



An
Bord
Pleanála

Inspector's Report ABP-300444-17

Development	Retention Permission of the external shop front and signage to 18 Meath Street & Earl Street south elevations and permission for projecting illuminated green cross to Meath Street elevation all associated site and ancillary works.
Location	18, Meath Street & Earl Street South, Dublin 8, D08 V2K0
Planning Authority	Dublin City Council Sth
Planning Authority Reg. Ref.	2901/17
Applicant(s)	Chrel Limited.
Type of Application	Retention and Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Chrel Limited.
Observer(s)	None.

Date of Site Inspection

15th of March 2018.

Inspector

Karen Hamilton

1.0 Site Location and Description

1.1. The subject site is a ground floor pharmacy located mid-way along the east of Meath Street on the corner with Earl Street, Dublin 8. Meath Street is a busy commercial street within the heart of The Liberties and the surrounding area is characterised by a vibrant mix of uses on the ground floor of the buildings including café/ retail and residential on the upper floors. Earl Street is a radial route, to the east of Meath Street, providing access to surrounding residential estates. The elevation changes to the shop front façade along both Meath Street and Earl Street are the subject of this application.

2.0 Proposed Development

2.1. The proposed development would comprise of the following:

- Retention of external shop front and signage for a pharmacy on the corner of Meath Street and Earl Street.
- Erection of a projecting illuminated “green cross sign” on the Meath Street elevation.

3.0 Planning Authority Decision

3.1. Decision

Decision to refuse permission for one reason stated below:

- The proposed development involves the retention and replacement of a traditional shop front with a new shop front which is consistent in terms of scale, colour scheme and materials with existing retail premises in the vicinity, contrary to the Shopfront Design Guide, 2001.
- The provision of a vinyl obstruction to the display window to Earl Street would obscure views to the shop and creates dead street frontage contrary to Section 16.24.3 of the Development Plan. The signage does not relate

satisfactorily to the design, proportions, materials and detail of the upper parts of the building.

- The development proposed for retention does not re-instate missing architectural detail and involves the removal of a traditional shop front contrary to Section 16.24.2 of the Dublin City Development Plan 2016-2022.
- The development proposed for retention, in itself and by the precedent a decision to grant would for similar developments harmful to the setting of this conservation area, is contrary to policy CHC4 regarding the protection of conservation areas, and contrary to Policy RD15 of the development plan regarding the provision of high quality design and finish for new and replacement shop fronts, signage and advertising.
- Therefore, the development proposed for retention would be seriously injurious to the amenity of the residents and would be harmful to the setting of an ACA and is consequently, contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to refuse permission following the submission of further information on the following:

- Submission of amended design to reflect the location of the site within the Thomas Street Architectural Conservation Area and take into consideration the provisions of Policy CHC4 and RD15 of the development plan.

The report of the planner refers to the inappropriate redesign submitted, being the provision of pilasters to both the Earl Street and Meath Street elevations and the provision of cornices to the shop front fascia. The design, scale, colour and use of render remained inconsistent with the character of the area and provisions of the guidance.

3.2.2. Other Technical Reports

Drainage Division- No objection subject to conditions

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None received.

4.0 Planning History

None on the site.

5.0 Policy Context

5.1. Architectural Heritage Guidelines for Planning Authorities, 2004. Development guidelines for Protected Structures and Areas of Architectural Conservation.

5.2. Dublin City Development Plan 2016-2022

The site is zoned as Z5 City Centre where is it an objective *“To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity”*

The site is located within the Strategic Development and Regeneration Area **(SDRA) 16, Liberties and Newmarket Square.**

Overall guiding principles/objectives for regeneration within the LAP in relation to the proposed development include the following:

- To ensure that the individual character of different areas within the Liberties is protected and enhanced by contemporary and high quality design of new buildings.
- To promote the principles of good urban design including improving connectivity and enhancing the legibility and permeability of the Liberties in relation to the wider cityscape.

RD15 Shop fronts

- To require a high quality of design and finish for new and replacement shop fronts, signage and advertising.
- To actively promote the principles of good shop front design as set out in Dublin City Council's Shop front Design Guidelines.

Shop front Design Guidance, 2001 (Dublin City Council)

The guidance provides principles and guidance for the design of shop fronts and signage and includes:

- Design should reflect the style of the upper floors and adjoining buildings.
- A good visual frame is required and shall use cornices, fascia and pilasters.
- Box signs are inappropriate. Letter design shall be simple and legible and shall be individually mounted or hand painted.
- Illumination shall be discreet.
- Projecting signs shall not be permitted unless in exceptional circumstances where they are in an out-of-the way location.
- A high quality of materials shall be used.
- Roller shutters are restricted.

Section 16.24.2 Shopfronts: Guidance for new or alteration to shop fronts where original shop fronts should be retained and contemporary shop fronts well designed.

New shop fronts or alterations to existing shop fronts should:

1. Relate satisfactorily to the design, proportions, materials and detail of the upper parts of the building.
2. Complement their context and the quality and character of adjoining shop fronts, especially where these form part of a consistent group of traditional shop fronts.
3. Wherever possible, be accessible to all and provide a level threshold to the entrance
4. Re-instate missing architectural detail, where appropriate.

