



An
Bord
Pleanála

Inspector's Report PL91.247636.

Development	Permission for the installation of 2x 48 Sheet Wet Post (Paper) with LED flood, commercial advertising billboards centred on the road facing (Old Cratloe Road) gable wall of the south terrace.
Location	Thomond Park Stadium, Limerick
Planning Authority	Limerick City & County Council.
Planning Authority Reg. Ref.	16/835.
Applicant(s)	Thomond Park Stadium Company Ltd.
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Mayorstone Coolraine Residents Association
Observer(s)	None.
Date of Site Inspection	7 th February, 2017
Inspector	A. Considine.

1.0 Site Location and Description

- 1.1. The subject site is located at the site of Thomond Park, which lies to the north west of Limerick City Centre and fronting onto the Old Cratloe Road. To the north, west and south of the site lie predominantly residential areas with the Limerick Institute of Technology and its associated grounds located to the west.

2.0 Proposed Development

Permission is sought for the installation of 2x 48 Sheet Wet Post (Paper) with LED flood, commercial advertising billboards centred on the road facing (Old Cratloe Road) gable wall of the south terrace.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant planning permission for the proposed development, subject to 2 conditions including condition 2 which states as follows:

2. This permission shall be for a period of 3 years from the date of the final grant of planning permission.

Reason: In order to further assess the visual, traffic safety and other consequences of the development in the interests of proper planning and development and in light of changing circumstances.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The PA Planning report considered the proposed development in terms of planning history associated with Thomond Park together with the third party objection received and the requirements of the Development Plan. The report also presented an AA screening report. The report concludes that the development is acceptable in principle and recommends the inclusion of condition 2 as detailed above.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

There is one third party objection on the PA file from the Mayorstone Coolraine Residents Association. The issues raised are summarised as follows:

- The proposed development does not accord with the requirements of the Limerick City Development Plan 2010-2016, given the location of the site within a residential area.
- It is requested that the specific objectives afforded to Thomondgate should also be applied to the residential area of Mayorstone Coolraine.
- The introduction of commercial advertising to the area will undermine the quality of the lives of residents, the desirability and value of homes and will be of no benefit to sport, visitors or the city.

4.0 Planning History

4.1.1. The Board will note that Thomond Park was extensively redeveloped in 2008.

PA ref 13/770170: Permission was granted for the removal of the grass embankment adjacent to the junction of Cratloe Road / Knockalisheen Road for the extension of the existing plaza fronting the Dug Out Bar with all associated site works, including lighting, stretched canvas roof structure, 2 no. bus drop off points, ticket booth, flag banners / signage and 'Munster Deer' sculpture.

4.1.2. Other relevant decisions:

PA ref 12/770079: Permission sought to erect a freestanding 6m x 3m static advertising display at the West End concourse and to reposition the existing 8.4m x 4.8m static display and to erect a new 6m x 3m illuminated tri-vision advertising display on the east facing gable of the Mackey Stand at Pairc na nGael, Ennis Road,

Limerick. Permission was granted to reposition the existing 8.4m x 4.8m static display and to erect a new 6m x 3m illuminated tri-vision advertising display on the east facing gable of the Mackey Stand.

PA ref 16/691: Permission refused for the retention of high level advertising sign on stand at south west side of grounds at Pairc na nGael, Ennis Road, Limerick for the following reason;

It is considered that the proposed poor quality commercial signage to be retained at a prominent location on a key entry to Limerick City on the Ennis Road would constitute a discordant and visually obtrusive feature on the roadside, would distract road users and set an undesirable precedent for possible similar development and therefore be contrary to the proper planning and development of the City Area as a whole.

5.0 Policy Context

Development Plan

- 5.1. The subject site is zoned Objective ZO.6(C) Sports Ground in the Limerick City Development Plan, 2010-2016¹ where it is the stated objective of the plan 'to protect, retain and enhance the range and quality of sports facilities and grounds.' The Land-Use Zoning Matrix provides that Advertisements and Advertising Structures are land uses specifically not permitted within such ZO.6(C) zoning. The adjacent lands are zoned Objective ZO.2(A) Residential where it is the stated objective of the plan 'to provide for residential development and associated uses.' The sports grounds objective protects the City's sports grounds and there will be a presumption against the loss of land zoned sports ground to other forms of development.
- 5.2. Chapter 16 of the Plan deals with Development Management which also deals with Signage & Advertising. Details attached.

