



An
Bord
Pleanála

Inspector's Report ABP-300900-18

Development

Revisions to development granted under F16A/0370 & modified under F17A/0188 consisting of the erection of building facade signage comprising 1 no. illuminated sign (1.0m x 3.4m) in east/road facing elevation and 3 no. illuminated signs (1.0mx3.4m) on the north facing elevation.

Location

Texaco Service Station, Dublin Street, Balbriggan, Co. Dublin.

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F17A/0699

Applicant(s)

Pelco Balbriggan Ltd.

Type of Application

Permission.

Planning Authority Decision

Refuse

Type of Appeal

First Party

Appellant(s)

Pelco Balbriggan Ltd..

Observer(s)

None.

Date of Site Inspection

01st of May 2018.

Inspector

Karen Hamilton

1.0 Site Location and Description

1.1. The subject site includes a petrol filling station and associated retail/ café, located along the western side of Dublin Street in Balbriggan town centre. The site is located at the end of a row of terrace dwellings and adjacent to another row of terrace dwelling which lead directly into the town centre. The redevelopment of the site, granted under Reg Ref F16A/0370 with modifications under F17A/0188, are nearly at completion. There are currently seven individual signs along the various facades advertising the range of facilities available within the store. There is a large covered window area, fronting onto the main road which also includes advertising signage.

2.0 Proposed Development

2.1. The proposed development would comprise of the following:

Revisions to development granted under F16A/0370 (modified under F17A/0188) for:

- 1 no. illuminated sign (1.0m x 3.4m) in east/ road facing elevation and,
- 3 no. illuminated signs (1.0m x 3.4m) on the north facing elevation.

3.0 Planning Authority Decision

3.1. Decision

Decision to refuse permission for three reasons as summarised below:

1. The building is currently served by sufficient signage and to permit the additional would lead to clutter and have a negative visual impact on the property in the vicinity of the site and set and undesirable precedent for similar developments.
2. The proposed development would be detrimental to the visual amenity in an area which is an important entrance point to Balbriggan and would does not accord with Objective DMS11, therefore would be a material contravention of the development plan.

3. Condition No. 3 (b) of Reg. Ref. F16A/0370 stipulated that no signage is permitted on the east elevation of the building. Condition No. 6 of Reg Ref F17A/0188 stipulated that previously permitted signage on the north elevation of the building shall be omitted and the proposal would be a material contravention of the conditions of both permissions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to refuse permission and refers to the planning history on the site, the objectives of the development plan and the impact of the additional signage on the visual amenities of the area.

3.2.2. Other Technical Reports

Transportation Section- No objection.

Water Services Section - No objection.

3.3. Prescribed Bodies

Irish Water- No objection.

3.4. Third Party Observations

None received.

4.0 Planning History

F17A/0188

Permission granted for modifications to Reg Ref F16A/0370 to consist of single storey extension (45m²) to the café/ retail unit, revisions to the ground and first floor layouts, demolition of existing forecourt and construction of replacement forecourt canopy and modifications to existing vehicular entrance.

Condition No 2 required compliance with the conditions of F16/0370.

Condition No 6 required the proposed signage on the north elevation of the extension to the building at ground level shall be omitted.

F16A/0370

Permission granted for the redevelopment of the site of an existing Texaco station to include demolition of the existing retail convenience store, demolition of the glazed section of the canopy, modifications to the existing car showroom unit to include change of use to café/ retail etc. for the petrol station and extinguishment of vehicular access to Vauxhall Street, relocated monolith signage and new signage throughout and associated works.

Condition No 3 (b) No signage is permitted on the east elevation of the ground floor element of the amenity building. A revised elevation omitting the proposed signage from this elevation shall be submitted.

F04A/0653

Permission granted for new glazing panels to the existing fenestration, new signage to the existing east and north elevations to match existing, internal alterations and change of use of tractor shop to car showrooms. The signage was non-illuminated.

5.0 Policy Context

5.1. Fingal Development Plan 2017-2023

The site is located within an area which is zoned MC, Major Town Centre, where it is an objective to “*protect, provide for and/or improve major town centre facilities*”

- Advertising signs are not included as permissible uses although as ancillary to the Petrol Station.

Chapter 12 Shop front design

Objective DMSO9 (Malahide public realm strategy- Design Guide for Shopfronts)

Ensure that corporate logos, lighting, designs and colours are not used at the expense of the streetscape.

Objective DMS11

Evaluate signage proposals in relation to the surroundings and features of the buildings and structures on which signs are to be displayed, the number and size of

signs in the area (both existing and proposed) and the potential for the creation of undesirable visual clutter.

Objective DMS109

Development proposals for petrol stations shall address the following:.....