5. Not harm or obscure original architectural detail such as corbels, console brackets, fascia, pilasters and stall risers, or involve the removal of existing shop fronts of historic or architectural interest.
6. Not involve the installation of solid or perforated external shutters.
7. Not be entirely or largely openable.
8. Be of good quality contemporary design, where appropriate.

The subject site is within an **Architectural Conservation Area**, Thomas Street and Environs ACA, therefore the following polices apply:

CHC4: To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Appendix 24: Protected Structures and Buildings in Conservation Areas.

Thomas Street and Environs ACA, 2009

Section 6.2.4 Shop fronts

Seek the repair and retention of later shop and pub fronts of special interest and comply with the shop front guidance in the development plan.

Section 6.2.5 Reinstatement

It is the policy of Dublin City Council to encourage the reinstatement of features where the original and historic features have been lost or replaced.

5.3. Natural Heritage Designations

None relevant

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted by the applicant in relation to the refusal and the issues raised are summarised below:

- There was health and safety issues with the original signage, tiles were loose, there was leaking through the signage and into the supporting timber beam, the beam was not fixed adequately and the shutters were in danger of collapse onto a member of public.
- Every effort has been made to maintain the style and proportions of the existing shop front removing non- traditional materials and reinstating traditional materials.
- The refusal from the planning authority has failed to recognise the development in the context of the poor state of the original building.
- The proposal complies with policy CHC4 of the development plan. The original tile finish was removed and replaced with render, in the interest of health and safety and the tile finish is not in accordance with the character of Thomas Street Architectural Conservation Area. There was render behind the previous tile finish.
- Signage provided matches the size and dimensions of the original sign board with minimal intervention, reinstating the historic render. There were no pilasters, plinths and stall- risers to frame the windows and doors.
- The completed shop front does not involve the loss of traditional, historic or important buildings, harm the ACA or can it be deemed visually obtrusive.
- The proposal complies with Section 16.24.2 of the development plan as it incorporates the styles of the neighbouring shop fronts and does not detract from the upper floors.
- The external aluminium roller shutters were removed and traditional finishes reinstated.
- The original fascia size and proportions have been maintained.

- The proposal complies with policy RD 15 and no shop blinds are proposed.
- The proposal complies with the Dublin City Councils Shop front Design Guidelines
- The signage was changed from a non-traditional style and materials to a more traditional less visually obtrusive flat style lettering and no additional signage if provided above the fascia level.
- The submission is accompanied by pictures of non-traditional signage on premises in the vicinity of the site.
- The shop front is not being replaced, merely upgraded.
- The submitted revised design, submitted with the further information, attempts to provide a traditional style shop front and the current design is a simple traditional design.

6.2. Applicant Response

The applicant is the appellant.

6.3. Planning Authority Response

None received.

6.4. Observations

None received.

7.0 Assessment

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

- Impact on the Built Heritage and Visual Amenity
- Appropriate Assessment

Impact on the Built Heritage and Visual Amenity

7.2. The proposed development includes the retention of alterations to the shop front of an existing pharmacy including a new sign and change in external materials along

both Meath Street and Earl Street and permission for a new projecting “green cross” illuminated sign along Meath Street. The site is located within the Thomas Street Architectural Conservation Area (ACA). The reason for refusal refers to the inappropriate proportions, scale and design of the signage along both Meath Street and Earl Street and the impact of the vinyl obstruction of the window on Earl Street on the streetscape. In addition, the reason for refusal refers to non-compliance with the guidance in Policy RD 15 and Section 16.24.2 and 16.24.3 of the development plan in relation to shop fronts and the impact of the proposal on the character and setting of the ACA. The grounds of appeal state that the previous shop front was in a poor state of repair and the proposed changes were necessary in the interest of health and safety, it is also stated that the shop front and signage to be retained is in keeping with the existing building and surrounding area and the guidance of the development plan.

- 7.3. Shop front: The site is located along a commercial street in the middle of The Liberties and the design of the shop fronts in the vicinity range in style from traditional to modern and many are of poor quality. The existing shop front to be retained includes a large horizontal window, split into two parts and entrance door, both in aluminium, along Meath Street. A large window along the Earl Street elevation has been obscured with a vinyl cover. The external materials include an uncoloured render finish and the signage extends along both the front of Meath Street and Earl Street.
- 7.4. The applicant has included photographic evidence of the previous shop front which was typically characteristic of a butchers, with large window openings for display, tiled elevations and a canopy along the façade at Meath Street. The window and door openings have been retained as per the original shop front although the materials have changed to aluminium windows and doors and unpainted render as external materials. I note the amended design submitted, in response to the further information request, included an additional four pilasters at either side of the signage and a new cornice in an attempt to introduce a traditional element, which the planning authority did not consider an appropriate design.
- 7.5. Policy RD15 (Shop front Design Guide, 2001) and Section 16.24.2 and 16.24.3 (shop front) of the development plan includes guidance for the shop front and signage design and contain similar information in relation to the provision of high

quality shop fronts and the reinstatement of architectural features where appropriate. Policy CHC4 of the development plan relates to the need for new development to respect the character and setting of the ACA, promoting the enhancement of the area wherever possible. The character appraisal for Thomas Street ACA notes “*the use of new materials and little attention to design detail has resulted in poor shop front replacements which are unsympathetic to the form of the existing building*” in particular the report notes a number of shop fronts along Meath Street are of poor quality with brash coloured plastic fascia. Chapter 12 of the national guidelines, *Architectural Heritage Guidelines for Planning Authorities, 2004*, refer to the works affecting shop fronts within ACAs where features of interest should be retained and replication should be based on firm evidence of original design.