¹ The Board will note that the Land Use Zoning Map identifies the zoning objective as 6B Sports Grounds. The text of the Plan however identifies 6B as Environmental Preservation Zones and 6C Sports Grounds.

6.0 The Appeal

6.1. Grounds of Appeal

This is a third party appeal against the decision of Limerick City & County Council to grant planning permission for the proposed billboards on the wall of the South Terrace of Thomond Park. The issues raised are similar to those raised in the submission made to the Planning Authority during their assessment of the proposed development. The grounds of appeal are summarised as follows:

- The signage is above a bus stop and will cause a distraction to motorists, causing a major safety issue.
- The signage is not sympathetic in design or colour and lighting will be intrusive. The lighting and its location beside a bus shelter, will provide an area which will attract anti-social behaviour.
- It is requested that the residential character of the area be maintained as per the CDP requirements for the Thomondgate area, as the proposed advertising displays appear to be solely for the purpose of monetary gain.
- The Planning officer acknowledged traffic safety in the reason for condition 2.

6.2. Applicant Response

In response to the third party appeal, the first party has submitted the following comments:

- The site of the proposed billboards is not above a bus stop.
- The site is not surrounded by residential housing, and the LIT is located to the west of the stadium.
- The site of the proposed billboards is on an interior wall recessed at 10ft from the perimeter wall and approximately 24ft from the roadside. There are only 4 houses in the Mayorstone Estate that face directly onto the road at this point and are over 100ft from the site, across the Cratloe Road.
- The colour and design of the advertising as supplied in support of the application are mock up graphics to advise about location. Lighting will be 3x

60 watt bulbs, directed inwards and downward onto the billboards. There will be no light pollution.

- Thomondgate is not comparable in terms of architectural quality and urban design.
- Thomond Park is a modern redeveloped venue located beside a primary route and a reasonable distance from housing.
- The proposed advertising displays are for primarily commercial purposes and also for promoting matches and events at the stadium. Such advertisements are commonplace at modern stadia including the Gaelic Grounds.

6.3. **Planning Authority Response**

The PA has not responded to this appeal.

6.4. **Observations**

None

7.0 **Assessment**

Having regard to the information presented in support of the proposed development and the information submitted as part of this appeal, together with my site inspection, I consider that the issues arising in the case can be assessed under the following headings:

- The Principle of the Development and Compliance with the City Development Plan & Residential amenity
- AA - Screening

7.1. **The Principle of the Development and Compliance with the City Development Plan & Residential amenity**

- 7.1.1. At the outset, I consider it reasonable to address the zoning objective afforded to the site, together with the zoning matrix contained in the City Development Plan. The subject site is zoned Objective ZO.6(C) Sports Ground in the Limerick City

Development Plan, 2010-2016² where it is the stated objective of the plan ‘to protect, retain and enhance the range and quality of sports facilities and grounds.’ The sports grounds objective protects the City’s sports grounds and there will be a presumption against the loss of land zoned sports ground to other forms of development.

7.1.2. The Land-Use Zoning Matrix of the Plan provides that Advertisements and Advertising Structures are land uses specifically not permitted within such ZO.6(C) zoning. It might reasonably be considered therefore, that the proposed development would be contrary to the zoning objective for the site. However, consideration must be given the fact that the subject site, Thomond Park, is not a publically operated or openly accessible sports ground. It is a commercial entity which has been redevelopment as a state of the art, modern sports stadium.

7.1.3. I also have had regard to similar type developments which have been permitted at the Gaelic Grounds, the GAA stadium, located on the Ennis Road, Limerick. The Board will note that in all of the planning history files I looked at, the Planning Authority made no remark at all in terms of the zoning objective afforded to the sites – the Gaelic Grounds are also zoned ZO.6(C). Planning permission has been granted for advertisement displays on the Gaelic Grounds and in light of the subject proposed development, the Board will note that if permitted, the erection of two advertising billboards on the gable wall of the South Terrace of Thomond Park, based on precedence, will not conflict with the requirements of the zoning objective and there will be no loss of land zoned sports ground. I am therefore satisfied that a grant of permission in this instance, would not materially contravene the zoning objective afforded to the subject site.

