



An
Bord
Pleanála

Inspector's Report ABP313141-22

Development	Erect 2 double sided projecting signs Lidl supermarket signs.
Location	The Arena Centre, Whitestown Way, Tallaght, Dublin 24.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22A/0002.
Applicant(s)	Lidl Ireland GmbH.
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First v Refusal
Appellant(s)	Lidl Ireland GmbH
Observer(s)	None
Date of Site Inspection	3 rd September 2022.
Inspector	Hugh Mannion

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1.0 Site Location and Description

- 1.1. The site of the proposed two signs is the façade of the Arena Centre in Tallaght, Dublin 24 facing onto the southbound carriageway of the N81. The Arena Centre is a mixed use (hotel, 230 apartments, offices and retail/retail warehouse) building that occupies the corner site at the junction of Whitestown Way and the N81. The overall building varies in height and is seven storeys as it addresses the N81 where the signs are proposed. There is a sign for Woodies Garden Centre on the long fascia which runs the length of 4 building blocks and acts as a visual link between them.

2.0 Proposed Development

- 2.1. The proposed development comprises the erection of two double sided one metre square projecting signs to the northern elevation of the existing mall entrance to the Arena Centre, Whitestown Way, Tallaght, Dublin 24.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission.

The proposed signage is distant from the associated retail unit and retail frontage which is served by existing signs the and proposed development would give rise to unacceptable visual impact contrary to Section 11.2.8 of the Outdoor Advertising Strategy (2019) of the South Dublin County Council Development Plan 2016-2022. Additionally having regard to the neighbouring commercial units within the Arena Centre the proposed development would set a precedent for other similar advertising development and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommended refusal as set out in the manager's order.

3.2.2. Other Technical Reports

3.2.3. Roads Department reported no objection subject to a condition that there be no lighting or illumination of the signage.

4.0 Planning History

4.1. An extensive planning history for the overall development of which the application site forms part is set out in the planning authority's reports.

4.2. Of particular note is SD03A/0320 is the parent permission for the overall development of the Arena Centre for mixed use development of commercial, retail, retail warehouse, leisure and residential complex on 3.256ha at Whitestown Way/Tallaght by-pass, Tallaght, Dublin 24.

4.3. That permission was revised under SD04A/0962 to include 1853m² of ground floor discount food store.

5.0 Policy and Context

5.1. Development Plan

5.2. The site is zoned 'REGEN' in the South County Council County Development Plan 2022-2028 (adopted in August 2022) with the objective "to facilitate enterprise and / or residential led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery".

5.3. Advertisements and Advertising Structures, Childcare Facilities, Community Centre, Education, Enterprise Centre, Health Centre, Home Based Economic Activities, Hotel / Hostel, Housing for Older People, Industry-Light, Live-Work Units, Motor Sales Outlet, Office-Based Industry, Office less than 100 sq m, Offices 100 sq m- 1,000 sq m, Offices over 1,000 sq m, Open Space, Petrol Station, Public Services, Recreational Facility, Residential, Restaurant / Café, Residential Institution, Science and Technology Based Enterprise, Shop-Local, Sports Club / Facility, Stadium, Traveller Accommodation, Work-Live Units are **permitted in principle** in this zone.

5.4. Section 12.5.7 of the Plan in relation to Signage – Advertising, Corporate and Public Information states that:

Signage relates to all signs erected on the exterior of buildings, within windows, as stand-alone structures or attached to public utilities. Signage has the potential to give rise to visual clutter and to alter the character of an area and as such will be carefully assessed. Development proposals that include signage should take account of the following:

- In general, signs on a building should only advertise goods or services that are associated with the premises and no more than two advertising signs should be erected on any elevation.
- Signs should generally be limited to the ground floor of a building unless located directly over the entrance to a major commercial or retail building.
- Signs should be simple in design and integrate with the architectural language of the building and not obscure any architectural features.
- Signs should be proportionate to the scale of the building to which they are attached and sensitive to the surrounding environment.
- Signs attached to Protected Structures and in Architectural Conservation Areas should be in keeping with the character of the building and adhere to best practice conservation principles (see Section 11.5.3 Architectural Conservation Areas).
- Any sign or associated structure should not create an obstruction to pedestrian or cyclist movement or create a traffic hazard.
- Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it.

All signage within the villages of the County must be respectful and enhance the context of the built and historical environment of the village.

5.5. Natural Heritage Designations

Not relevant

5.6. EIA Screening

5.7. Having regard to the nature and modest scale of the proposed development, its location in an existing building in an urban area and the absence of emissions therefrom I conclude that the requirement for the provision of an EIAR and carrying out of EIA can be set aside at a preliminary stage.

