



An
Bord
Pleanála

Inspector's Report ABP-304740-19

Development	Retention of internally illuminated signage and glass frame window.
Location	Royal Hotel, Main Street, Bray, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	19/389
Applicant(s)	Powertique Limited
Type of Application	Retention
Planning Authority Decision	Refuse retention permission.
Type of Appeal	First Party
Appellant(s)	Powertique Limited.
Observer(s)	None.
Date of Site Inspection	27 th August 2019
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The Royal Hotel is located to the eastern side of Main Street Bray with the front elevation facing onto Seapoint Road/ Main Street. The hotel is a landmark through its prominent location on the northern end of Main Street, though it is slightly hidden by the two-storey former courthouse, when viewed from the north of the site/ from the Bridge over the River Dargle. Main Street Bray consists of a mix of retail, commercial and social/ civic uses with a large town centre development underway at the 'Florentine Centre'.
- 1.2. Seapoint Road is relatively narrow to the front of the hotel and bar. On the opposite side of this street is the former courthouse and a memorial fountain.
- 1.3. There are two entrances to the front of the Royal Hotel; one is the main entrance to the hotel and the other, the subject of this application, provides access to 'McGettigan's', a public bar and restaurant. The entrance to the bar is a modern addition consisting of dark coloured timber louvres to the front, dark window frames and reflective glazing and a green coloured frame around the windows/ front entrance. The McGettigan's name with shamrock symbol is positioned over the entrance. A number of steps provide access to the bar. This frontage is of a very different design to the more traditional and restrained entrance to the hotel.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Retention of internally illuminated signage with a 50% diminution of light output.
 - Retention of internally illuminated glass frame window and door surround with a 30% diminution of light output.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for a single reason as follows:

'Having regard to the provisions of the Bray Municipal District Plan 2018 – 2024 and the Wicklow County Development Plan 2016-2022 specifically Appendix 1 Development and Design Standards Section 5 Shop front and Design Standards, it is considered that the illuminated signage to be retained, would be unduly obtrusive and would negatively impact upon the character and visual integrity of the streetscape along the Main Street. The illumination would detract from the character and visual amenity of the adjacent courthouse and fountain, a protected structure. The proposed development would therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area'.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report reflects the decision to refuse permission for the retention of this development. The history of this development and related enforcement actions have been set out in detail in the Planning Report.

3.2.2. Other Technical Reports

None.

4.0 Planning History

P.A. ref. 15/774 refers to an October 2015 grant of permission for alterations to the front façade of the hotel to consist of a new entrance bar/ restaurant, new signage and new external finishes including timber cladding and copper fascia. Condition no. 2 stated:

'External finishes to the building shall be in accordance with the details outlined on the drawing no. HA266-PP-05 received on the 27th July, 2015 unless agreed otherwise in writing with the Planning Authority'.

P.A. ref. 17/129 refers to a March 2017 refusal of permission for the retention of internally illuminated signage and internally illuminated glass frame window surround

on the front façade. The reason for refusal was similar to that cited in the current case.

P.A. ref. 18/496 refers to a November 2018 refusal of permission for the retention of 50% diminution of light output, of internally illuminated signage and internally illuminated glass frame window surround on the front elevation. The reason for refusal was similar to that cited in the current case.

P.A. Ref. UD4528 refers to an enforcement file with regards to non-compliance with the two conditions under P.A. Ref. 15.774. This file remains open.

5.0 Policy and Context

5.1. Development Plan

5.1.1. The Wicklow County Development Plan 2016 – 2022 is the statutory plan for Co. Wicklow and the Bray Municipal District Local Area Plan 2018-2024 is the local area plan for the town of Bray and includes the subject site. Under the Bray Municipal District Local Area Plan 2018-2024, the Royal Hotel is zoned TC – ‘Town Centre’ with the objective ‘To provide for the development and improvement of appropriate town centre uses including retail, commercial, office and civic use, and to provide for ‘Living Over the Shop’ residential accommodation, or other ancillary residential accommodation’.

