Wolfe Tone Street car park. It implies the patients do not have to come into The Sycamore estate for parking.
- The current brass plaque does not appear to adequately represent the clinic and some patients are unaware of the pedestrian access to the clinic from Wolfe Tone Street and patients drive into the estate.
- It is important that clients can distinguish the subject clinic from the two other chiropractic's in the town.
- The sign will not be visible from The Sycamores and it will have no impact on the estate. Therefore the town centre zoning of Wolfe tone Street should be the main consideration.
- The clinic is a permitted and an established use since 1999.
- There is no definition of an outdoor advertising structure according to Section 13.10.5 of the development plan. The section would imply it can be the size of hoarding on a derelict site. Yet it is not reasonable to assess a name sign that is smaller than the allowable under exempted development as an outdoor advertising structure.
- The development will not set a precedent, as this is a modest sign in a town centre location.

7.0 RESPONSES

The planning authority was advised the applicant at pre-planning stage to consider a logo type sign to reduce the bulk of the fascia. The overall length of 1.5metres is excessive.

The Sycamores Residents Association

The proposed sign will be totally out of character with the residential estate of 26No. houses. It would be visually obtrusive and completely unacceptable to residents.

8.0 PLANNING HISTORY

8.1 995000064

Permission granted for a residential surgery in 1999, and the Naas Chiropractic Clinic has been trading since that time. There has been no signage except a brass plaque for sixteen years.

9.0 DEVELOPMENT PLAN

Naas Town Plan 2011-2017

The site is located within the Town Centre zoning along Wolf Tone Street.

13.10 Shopfront design and Advertising

(Appended to this report)

10.0 ASSESSMENT

- 10.1 The Sycamores is a twenty six unit residential estate located in the heart of Naas town. It is a quiet red brick estate mainly consisting of short cul de sacs of semi-detached units. The subject site is No. 10 The Sycamores which is the end dwelling of one of the short cul de sacs. It a detached two storey dwelling which was granted planning permission in 1999 for a change of use from residential to a chiropractic clinic, and there was an extension to the operating hours granted planning permission in 2006. The 2006 permission excluded a proposed free standing advertising sign.
- 10.2 The southern boundary of the site is a common boundary with Wolfe Tone Street which is a shopping centre and provides access to the large town centre carpark. No. 10 The Sycamores has a pedestrian access from Wolfe Tone Street in the form of a small metal gate and steps. I noted a brass plaque on the wall outside of the pedestrian gate on Wolfe Tone Street. I also noted another brass plaque on the front wall or western site boundary which is the primary and vehicular access to the premises.
- 10.3 The applicant maintains his clients have difficulty finding his business when coming from the carpark off Wolf Tone Street or from the Naas town centre. He would prefer discourage access via The Sycamore's estate, by providing a more apparent and obvious sign along Wolfe Tone Street. In addition, there are a number of other chiropractic clinics within Naas town and he wishes to remain competitive and provide a readily distinguishable business. The applicant maintains the proposed sign (1.5metres x0.3metres) is a modest development, and is below the exempted development thresholds as outlined in the Planning and Development Regulations 2001. The applicant also states the proposal will have no impact on The Sycamores as it is located along Wolfe Tone Street which is governed a Town Centre zoning objective in the Naas Town Development Plan 2011.

- 10.4 The planning authority refused the development because it considered the proposal would be injurious to the amenities of the residents of The Sycamores and be contrary to section 13.10.5 of Naas Town Development Plan. I note the content of Section 13.10 Shopfront Design and Advertising in particular it states under section 13.10.5 that outdoor advertising structures will not generally be permitted within the town whether free standing or attached to buildings.
- 10.5 No. 10 The Sycamores has a permitted use for a chiropractic clinic. However the primary land use where it is located, is residential, as No. 10 The Sycamores forms one dwelling within a 26No. housing estate. Therefore the residential use is the primary land use. The house has not been altered externally, and it resembles the other houses within the estate. There are two discreet brass plaques on the western and southern boundaries at both accesses to the clinic. Brass plaques are appropriate and the customary form of advertisements for clinics, medical practitioners etc especially within residential areas. I believe the clear distinction between the residential use of The Sycamores and the commercial town centre activity associated with Wolfe Tone Street must be maintained in the interests of residential amenity. I do not consider the proposed illuminated sign to be in keeping with the residential land use of The Sycamores. I accept the southern site boundary of the estate is a common boundary to a busy shopping street and an access to a large carpark, however, the integrity of the estate must be maintained. I consider the existing signage at both entrances to be adequate and I regard the proposed signage to be excessive, inappropriate and unsympathetic to The Sycamores. The subject site at No. 10 The Sycamores still resembles a residential unit and for that reason the commercial use within the former dwelling does not undermine the residential amenities of the area. However, the addition of advertisements, facias and lighting to distinguish and separate the property from the residual houses within The Sycamores, would ultimately cause injury to the visual amenities of the estate and depreciate the value of other others properties contiguous to No. 10 The Sycamores. The property when viewed from Wolfe Tone Street includes a red brick gable end and landscaping appropriate and resembling the residential setting of the property. This clear distinction should be maintained from the Wolfe Tone Street streetscape, and discreet signage only be permitted at this location, and along this southern boundary.

11.0 RECOMMENDATION

I recommend the planning authority's decision to refuse be upheld by the Board.

REASONS AND CONSIDERATIONS

The site is located on the side wall and southern boundary of a residential estate called The Sycamores in Naas town centre, which is also a common boundary to the busy commercial Wolfe Tone Street. The relevant policies for the area are set out in the Naas Town Development Plan 2011-2017 under section 13.10 Shopfront Design and Advertising section. There is a clear visual and physical distinction between the residential landuse of The Sycamores and the commercial/ retail land use of Wolf Tone Street. It is considered that the proposed sign by reason of it's design, scale and location would constitute an inappropriate and visually discordant feature at this location that would detract from the visual quality and residential character of The Sycamores which could depreciate values of residential units contiguous to the subject site. The development would therefore be contrary to the proper planning and sustainable development of the area.

Caryn Coogan

Planning Inspector

16/02/2016