



An
Bord
Pleanála

Inspector's Report ABP 313084-22.

Development	Signage to front facade.
Location	Reeva Tanning, First Floor, Unit 1A 4 Terrylands Retail Park, Galway.
Planning Authority	Galway City Council
P. A. Reg. Ref.	21/436
Applicant	Reeva Tanning.
Type of Application	Permission.
Decision	Refuse Permission.
Type of Appeal	First Party x Refusal
Appellant	Reeva Tanning
Date of Inspection	12 th September, 2022.
Inspector	Jane Dennehy

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1.0 Site Location and Description

- 1.1. The site of the proposed development is within the Terrylands Retail Park which is on the east side of the Headford Road/N6 to the north of the R866/Headford Road and Galway's city centre. Reeva Tanning, the applicant is based on the upper floors of a block which has a main facade facing directly north westwards towards the N6/Headford Road and north-east towards the boundary with the Maldron Hotel. DID Electrical and some other retail warehouse type outlets are located at the block in which the applicant is based with frontage over the carpark and towards Dunnes Stores, the anchor tenant and towards the Headford Road / N6 frontage.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for erection of two advertising signs on the front façade at upper level of the front façade of the block at Terrylands Retail Park in which Units Nos 1a to Unit 4 are located. One sign is 3.5 metres x 0.95 metres in area and the second sign is 3.2 metres x 0.95 metres in area.
- 2.2. Included with the application are photographs of signage and advertising displayed within and in the vicinity of the Terrylands Retail Park to support the case made as to the proposed development not being out of place within the area.

3.0 Planning Authority Decision

3.1. Decision

By order dated, 24th February, 2022 the planning authority decided to refuse permission based on the following reason:

“Sections 11.6 and 11.9 of the Galway City Council Development Plan 2017-2023 outlines policy requirements with regard to advertisements and signage. It is stated that “in general signage or advertisements shall not be permitted on upper floors and advertising structures, when required shall be sized and placed in a manner, which is unobtrusive Advertising structures and signage shall be minimised, or of a high standard, co-ordinated in design and

appropriately scaled and located. Having regard to this policy it is considered that the proposed signage would represent a proliferation of signage which gives rise to a visual clutter effect and provides a negative impact on visual amenity. Hence the proposal is considered to be contrary to the provision of the Galway City Council Development Plan, 2017-2023 and to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

- 3.2.1. The Planning Officer who recommended refusal of permission in his report acknowledges that in principle signage is acceptable in areas subject to the C1 zoning objective subject to compliance with CDP policies. He refers to Section 11.7 of the CDP in which it is stated that advertising structures shall be unobtrusive, of a high standard and coordinated in design as well as being appropriate scaled and located and to the reduced size of the current proposal relative to that proposed in the prior unsuccessful application for retention of signage under P. A. Reg Ref 19/151. He also refers to the original grant of permission for the existing buildings under P. A. 93/258 and to Condition No 4 thereof according to which signs above the ground level are not permitted. Refusal of permission is recommended on grounds to the high-level position proposed, as to a proliferation of excessive signage and inappropriate scale and location.

4.0 Planning History

P. A. Reg. Ref. 93/258: This is the parent grant of Permission was granted for the blocks within the Terrylands Retail Park for change of use of garage showrooms and offices to whole sale units with ancillary retail use on the ground floor and computer data base on the first floor subject to four conditions. According to Condition No 4.no signs shall be erected above the ground floor and details of signs (proposed in the application) shall be submitted for agreement in writing with the planning authority prior to erection on site. The reason provided is that of the interests of orderly development.

P. A. Reg/ Ref 19/151: Permission for retention of signage erected on the front façade of Units 1a- 4 at Terrylands Retail Park was refused based on the following reason.

“Sections 11.6 and 11.9 of the Galway City Council Development Plan 2017-2023 outlines policy requirements with regard to advertisements and signage. It is stated that “in general signage or advertisements shall not be permitted on upper floors and advertising structures, when required shall be sized and placed in a manner, which is unobtrusive Advertising structures and signage shall be minimised, or of a high standard, co-ordinated in design and appropriately scaled and located. Having regard to this policy it is considered that the proposed signage would represent a proliferation of signage which gives rise to a visual clutter effect and provides a negative impact on visual amenity. Hence the proposal is considered to be contrary to the provision of the Galway City Council Development Plan, 2017-2023 and to the proper planning and sustainable development of the area.”