Motor fuel stations should be of high quality design and integrate with the surrounding built environment. In urban centres, where the development would be likely to have a significant impact on the historic or architectural character of the area, the use of standard corporate designs and signage may not be acceptable.

5.2. Natural Heritage Designations

The site is located 6.4km to the north west of Skerries Islands SPA.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted from the applicant in relation to the refusal and the main issues are summarised as follows:

- The level of permitted signage is not sufficient and there is only canopy and Totem signage to advertise the fuel element of the petrol station. There are two uses permitted on the site.
- An equal opportunity to advertise should be afforded to all businesses to make their premises identifiable.
- There is appropriate signage to assist with the overall traffic safety.
- The proposed signage will improve the visual amenity of the area rather than “clutter”.
- The claims the signage will devalue the property in the vicinity are unsubstantiated.
- The proposal is consistent with the policy objectives of the development plan where the planning report refers to compliance with the zoning and the report

of the planner for Reg Ref F16A/0379 stated the signage was considered to comply.

- Policy Objective DMS11 is not applicable in this instance as it refers to “other signage” such as fixed structures not façade signage.
- The lack of signage will have a negative impact on the commercial viability as it is crucial customers can identify the additional facilities.
- The grounds of appeal are accompanied with images of the site from the surrounding area and photographs of examples of signage on premises within Balbriggan town centre.

6.2. Applicant Response

This is a first party appeal.

6.3. Planning Authority Response

A response was received from the Planning Authority and the issues raised are summarised as follows:

- Under Reg Ref F16A/0370 ample publically visible signage was permitted and allowed for brand identification and advance notice of business on the permitted totem signage.
- The reference to the traditional shop frontage in the vicinity of the site is not appropriate and not duplicated in the proposal.
- The proposed development would cause cluttering, be detrimental to the visual amenities of the area causing an adverse impact on the high quality surrounding built environment and have a negative impact on the works to date carried out by the Council in relation to signage , planting etc.
- The proposed signage does not accord with Objective DMS11 of the development plan.

6.4. Observations

None received.

7.0 Assessment

7.1. The main issues of the appeal can be dealt with under the following headings:

- Principle of Development
- Planning History
- Impact on Visual and Residential Amenity
- Other
- Appropriate Assessment

Principle of Development

7.2. The subject site is located on lands zoned “MC” major town centre and the signage proposed is associated with the redevelopment of a site for an amenity building and petrol station. Petrol station is a permissible use within the zoning. Therefore, subject to complying with other planning requirements as addressed in the following sections, the principle of the proposal is acceptable.

Planning History

7.3. Planning permission Reg Ref F16A/0370 was granted for the current redevelopment on the site for the demolition of an existing retail convenience store, modification of an existing car showroom and works to the petrol station. The permission included 1 no sign on the front/ north elevation of the main building, 3 no. internally illuminated signs on the forecourt canopy and a 5.5m high totem sign including area for displaying fuel prices, information logos, services provided in the amenity building (located at the southern corner of the site fronting onto Dublin Street). Condition No 3 (b) required the removal of one signage along the east elevation of the ground floor element of the amenity building. A subsequent application for modifications to this parent permission, F17A/0188, was submitted which included the revisions to the fuel dispensers, forecourt and entrance. In addition to the signage permitted in Reg Ref F16A/0370 the amendments included an additional sign along the north/ front façade and east/ road facing façade. Condition No 2 required compliance with the conditions of F16/0370 and condition No 6 required the omission of the proposed signage on the north elevation of the building.

- 7.4. The reason for refusal, referred to both Condition No. 3 (b) of Reg. Ref. F16A/0370 and Condition No. 6 of Reg Ref F17A/0188 which required the removal of excessive signs along the front façade and the east/ road facing façade and stated the proposed development was therefore, a material contravention of an existing development. The grounds of appeal argue there is inconsistencies in the reports of the planners for both the subject development and previous applications where it is stated the proposals are acceptable in principle within the MC zoning and therefore the proposed development is deemed in compliance with the shop front design and signage. I note the report of the area planner on previous permissions refers to the excessive signage and the impact on the visual amenity, further discussed below. Permission F17A/0188 was assessed under the existing development plan and the report of the area planner includes reference to objective DMS09 where signage etc. should not be used at the expense of the streetscape.
- 7.5. Having regard to the scale and design of the proposed development and the report of the area planners on the relatively recent planning permissions on the site, I consider the conditions imposed on the previous permissions, namely Condition No. 3 (b) of Reg. Ref 16A/0370 and Condition No 6 of Reg Ref F17A/0188 are relevant in the assessment of the proposed development.