6.0 The Appeal

6.1. Grounds of Appeal

- The signs are compatible with the existing building (this is agreed in the planner's report). The signs are of high quality, simple in design and would integrate with the modernist architectural treatment of the overall building. Therefore, there are no negative visual impacts arising from the proposed development.
- The signs are compatible with the criteria set out in the County development Plan including section 11.2.8 and the 10 criteria set out there. The planning authority's Outdoor Advertising Strategy has been misinterpreted in this instance and does not apply to this kind of development.
- The signs can be backlighted in a manner that avoids the inappropriate impacts arising from older neon type signage.
- The Lidl supermarket is the anchor tenant in the overall development, and it is reasonable that its presence should be flagged to passing customers. There are several entrances into the store, and it is appropriate that the anchor retail store be marked appropriately.
- The proposed development would not set a precedent for similar developments.

6.2. Planning Authority Response

- The issues raised in the appeal have been dealt with in the planner's report.

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

7.1. The application site comprises an element of the fascia of a large existing mixed use (commercial/retail/office/residential) building facing onto the N81 and is zoned 'REGEN - "to facilitate enterprise and / or residential led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery". in the County Development Plan where advertising structures are permitted in principle. The planning authority adopted an outdoor advertising strategy in 2019 that has not been varied in the new plan that divides the county into advertising zones. The application site is within zone 5 which is described as: *"consisting of significant developing areas where advertising could form an integral part of newly created streetscapes. This zone relates to certain strategic developments, regeneration areas or new mixed-use communities where advertising may form part of new streetscapes, having regard to the need to protect residential amenities. Subject to compliance with development management standards, the development of outdoor advertising in this zone will be open for consideration"*. The strategy sets out a number of criteria against which new signage will be assessed.

7.2. These are-:

- The type of illuminated signs including internal or external illumination should be determined by consideration of the design of the building and its location,
- The design of an illuminated sign should be sympathetic to the building and should not obscure architectural features on new buildings they should be part of the integral design.
- The daytime appearance when unlit will be considered.

- Sky signs (signs that project in any part above the level of a building parapet) will not be permitted.
- Internally illuminated scrolling signs, or signs with exposed neon tubing, are generally not acceptable.
- Illuminated signs with the use of electronic visual display technology such as LED (light emitting diode) and LCD (liquid crystal display) will be considered having regard to the Advertising Management Standards, as set out in Section 7 of this document.
- The number of illuminated signs in the vicinity of the site will be taken into consideration when assessing proposals.

7.3. In the present case the signs will be mounted on a long fascia between the ground and first floors that runs the length of the façade of a relatively new building of modernist design facing onto a major traffic artery leaving the city. The signs are one metre square and 400mm deep and in terms of size and format are compatible with this location. The signs will not obscure any architectural detail. The daytime/night-time appearance of the signs will not noticeably vary. The signs do not project above the parapet. The signs do not scroll or use neon tubing. The signs do not include electronic visual display technology. There is a single sign advertising a garden centre flush with the fascia at present and the proposed signs will not result in visual clutter.

7.4. The planning authority's reports on file note that the Lidl supermarket is accessed primarily from Whitestown Way and that there is a Lidl sign on that façade facing onto Whitestown Way. This is correct but the main concourse to the overall Arena Centre is from the N81 and I consider that the anchor retail use can be afforded some leeway and that signalling its presence on the main traffic artery (the N81) in the area is not unreasonable. The signs are relatively modest in size (one square metre) and will not dominate the roadside façade or appear out of place in the overall scale of the building. Additionally, the vitality and viability of the overall Arena Centre development will be enhanced by encouraging footfall within the centre to the benefit of smaller retail outlets.

7.5. Appropriate Assessment Screening

7.6. Having regard to the nature and scale of the proposed development and the absence of any emissions therefrom I am satisfied that 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. I recommend a grant of permission

9.0 Reasons and Considerations

9.1. The proposed advertising signs are located on a large mixed-use premises overlooking a main traffic artery into Tallaght and Dublin city and zoned to “to facilitate enterprise and / or residential led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery” in the South Dublin County Development Plan 2022 - 2028. The signs refer to a large retail user in the premises and in notifying the public of its presence will contribute to the vitality and viability of the overall development. Having regard to these factors and subject to the conditions set out below it is considered that the proposed development would be in accordance with the provisions of the current South Dublin County Development Plan and with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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 condition. Where such a condition requires 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The signs permitted by this grant of permission refer to the Lidl supermarket use only. On cessation of the Lidl supermarket use the signs shall be removed and the façade of the Arena Centre repaired/made good to the satisfaction of the planning authority.</p> <p>Reason: To ensure that only advertising related to a current retail use is displayed on this façade of the Arena Centre.</p>

Hugh Mannion
Senior Planning Inspector

29th November 2022.