5.1.2. Included within the ‘Strategy for Level 2 – Major Town Centres’ of the Wicklow County Development Plan 2016 – 2022 and within Section 2.2.5 ‘Town Centres and Retail’ of the Bray Municipal District Local Area Plan 2018-2024, is a section on ‘Town Centre & Retail Strategy for Bray’ and within this is a short section on shopfront design/ quality and which states:

‘The quality of shopfronts within Bray Main Street and surrounding side streets is relatively poor. In addition, some parts of the centre have suffered from high degrees of vacancy. It is a priority of the Planning Authority to facilitate development that would contribute to the improvement of the overall appearance and aesthetic appeal of the streetscape, including for example shopfront improvements, regeneration of vacant sites and public realm improvement schemes’.

5.1.3. Appendix 6 – Development and Design Standards of the Wicklow County Development Plan 2016 – 2022 includes Section 5 – Retailing, with further details provided on ‘Shopfront design standards’. The introduction to this section includes the following:

‘The function of the shopfront is two-fold; to identify a retail premises within a street by way of name, signage and window display and to express the architectural character of a building at ground floor level’.

The following points of Appendix 6 are relevant to signage/ shopfronts:

- *Signage shall generally be limited to the fascia, but may also be considered on or behind glazing and on columns or doorways;*
- *Lettering is to be in proper proportion to the size of the fascia and to the scale of the building. As a general rule, the lettering should be restricted to half the fascia width, taking care to leave sufficient space at top, bottom and sides. Shop lettering should convey the essential message of the retailer. The shop name alone will generally have most effect;*
- *Each shop should have its street number displayed. This could be included as part of the fascia, on glazing above the door, or on the door itself;*
- *Generally, individually mounted lettering or handpainted lettering will be required.*
- *The illumination of shopfronts and signage is generally considered unnecessary. In certain circumstances, for example where the business is open in the evening, modest levels of discreet lighting (the purpose of which is to light the lettering and not bathe the whole façade and pavement in a pool of light) may be permitted.*

Colour

- *When considering the colour of new or replacement shopfronts it is important that the selected colour scheme complements the character and style of the building, rather than conflicting with it. Shopfronts are traditionally painted in strong colours, which are slow to fade. The use of rich colours, such as dark shades of green, blue, red and black is recommended;*
- *Corporate colours should be restricted to the main signage of the shopfront and not the entire shopfront.*

Security

Appropriate use of lighting may reduce the likelihood of a break in. The lighting should generally not be so strong as to illuminate the area outside the shop, as this might affect the character of the area;

- 5.1.4. Adjacent to the subject site are the Courthouse and a Memorial Fountain, which are included in the Record of Protected Structures.

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed the decision of the Planning Authority to refuse permission for the retention of signage and internal lighting with a diminution of light output to the front façade of part of the Royal Hotel, Bray. The applicant has engaged the services of Manahan Planners to prepare the appeal and the issues raised include:

- History of the development and the application considers it to comply with the conditions of the application under 15/774, which the Planning Authority disagree with. This is the third application made to retain the signage and lighting and the first to be appealed.
- There is a requirement for this signage/ lighting as the site is located on a side street off Main Street, Bray. The site is described as remote from Main Street and 'has a different character context'.
- The location of the site can accommodate lighting without negatively impacting on the surrounding area.
- There is a need for additional lighting in this area as the surrounding area is 'dark and foreboding'.
- The Royal Hotel and McGettigan's' bar are both important for the Bray economy.

- Similar fronts have been provided in the applicant's hotels in Whitehall, Letterkenny and Limerick City without any complaint from the relevant Planning Authority.
- The applicant proposes to reduce the degree of illumination.
- The development does not impact on the adjacent Courthouse Building.

6.2. Planning Authority Response

- None received.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Design and impact on the Character of the Area
- Appropriate Assessment Screening

7.2. Principle of Development

7.3. The development consists of the retention of internally illuminated signage and an internally illuminated glass frame window and door surround on the front of the McGettigan's Bar in Bray. The site is zoned TC – 'Town Centre' and development of the nature proposed is acceptable in principle.

