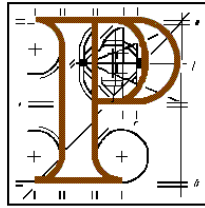


# An Bord Pleanála



## Inspector's Report

**PL 29S 246362**

**DEVELOPMENT:** Installation of a noticeboard in the front garden.

**LOCATION:** Nos. 47 and 49 Northumberland Road.  
(Protected Structures.)

### PLANNING APPLICATION

**Planning Authority:** Dublin City Council.  
**P. A. Reg. Ref:** 3692/15  
**Applicant:** School of Philosophy and Economic Science.  
**Decision:** Grant Permission.

### APPEAL

**Third Party Appellant:** Pembroke Road Association  
**Observers:** None.

**Inspector:** Jane Dennehy.  
**Date of Inspection:** 17<sup>th</sup> June, 2016.

## 1. SITE LOCATION AND DESCRIPTION

- 1.1 The site of the proposed development is that of two large, two storey over garden level nineteenth century houses with granite steps and railings at the main entrances at the corner of St Mary's Road and Northumberland Road. The two houses are in institutional/educational use, the applicant being one of two occupants, the other being the John Scotus primary school.
- 1.2 The front gardens which are fully laid out and planted are enclosed by the vertical cast iron railings on a granite plinth with centrally positioned pedestrian entrance gates. Brass plate signs for the John Scotus School and for the School of Philosophy and Economic Science are displayed at on the railings adjacent the pedestrian entrance gate of No 49 Northumberland Road.

## 2. THE PLANNING APPLICATION.

- 2.1 The application lodged with the planning authority indicates proposals for erection of a notice board structure with a glass mounted cabinet fixed to a concrete pad inside the railings on the east side of the pedestrian entrance gate of No 47 Northumberland Road, the house adjacent to the corner with St Mary's Road. The proposed steel frame and post has a height of 2200 mm. width of 0890 mm. and depth of 0050mm and the glass fronted cabinet the height of height is 1100 mm is to be displayed just above the 1500 mm high railings and plinth. (Details of information to be displayed are not included.) A method statement incorporating photographs of signs at other educational institutions is included.

## 3. PLANNING HISTORY:

- 3.1 **PL 29S 207396/P. A. Reg. Ref. 1876/04:** The planning authority decision to grant Permission for a three storey extension on 11<sup>th</sup> November, 2004.
- 3.1 **P. A. Reg. Ref.3539/05:** Permission was granted for two enclosed brick faced three storey fire escape staircases on the St. Mary's Road frontage and internal and external alterations.

## 4. THE PLANNING AUTHORITY DECISION.

- 4.1 **Conservation Officer:** The initial report of the Conservation Officer indicates acknowledgement of the need for identification given the use of the building and recommends that a smaller sign located so that it is more sympathetic to the structure and its architectural quality and setting.

- 4.2 **Further Information:** A further information request was issued in which the applicant was requested to address the Conservation Officer's concerns, to which a response was received on 1<sup>st</sup> February, 2016. In the submission no modifications are proposed. The submission includes photomontages and it is submitted that the proposed notice board would have minimal visual impact. The design concept is contemporary and in line with conservation principles whereby it is identifiable as contemporary and is a solution which is subordinate and deferential to the existing history fabric and context and is reversible.
- 4.3 **Conservation Officer:** The Conservation Officer in her supplementary report indicates satisfaction that the further information submission and satisfaction that the proposed development would not have undue negative visual impact.
- 4.4 **Third Parties:** An objection was received from the Appellant Party. The concerns expressed are that use of the notice board would have negative impact on the protected structure and residential amenity and about use of the premises as a night school.
- 4.5 **Planning Authority Decision:** By order dated, 25<sup>th</sup> February, 2016 the planning authority decided to grant permission subject to seven conditions. Condition No 2 contains the requirement for the works to be carried out under the direction of an architect or person with specialised conservation expertise in accordance with statutory guidance and best conservation practice.

## 5. THE APPEAL.

- 5.1 An appeal was received from Susan McCarrick on behalf of the Pembroke Road Association on 24<sup>th</sup> March 2016.
- 5.2 An outline summary of the appeal grounds follows:
- While educational use is open for consideration within the Z2 (residential conservation area) zone the use of the premises as a night school is a non-conforming use. The applicant has not made clear the exact purpose of the noticeboard; the purpose can only serve to advertise the School of Philosophy and Economic Science. It is more appropriate to place the notice board indoors if it is to provide information to night students as its purpose is redundant during darkness.
  - The notice board will effectively function as an advertising hoarding and will stand out from residential neighbours, in what was the garden of a residential property.in the garden of what was a house.

- Given the concerns of planning authority on the advice of the conservation officer who advised relocation and a smaller sign initially the decision to grant permission is not understood.
- Structures in the front gardens would have particular adverse impact on visual amenities of important historic radial approaches which are part of the Pembroke Estate with houses and front gardens lining the road.
- The notice board (2.2 metres in height and 890 in width) is obtrusive. As the garden is shallow in depth it will be intrusive with a visually jarring effect and negative impact on the character of protected structures and residential amenities of properties in the vicinity.
- The proposed development is in material contravention of the Z2 (residential conservation area) zoning objective: Para 17.10.8.1 of the Development Plan restricts advertising material in conservation areas to brass or stone nameplate type signs, the overriding consideration being enhancement and protection of essential visual qualities.
- The notice board is excessive in height and obtrusive. There are brass plate signs on the railings identifying the school so no further signage is necessary.

## 6. RESPONSES TO THE APPEAL

6.1 **Planning Authority:** There planning authority in a letter dated 4th April, 2016 indicates that it has no comments to make on the appeal.

