



An  
Bord  
Pleanála

## Inspector's Report

### ABP-316110-23

#### Development

PROTECTED STRUCTURE: retention of two existing external banners for the "GPO MUSEUM WITNESS HISTORY" for a further temporary period of three years as per Dublin City Council Reg Ref. 3290/19 and ABP-305376-19.

#### Location

G.P.O., Lower O'Connell Street, Dublin 1, D01 F5P2

#### Planning Authority

Dublin City Council North

#### Planning Authority Reg. Ref.

5492/22

#### Applicant(s)

An Post

#### Type of Application

Permission

#### Planning Authority Decision

Grant with Conditions

#### Type of Appeal

First & Third Party

#### Appellant(s)

- 1) An Post
- 2) Dublin Civic Trust

#### Observer(s)

An Taisce

**Date of Site Inspection**

25<sup>th</sup> June 2023

**Inspector**

Mary Crowley

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## 1.0 Site Location and Description

1.1. The subject site comprises the General Post Office (GPO), Dublin 1, one of the most important architectural landmarks on the western side of O'Connell Street. It occupies the entire city block between Prince's Street North to the south and Henry Street to the north. The interior of building itself was extensively renovated/rebuilt subsequent to the destruction caused during the rising, however the towering neoclassical façade was retained and its impressive ionic portico, composed of grey Portland stone, is an integral feature of O'Connell Street. This application relates to the primary façade of the building fronting onto Lower O'Connell Street. A set of photographs of the site and its environs taken during the course of my site inspection is attached. These serve to describe the site and location in further detail.

## 2.0 Proposed Development

2.1. The development will consist of the retention of two existing external banners for a further temporary period of three years at the main entrance portico of the G.P.O on O'Connell Street (as per Dublin City Council Reg. Ref. 3290/19 and ABP-305376-19). The banners are to identify the "GPO MUSEUM WITNESS HISTORY" located in the public exhibition area. The banners are suspended between two pairs of columns at the portico, facing toward O'Connell Street. The banners measure 6.500m high and 2.500m wide, are suspended approximately 4.750m clear above ground level, are composed of semi-transparent mesh fabric and supported off stainless steel non-invasive fixings on the stone columns at top and bottom.

2.2. The application was accompanied by the following:

- Planning Report
- Conservation Report
- Report on the Functioning of the GPO Banners
- Photographic Record

### 3.0 Planning Authority Decision

#### 3.1. Decision

3.1.1. Dublin City Council issued a notification of decision to grant permission subject to 5 no conditions summarised as follows:

1)	Compliance with plans and particulars submitted
2)	Permission granted for 18 months form date of grant
3)	Signage shall be maintained properly at all times
4)	Compliance with the Greater Dublin Regional Code of Practise for Drainage Works
5)	Advertisement restrictions

#### 3.2. Planning Authority Reports

3.2.1. Planning Reports

- **Case Planner** – recommended that permission be granted subject to conditions including that permission be grated for 18 months only. The notification of decision to grant permission issued by DCC reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage** – No objection subject to conditions

#### 3.3. Prescribed Bodies

3.3.1. **TII** – No objection subject to a Section 49 Contribution Levy for Light Rails if not exempt.

#### 3.4. Third Party Observations

3.4.1. There is one observation recorded on the planning file from Dublin Civic Trust. The issues raised relate to the banners detracting from the aesthetic and character of the GPO, logic behind the application (footfall), banners are unnecessary, design is

considered garish, concerns regarding maintenance and upkeep and banners are contrary to Policy BAH2 and Zoning Objective Z5.

## 4.0 Planning History

4.1. There was a previous appeal on this site that may be summarised as follows:

**ABP-305376-19 (Reg Ref 3290/19)** – Dublin City Council granted planning permission for 2 years only for the erection of 2 no. external banners at the main entrance portico for a temporary period of 3 years and the replacement of an existing wall mounted brass plaque at the north door entrance on the O’Connell Street façade. Following a third-party appeal by An Taisce the Board granted permission subject to 4 no conditions. Condition No 2 limed the duration of permission to a period of three years from the date of the order.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The operative plan for the area is the **Dublin City Council Development Plan 2022 – 2028**. The site is zoned **Z5 City Centre** where the objective is *to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity*. The GPO is designated as a **Protected Structure** (PA RPS Ref. 6010). The site is also located within a **Conservation Area** and the **O’Connell Street Architectural Conservation Area**, which is subject to a **Scheme of Special Planning Control**.