7.1.4. Further to the above, the Limerick City Development Plan, 2010-2016 provides guidance in terms of development management and includes Signage & Advertising. The Plan clearly provides that excessive outdoor advertising will be strictly controlled, and advises particular locations in the City where such advertising will not be permitted, including ‘predominantly residential areas, especially on prominent gable walls’, or where ‘they may cause a road hazard’. The Plan goes further to provide guidance on general advertising on buildings.

² The Board will note that the Land Use Zoning Map identifies the zoning objective as 6B Sports Grounds. The text of the Plan however identifies 6B as Environmental Preservation Zones and 6C Sports Grounds.

- 7.1.5. The Third Party has submitted that the erection of the advertising billboards is located on a prominent gable wall in a predominantly residential area and will result in a major safety issue. While I acknowledge the large residential element in the immediate vicinity of Thomond Park, it must be noted that there are also a number of other uses evident including commercial and educational with Limerick Institute of Technology located immediately to the west. There are no other advertising boards on Thomond Park in this area of the stadium.
- 7.1.6. In terms of the potential for the development to result in a major safety issue, the Board will note that the Old Cratloe Road runs along the southern boundary of Thomond Park. The Old Cratloe Road is a very busy arterial route to and around Limerick City Centre. Approximately 200m to the west of the proposed location of the billboards, and at the entrance to LIT, there is a roundabout and 140m to the east are traffic lights. In this regard, there is little scope for traffic to achieve excessive speeds in the vicinity of the site. I would not consider that the development, if permitted, would result in a traffic hazard, but should the Board be minded to grant planning permission in this instance, a condition similar to condition 2 included by the Planning Authority in their decision, could be included. This would require that the matter be reconsidered in three years.
- 7.1.7. The appellant also considers that the development will impact the residential amenity of property in the area by reason of the proposed lighting. It is further considered that the lighting will result in the bus stop in the vicinity of the proposed billboard site attracting anti-social behaviour after dark. I have considered this issue very carefully, and would agree that permission should not be permitted where such impacts on residential amenity would arise. In terms of the subject appeal, I note that the lights proposed are not of a particularly high wattage and that the design of the arms which will hold the LED lights are to be positioned in such a manner as to angle towards the billboards only. I also note that the closest houses are located at a distance and across the Old Cratloe Road from the subject site. In this regard, and having regard to the presence of public lighting in the vicinity, I would conclude that the lights from the advertising billboards are highly unlikely to have any impact on residential amenity.
- 7.1.8. In terms of the potential for anti-social behaviour, the Board will note that the bus stop referred to by the appellant is approximately 65m to the west of the proposed

billboard site. I would not accept that the development would facilitate the attraction of anti-social behaviour.

- 7.1.9. Finally, the Board will note the request of the appellant that the area of Mayorstone / Coolraine be considered in terms of the objective for the Thomondgate area, identified as one of the oldest parts of the City. It is requested that a high standard of urban design with a clear sense of place and architectural quality that respects the existing character be promoted. I consider that a high standard of urban design should be applied regardless of location within the City, and development which would not respect the existing character of an area should not be acceptable. While I acknowledge the submission of the appellant, I would not agree that a grant of planning permission in this instance would be inappropriate.

7.2. **Appropriate Assessment**

Having regard to the nature and scale of the proposed development, the fact that a grant of permission will not result in any disturbance to virgin ground, to the nature of the receiving environment and proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site'.

8.0 **Recommendation**

- 8.1. It is recommended that planning permission be **GRANTED** for the proposed development for the reasons and considerations state below and subject to conditions.

9.0 **Reasons and Considerations**

Having regard to the objectives contained in the current Limerick City Development Plan, 2010-2016, the nature of the existing pattern of development in the vicinity, and relevant planning history for similar type developments in the City, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the general or visual amenities of the area, would not

represent a traffic hazard and would otherwise be in accordance with the proper planning and sustainable development of the area.

10.0 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. This permission shall be for a period of three years from the date of this order. The advertising billboards shall then be removed unless, prior to the end of the period, permission for their retention shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of visual amenity.

A. Considine
Planning Inspector

27th February, 2017