7.4. Design and impact on the Character of the Area

7.4.1. I have read the appeal details, the planning history of the site including the Planning Authority reports and the supporting applicant documentation. Permission was originally granted for a new shopfront and signage under P.A. Ref. 15/774. In general, the development has been constructed in accordance with 'Proposed Sections & Elevations' drawing no. HA266-PP-05. This drawing indicates the use of

hardwood louvre cladding, replacement powder coated aluminium windows, glass frame surround to windows and new signage with stainless steel frame. The colour of the glass frame has not been indicated on this plan and there is no indication that this was to be internally lit.

- 7.4.2. The planning history and supporting documentation indicate that the applicant has attempted to resolve this issue primarily by reducing the available illumination. This is noted and it is also noted that the Planning Authority considered that this diminution of light was having no beneficial impact. The subject application would provide for a diminution of light output of 50% of the signage and 30% of the glass frame and door surround.
- 7.4.3. The signage as indicated on drawing no. HA266-PP-05 received as part of P.A. Ref. 15/774, appears to be generic and other than the shamrock logo, the in-situ signage is generally the same as that permitted. The green coloured lettering and shamrock logo may not be visually desirable to all, however, they are considered to be in accordance with 'Appendix 6 – Development and Design Standards' of the Wicklow County Development Plan 2016 – 2022 and in particular the section on Colour which states *'Corporate colours should be restricted to the main signage of the shopfront and not the entire shopfront'*.
- 7.4.4. Whilst I consider the signage to be acceptable, the excessive use of lighting on this frontage is not appropriate. The primary issue is location and there are a number of aspects to its consideration. Firstly, the site is adjacent to the former Courthouse and a memorial fountain which are listed on the Record of Protected Structures and which require protection from inappropriate development within their vicinity. The use of strongly lit green coloured glass framing does not protect these structures. Secondly, the business should not have to rely on such lighting to encourage custom to this premises. The site is located at the northern end of Main Street and the Royal Hotel is a very well-established business that would be well known to local people. It is difficult to understand why such excessive lighting would be required to attract business. Thirdly, the argument has been made that the front of the site is on a narrow roadway and additional lighting is required for safety reasons. This is not

agreed with and any issue regarding a lack of public lighting should be taken up with the Local Authority.

7.4.5. The applicant has proposed to reduce the output of the lighting within the glass frame and the signage. I would have no issue with the intensity of lighting in the sign, as it not foreseen that the scale of this sign and consequent light intensity, would have a negative impact on the area. I would consider that the signage is sufficient to direct custom to this premises. A reduction in light intensity from the glass frame is difficult to ascertain. The figure of 30% diminution of light output may only be fully understood by industry professionals/ lighting experts. I could not say what percentage of light output may be acceptable and I would also assume that by its intended nature it would have to have sufficient intensity to be visible. In addition, it may be difficult to condition an appropriate output of lighting that would not negatively impact on the visual amenity of the area, again only an expert may be able to ascertain the difference between for example a 30% diminution or 40%.

7.4.6. I refer again to 'Appendix 6 – Development and Design Standards' of the Wicklow County Development Plan 2016 – 2022 and which states *'The illumination of shopfronts and signage is generally considered unnecessary. In certain circumstances, for example where the business is open in the evening, modest levels of discreet lighting (the purpose of which is to light the lettering and not bathe the whole façade and pavement in a pool of light) may be permitted'*. The development if retained would be contrary to this advice. I therefore consider that the internal illumination of the glass frame window and door surround should be refused permission due to impact on the visual amenity and character of the area.

7.5. **Appropriate Assessment Screening**

7.5.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site; no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that permission be granted subject to conditions.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Wicklow County Development Plan 2016 – 2022 and the Bray Municipal District Local Area Plan 2018-2024 and the zoning for town centre uses, to the location of the site in an established commercial area and to the nature, form, scale and design of the development to be retained, it is considered that, subject to compliance with the conditions set out below, the retention of the fascia signage and the glass frame window and door surround would not seriously injure the character or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The glass frame window and door surround shall not be illuminated.</p> <p>Reason: It is considered that illumination of these elements is excessive and would negatively impact upon the character and setting of the adjacent former courthouse and memorial fountain which are listed in the Record of Protected Structures.</p>

Paul O'Brien
Planning Inspector

2nd September 2019