### 5.2. Natural Heritage Designations

5.2.1. The appeal site is not located in or immediately adjacent to a European Site

### 5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development, 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.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

There is a first party appeal and a third-party appeal that may be summarised as follows:

### **6.2. First Party Appeal**

6.2.1. The first party appeal against Condition No 2 only has been prepared and submitted by DK Planning and Architecture and may be summarised as follows:

- The decision to grant is appreciated but it is requested that the Board amend Condition No 2 to permit retention for a period of 3 no years.
- Visitor numbers to the museum in 2016 amounted to 160,833, but subsequently declined to 80,000 in 2019. Given this steep fall, it was decided to seek planning permission in early 2019 to install two external banners for a short period in order to bring the attention of the public to the existence of the museum into which the State had heavily invested. Permission was granted by the Board in December 2019 for a period of three years.
- The installation of the banners coincided with the arrival of Covid. Overseas tourism suffered especially badly and the GPO museum was considerably affected as it had yet to become established in the general public consciousness.
- It is against this background that the GPO museum has struggled to re-establish itself after the Covid years. The number of visitors to the museum has not risen to the figures achieved before Covid, so that in 2022 the visitor numbers were only 46,834 or 59% of the 80,000 achieved in 2019, the last full year immediately prior to Covid. Without the existence of the banners in the portico of the GPO, the decrease in the number of visitors to the exhibition post-Covid would almost certainly have been even lower.
- The 18month restriction is considered too short a period in which the museum can recover its position following Covid and particularly having regard to the other



negative environmental factors affecting O'Connell Street. We respectfully request the Board to allow the banners to remain in place for a further three years having regard to the reasons and considerations set out above.

6.2.2. The appeal was accompanied by a letter from the GPO and a letter from Dublin Town

### 6.3. **Third Party Appeal**

6.3.1. The third-party appeal has been prepared and submitted by Dublin Civic Trust and may be summarised as follows:

- DCC has undermined the status of Protected Structure designation and the import of Architectural Conservation Area (ACA) and the Area of Special Planning Control (ASPC) designations which are provided for by state and are reinforced by the Dublin City Development Plan.
- These marketing banners are visually obtrusive objects that disrupt the architectural effect and diminish the cultural and civic dignity of the General Post Office and the historic design character of the O'Connell Street ACA.
- Classical buildings are architectural artworks that accord with a strict academic language, and therefore must be considered differently by the planning system, especially where the structure holds national cultural, social and historical status as in the case of the General Post Office.
- The quality of the Witness History exhibition and the contribution it makes to the cultural enrichment of the city is acknowledged, but this is not, and should not be, contingent on severely comprising its nationally significant building, counter to statutory policy.
- The banners are contrary to statutory policy as set out in the O'Connell Street Area of Special Planning Control (ASPC) 2022. Section 3.7 Advertising Structures refers.
- Requested that permission be refused.

### 6.4. **Applicant Response**

6.4.1. The third-party appeal (Dublin Civic Trust) was cross circulated to the first party (An Post). The first party submitted the following additional comments:

- Visitor numbers since Covid show a significant decline in numbers and support the need for the retention of the banners for a further period. It is stated that the number of visitors to the museum has not risen to the figures achieved before Covid, so that in 2022 the visitor numbers were only 46,834 or 50% of the 80,000 achieved in 2019, the last full year immediately prior to Covid.
- The management of the GPO Museum have given anecdotal evidence of the value of the banners in informing the public of the presence of the Museum and have established by direct conversations with members of the public, that they play a valuable role in this.
- The applicant, DCC and the Board broadly share the same view that the proposed banners have been sympathetically and sensitively designed in a manner which will not detract from the setting of the GPO or surrounding conservation area.
- The detailed policy provisions cited are not considered directly relevant. The ASPC of 2022 is similar to the ASPC of 2016 which was in force in 2019 with the same policies, when the Planning Authority and the Board granted permission under 205376. The Planning Authority in both 2019 and 2022 considered the banners in keeping with the policies.
- The photographs were undertaken by a professional expert and the angles are unexceptional and appropriate. There was no intention to deceive.
- In relation to maintenance the applicant is agreeable to complying with Condition No 3 (signage shall be maintained properly at all times)

## 6.5. Planning Authority Response

6.5.1. None

## 6.6. Observations

6.6.1. There is one observation recorded on the appeal file from An Taisce. The issues raised relate to expressing support for the principles outlined in the third party appeal lodged by Dublin Civic Trust and the extension of the banners is unnecessary and undesirable.