6.2 **Applicant:** A submission was received from the applicant on 26<sup>th</sup> April, 2016 according to which:

- Northumberland Road has a diverse mix of land uses including institutional uses although the immediate environs of the site are primarily in residential use.
- The size location design and detail were carefully considered in the context of the Architectural Heritage report and photomontages.
- Information about the courses held by the school is to be displayed on the noticeboard photographs of other noticeboards at other historic buildings which it is claimed set precedent are included in Appendix B of the submission.
- Photo montages included in Appendix A show the design and scale relationship to the cast iron railings and views with the proposed noticeboard in position.

- The design concept is an identifiable contemporary installation within a Victorian context which is subordinate and deferential to and does not interfere with the existing historic fabric and context of the protected structure and is reversible.

## **7. DEVELOPMENT PLAN:**

7.1 The operative development Plan is the Dublin City Development Plan, 2011 – 2017 according to which:

- The site location is within an area subject to the zoning objective Z2: Residential Conservation Area.
- Para 17.10.8.1 of the Development Plan restricts advertising material in conservation areas to brass or stone nameplate type signs, the overriding consideration being enhancement and protection of essential visual qualities.
- The Victorian Houses on Northumberland Road including Nos. 47 and 49 are included on the record of protected structures. (Item 5910 and 5912)

## **8. EVALUATION**

8.1 The issues considered central to the determination of the decision arising from the appeal relate to the need for the proposed development and Impact on architectural heritage and residential amenities having regard to designation of the buildings as protected structures and the site location within a residential conservation area Impact on residential amenities. These concerns are considered simultaneously below. (The night-time use of the buildings about which concern is also expressed in the appeal is outside the scope of consideration of the current proposal.)

8.2 Given the development plan designations and relevant policies and objectives, having regard in particular to para 17. 10.8.1, the purpose for the proposed board and the justification for it should be evaluated.

8.3 It is stated that information about the courses that are available at the School will be displayed on the noticeboard. It is considered that the display of such information is an advertising function relating to the courses available at the school, which is a private college. This purpose is quite distinct from signage such as small sized brass plates the function of which is to indicate a location of an institution or business or professional practice. Signage at buildings in the vicinity is solely displays the location of for example, the Irish Cancer Society and a

Hotel. Signage, with the exception of the hotel's sign is confined to nameplate signage.

- 8.4 It is noted that there are brass plate name signs mounted on the railings adjacent to the pedestrian entrance to No 49 for both the School of Philosophy and Economic Science (applicant) and the John Scotus School. The noticeboard would therefore not be essential for the purposes of indicating the location of the School and as indicated in the applicant's submissions it is intended for the display of information about courses available. In terms of a reasonable balance between the interests of architectural heritage protection and ancillary support to the use of a building by way of signage, it is concluded that the noticeboard is not essential or warranted. Information about the courses available at the school is available in promotional literature, the internet and other social and print media.
- 8.5 It is accepted that noticeboards are displayed at historic buildings as submitted in the appeal, and in particular at public buildings such as places of public worship and tend, (although not exclusively) to be smaller and lower height than the proposed noticeboard and set back from the site frontage.
- 8.6 The appeal site is a corner site on a strongly defined linear, Victorian streetscape. There is no particular objection in principle to use of contemporary materials and design proposed. However the proposed noticeboard is unacceptable owing to the height above the railings and, to a lesser degree, the overall width in view of the close proximity to the site frontage within a relatively short front curtilage. The impact is potentially exacerbated by design and scale of posters displayed within the cabinet. It would dominate and detract from the context and setting of the buildings as opposed to being low in profile, deferring to the buildings and the Victorian context as an unobtrusive small scale contemporary and simple insertion.
- 8.7 In view of the foregoing, it is considered that the proposed noticeboard is not warranted given the site location as the purpose is essentially an advertising function displaying information about the activities of the institution which is additional to the existing brass name plate sign mounted on the railings. The case made in the appeal that the proposed noticeboard is in conflict with the policies in para 17.10.8.1 and the Z2 Residential Conservation Area objective is supported.
- 8.8 The adverse impact could be considerably reduced by a smaller size, lower height noticeboard setback from the site frontage by 1.5 metres. However, a noticeboard with these modifications would fail to fulfil its purpose if viewed from outside the perimeter of the site. Furthermore, as the modifications would represent a significant departure from that which was proposed in the application it would not be appropriate to grant permission with modifications required by condition.

**8.9. Appropriate Assessment Screening.**

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

**9.0 CONCLUSION AND RECOMMENDATION.**

9.1 In view of the foregoing, it is recommended that the appeal be upheld and that the planning authority decision to grant permission be overturned. A draft order is set out overleaf.

## **DECISION**

Refuse Permission on the Basis of the Reasons and Considerations set out below:

### **REASONS AND CONSIDERATIONS**

The proposed notice board by reason of the close proximity to the site frontage and size and height of the display cabinet at 1100 mm above the 1500 mm high vertical cast iron railings on a granite plinth and the shallow depth of the front curtilage would be visually conspicuous and would detract from the context and setting of the houses which are included on the record of protected structures, from the strongly defined Victorian Streetscape which is within an area designated as a Residential Conservation Area and would be contrary to the policies and objectives set out in para 17.10.8.1 of the Dublin City Development Plan 2011-2017 in which advertising material in conservation areas is restricted to brass or stone nameplate type signs with the overriding consideration being the enhancement and protection of essential visual qualities in the area. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

---

**JANE DENNEHY**

Senior Planning Inspector.  
20<sup>th</sup> June, 2016.