Impact on Visual and Residential Amenity

- 7.6. The site is located along the main road and at a key location into the south of Balbriggan town. There is a terrace of two storey dwellings to the south of the site facing onto Dublin Road and in front of a separate row of two storey dwellings to the north of the site. There are currently 3 no. high level signs and one large panel sign covering a window along the east/ road facing elevation and 4 no. signs on the north/ front of shop elevation. It is unclear from inspection if these signs are internally illuminated and the signage refers to the proprietors of the retail and café with 2 no signs advertising “Centra”, 2 no. “Supermacs”, 2 no “Papa Johns” and one signage states “Balbriggan”. The advertisement which covers the window along the east/ road elevation is for a coffee brand “Frank and Honest”.
- 7.7. The proposed development includes 1 no. illuminated sign (1.0m x 3.4m) in east/ road facing elevation and 3 no. illuminated signs (1.0m x 3.4m) on the north facing elevation, which differs to the signage currently on the site. The information

submitted does not include the individual details for any business or proprietor. The reason for refusal refers to the cumulative impact of the signage which would result in cluttering and have a negative impact on the visual amenities of the area and as such does not accord with Objective DMS11 of the development plan. The grounds of appeal state that the DMS11 is not applicable in this instance as the signage was deemed acceptable in the report of the planner in previous permissions.

- 7.8. Objective DMS11 of the development plan requires proposals for signage to be evaluated in relation to the surroundings and features of buildings and structures they are to be displayed on including the number and size in the area and the potential for the creation of undesirable clutter. I note the permitted signage on the site includes 3 no. on the forecourt canopy, 1 no. at the entrance to the building and a 5.5m high totem sign at the south eastern corner. The proposed development includes an additional 3 no. signs along the north/ front façade and 1 no. along the east/ road façade. I consider the number and location of the signage permitted in Reg. Ref F16A/0370 and F17A/0188 sufficient for advertising of a petrol station with associated café/ retail and I consider the number of additional signage excessive for advertising within one premises therefore creating undesirable clutter and contrary to Objective DMS11.
- 7.9. In addition, Objective DMS09 requires that corporate logos, lighting, designs and colours are not used at the expense of the streetscape. Whilst I note this objective is taken from the Malahide public realm strategy, it is integrated in the overall development plan policy by reflecting the supporting guidance in the plan on corporate logos and shop fronts and therefore relevant to the subject site. As stated above I consider the amount of signage on the site excessive and having regard to the location of the site facing onto a strategic location into Balbriggan town centre I consider the signage would have a negative impact on the streetscape, therefore having a negative visual impact on the surrounding area. Objective DMS109, in relation to motor fuel stations, requires high quality design with limitation on the use of corporate designs and signage the proposed development does not comply with the guidance in this objective.
- 7.10. As stated above the site is adjacent to two storey terrace dwellings and there are further residential estates on the opposite side of the road. Objective DMS11 refers to the impact on signage in relation to the surroundings and features. Having regard

to the previous signage permitted, in particular the totem sign to the front of the site and signage along the forecourt canopy, I consider the proposed development would have a negative visual impact on the surrounding area and therefore cause a negative impact on the amenities of those residents of the properties in the vicinity of the site.

- 7.11. Having regard to the location of the site at a prominent location on the southern approach into Balbriggan town centre and adjacent to residential properties, the existing permitted signage in Reg. Ref F16A/0370 and Reg. Ref F17A/0188 and the scale and number of the signage proposed, I consider the proposed development would lead to the creation of undesirable clutter and have a negative impact on the visual and residential amenities of the surrounding area. Therefore, the proposed development would be contrary to the objectives of the development plan which require signage to integrate with the surrounding area, in particular DMS09, DMS11 and DMS109.

Other

- 7.12. The grounds of appeal refer to the need to include signage to ensure commercial viability. As stated previously I consider there is sufficient permitted signage in the previous permissions which would allow the advertisement of product within the amenity building in a manner which is sympathetic to the surrounding area.

Appropriate Assessment

- 7.13. Having regard to the nature and scale of the proposed development within a serviced urban area and separation distance 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 the conservation objectives of any European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be refused, having regard to the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the planning history and the prominent location of the site on a southern approach into Balbriggan town centre which is considered an important streetscape, it is considered that the proposed signage would be incongruous in terms of the number and design, which would be out of character with the streetscape and would set an undesirable precedent for future development in this area. The proposed development would seriously injure the visual amenities of the area, would be contrary to the stated policy of the Fingal County Development Plan 2017-2023, in particular Objective DMS09 and DMS11 in relation to signage and DMS109 in relation to the appropriate development of motor fuel stations as it would result in excessive cluttering of signage and would have a negative visually impact on the amenities of the surrounding area, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Karen Hamilton
Planning Inspector

11th of May 2018