- 7.6. I note the window and door openings and the location of the fascia remain in the same location as the original shop front, which I consider reasonable. The issues of concern relate to the obscuring of the window along Earl St, the external materials of both elevations and the treatment of the signage, which I have addressed separately below. Section 16.24.4 of the development plan requires the architectural features of interest to remain which I consider were the glazed ceramic tiles and signage. I note from the submitted illustrations there were no pilasters or cornicing and therefore, I do not consider it a necessity to introduce these as traditional features. The grounds of appeal argue the original materials posed a risk to the health and safety risk to the public and whilst I acknowledge they may have required replacement I consider an alternative material to the current render finish on the elevations would have been more sympathetic to the original design and therefore the impact on the character and setting of the existing building and the ACA. Therefore I do not consider the use of the unpainted render finish on the elevations of Meath Street and Earl Street support a high quality design compliments the original design, enhance the setting of the ACA or complies with the guidance in Policy RD 15 Section 16.24.2 and CHC 4 of the development plan or the guidance in the national guidelines in relation to shop fronts in ACAs.
- 7.7. Section 16.24.2 refers to use of well-designed shop front in order to foster vibrant retail areas. Meath Street is a busy retail street serving The Liberties area with pedestrian access via a network of radial streets, e.g. Earl Street. The Liberties LAP promotes the regeneration of the area though the requirement for a high quality built

environment with supporting urban design to enhance the permeability of The Liberties. Upon site inspection I noticed a large footfall along both Meath Street and Earl Street and consider the obscured window along Earl Street has a negative visual impact on the area and does not support an attractive environment for visitors. Therefore, having regard to the location of the site, I do not consider the blank elevation along Earl Street is appropriate.

- 7.8. Having regard to the original shop front design and external materials and the location of the site within the Thomas Street ACA and along Meath Street, the commercial centre of The Liberties, I do not consider the external materials or obscuring of the window along Earl Street comply with the policies of the development plan for shop fronts, enhance the surrounding area or compliment the setting and character of the ACA.
- 7.9. Signage: The signage for retention includes a fascia board of c. 64m in length and c. 9m in height (1.04m²) along the entire frontage of Meath Street and Earl Street and has a contemporary plastic type finish with the operators name and logo. The signage projects out from elevation in the form of a box sign. The proposed development also includes a new projecting illuminated green cross above the main entrance, on the first floor along Meath Street. The reason for refusal stated the design and use of materials on the signage did not relate to the proportions of the upper floor or the surrounding area, the ACA, and did not comply with the guidance in Policy RD 15 and Section 16.24.2 of the development plan or the shop front design guidance. The grounds of appeal argue the new signage is located in the same position as the previous signage. The fascia board is in the same location as the original although I note the butcher's signage along Meath Street included individual lettering onto a flush background.
- 7.10. As stated above, the guidance in the development plan, the shop front guidance and the character appraisal for Thomas Street ACA, refer to the use of appropriate design and materials for signage reflecting a high quality and the character of the surrounding area. Policy RD 15 and Dublin City Councils Shop front Design Guidelines, 2001, includes specific guidance where box signs and projecting signs are not permitted, letter design shall be simple, legible and individually mounted or hand painted and high quality materials used. I do not consider the current sign complies with this guidance.

7.11. Having regard to the location of the site within the ACA, the quality and design of the proposed signage and the guidance in the development plan, I do not consider the existing signage along Meath Street and Earl Street or the proposed projecting “green cross” sign along Meath Street is appropriate at this location.

Appropriate Assessment

7.12. Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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 the proposed development is refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to-

- (a) the overall design and finish of the shop front and signage along both Meath Street and Earl Street,
- (b) the proposed internally illuminated projecting green cross sign by reason of its size and location,
- (c) the guidance for shop front and signage in Policy RD 15 and Section 16.24.5 of the Dublin City Development Plan 2016-2022,
- (d) and the location of the site within the Thomas Street ACA, the guidelines relating to Architectural Heritage Guidelines for Planning Authorities, 2004 and Policy CHC4 of the development plan;

It is considered the proposed development, by reason of inappropriate use of unpainted render finish on the elevation, obscuring the window along Earl Street and inappropriate design and use of materials for the signage, would be incongruous with the surrounding area would materially affect the character of the Thomas Street

Architectural Conservation Area, and would thereby seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Karen Hamilton
Planning Inspector

21st of March 2018