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The operative development plan is the Galway City Development Plan 2017-2023 according to which the site area, along with that of the adjoining West City Centre in which Aldi is the anchor store is subject to the zoning objective “C1”: Commercial/ Industrial. *“To provide for enterprise, light industry and commercial uses other than those reserved for the CC zone.”*
- 5.1.2. Policies and objectives relating to signage are set out in sections 11.6 and 11.9 according to which signage is not permitted at upper floor levels, advertising structures shall be sized and placed in an unobtrusive manner and shall, be high standard and coordinated in design at an appropriate scale and location.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. An appeal was lodged by Gerard Malone on behalf of the applicant on 22nd March, 2022 attached to which are copies of several photographs. It is submitted that the reason for the decision to refuse permission is at odds with the existing signage which is visible throughout the Terrylands Retail Park.

6.1.2. According to the appeal

- The proposed signage is not out of place. There is signage throughout Terrylands Retail Park in which high profile companies such as Dunnes Stores, the Maldron Hotel, EZ Living and DID Electrical along with smaller companies are based. Photographic evidence of the existing signage, which is included with the appeal, was included in the planning application submission.
- The proposed signage is a low-key unobtrusive proposal which is not as prominent as existing signage at surrounding and adjoining buildings. Precedent has already been set for the proposed type of signage.
- Irrespective of whether the existing signage is permitted or not, an application for permission for retention of signage at DID Electrical under P. A. Reg. Ref. 20/778 was successful. This grant of permission is completely at odds with the decision to refuse permission for the current proposal at Reeva Tanning. The signage at DID Electrical which is obtrusive is on a red cladding on two sides at first floor level. This signage is directly in conflict with the reasoning for the decision to refuse permission for the proposals at Reeva Tanning high quality, minimised and coordinated in design and scale and the decision is unsympathetic towards small businesses.
- The existing signage throughout the retail park is demonstrative of negligence with regard to enforcement and a willingness to grant permission.
- Reeva Signage is in a disadvantageous position in that it has very little space to display advertising promoting its business. It is confined to the upper floor of the building except for the ground floor entrance. This should have been

taken into consideration by the planning authority in its consideration the application.

6.2. **Planning Authority Response**

There is no submission on file from the planning authority.

7.0 **Assessment**

- 7.1. There is no dispute that there is a proliferation of signage at Terrylands Retail Park, especially the block at which Reeva Tanning is located and at the upper façade. The comments as to the signage erected on the facades at the DID premises and as to the grant of permission for retention of signage under P. A. Reg. Ref. 19/151 have been noted in this regard. (The decision of the planning authority was not appealed.) Notwithstanding the foregoing, it is clear that the proposed development is in direct material conflict with Condition No 4 attached to the grant of permission for the changes of use under P. A. Reg. 93/258. It is considered that there are no grounds on the basis of which the requirements of this condition could be disregarded or set aside to allow for positive consideration of the current proposal.
- 7.2. Furthermore, as pointed out by the planning officer in his report, the proposed development would not accord with current CDP policies objectives and standards. The signage is to be displayed at upper floor level, would be very prominent and visually, especially in views from the public road and, notwithstanding the range and considerable extent of existing advertising and signage within the retail park, not least the building in which Reeva Tanning is based. The case made in the appeal as to the limitations in scope for advertising in that only the entrance to the Reeva Planning premises is located at ground floor level is appreciated. However, it is not agreed that the proposal to erect signage on the upper facades especially at the size indicated in the application could be justified by this limitation.

Environmental Impact Assessment Screening.

- 7.3. Having regard to the nature of the existing and proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Appropriate Assessment Screening.

- 7.4. Having regard to the site location, which is on serviced land, to the existing development and in the vicinity and, to the nature of the proposed development, no appropriate assessment issues arise, the proposed development would not 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. In view of the foregoing, it is recommended that the planning authority decision to refuse permission be upheld, based on the reasons and considerations which follow.

9.0 Reasons and Considerations

1. The proposed development would materially contravene Condition No 4 attached to the grant of permission for change of use under P.A. Reg. Ref. 93/258 according to which no signage shall be erected above ground floor level in that the position for the two signs proposed in the application is on the upper facades above the ground floor level of the existing building. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed signs having regard to their size and scale relative to the existing building which is excessive and the proposed location on the upper facades on which they are to be displayed, would be visually obtrusive and prominent in views from the public realm, notably the N6/Headford Road. As a result, the proposed development would be contrary to the Galway City

Development Plan, 2017-2023 according to sections 11.36 and 11.9 of which in general signage and advertising shall not be permitted on upper floors and shall be sized in a manner which is not visually obtrusive, appropriately scaled and positioned and of a high standard. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Jane Dennehy
Senior Planning Inspector
14th September, 2022.