## 6.7. Further Responses

6.7.1. None

## 7.0 Assessment

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Impacts on Protected Structure
- Duration of planning permission
- Other Issues
- Appropriate Assessment

## 7.2. Principle

7.2.1. The site is zoned Z5 City Centre where the objective is to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity. The development plan also includes policies which seek to promote and facilitate tourism as a key pillar of the city economy. While I consider that that proposed banners to be retained comply in principle with the zoning objective for the site, I note that the third-party appellant submits that the banners would conflict with the policy's as set out in the O'Connell Street Area of Special Planning Control (ASPC) 2022. Specifically, reference is made to Section 3.7 Advertising Structures and the following specific points:

*Having regard to the specific context of the SSPC area, the following development control standards will be applied to advertisement structures:*

- *The provision of any additional advertisement panels, signage, or advertising features at or above ground floor level on the facades or gables of buildings will not be permitted.*

- *Banner type signs and advertising sheeting covering any façade or part of a façade of a building is not acceptable.*
- *The provision of temporary advertisement structures on or projecting from any part of the façade or gable of a building or hung between buildings will not be permitted.*

7.2.2. While the banners to be retained are located above ground level are located on the entrance portico, they do not project forward of the GPO and do not interfere with the main façade. As observed on day of site inspection the lightweight material will continue to facilitate views of the primary building façade to the rear. Therefore I do not consider that the banners conflict with the above policy.

7.2.3. In addition I would draw the Boards attention to the overall vision of the O'Connell Street Area of Special Planning Control (ASPC) 2022 which is *to strengthen O'Connell Street and environs as a place of importance in the social, economic and cultural life of citizens and visitors, where buildings and their uses reflect a civic dignity and pride, and property owners and occupiers acknowledge their obligations as stakeholders in this area of special significance to the Irish Nation.* Further, it is a key objective *to protect and promote uses that contribute to the special interest or character of specific premises.* In relation to New Advertisement Structures, it is a key objective *to ensure that all new advertisement structures erected in the area are well designed.* *Dublin City Council will permit only advertisements which are designed sensitively, and which will enhance the appearance and vitality of the area.*

7.2.4. I consider that the proposed banners to be retained have been sympathetically and sensitively designed in a manner which will not detract from the setting of the GPO or conflict with the O'Connell Street Area of Special Planning Control (ASPC) 2022. Having regard to the foregoing, it is considered that the proposed banners would be in accordance with the Planning Authority's tourism policies of enhancing Dublin as a world class cultural destination.

### 7.3. **Impact on Protected Structure**

7.3.1. I note the detailed appeal by Dublin Civic Trust where concern is raised that the banners are considered to be visually obtrusive objects that disrupt the architectural

effect and diminish the cultural and civic dignity of the General Post Office and the historic design character of the O'Connell Street ACA.

- 7.3.2. As documented the GPO is designated as a Protected Structure (PA RPS Ref. 6010). The site is also located within a Conservation Area and the O'Connell Street Architectural Conservation Area, which is subject to a Scheme of Special Planning Control. These designations reinforce the architectural importance of the GPO.
- 7.3.3. However, intervention either minor or major is often required to enable a protected structure to survive, particularly as a result of a new usage. Any such intervention particularly on a prominent and distinguished building such as the GPO requires particular consideration.
- 7.3.4. It was evident of day of site inspection that the installation of the two temporary banners did not entail any changes to the existing building fabric and I am satisfied that they are entirely reversible, in keeping with good conservation practice. I further agree that the impact is not significant given the material used, their scale in relation to the portico and that together with the temporary nature of the banners that their overall impact on the on the architectural character of the GPO is very minor and transient. It is further evident that the works did not involve any demolition or any permanent alterations to the exterior of the GPO building.
- 7.3.5. Overall, I am satisfied that subject to compliance with the conditions set out under, that the retention of the banners for a temporary period only would not be seriously injurious to the architectural character of the GPO.

#### **7.4. Duration of Planning Permission**

- 7.4.1. An Post sought retention of planning permission of the external banners for a further temporary period of three years. DCC issued a notification of decision to grant permission subject to 5 no conditions. Condition No 2 restricted the length of permission to 18 months from the date of grant. The applicant has appealed this condition and sought an extension to 3 years.
- 7.4.2. The GPO building contains three main uses, respectively the public post office, the administrative headquarters of An Post and the museum. It is stated that whilst the post office and administrative functions perform satisfactorily, the museum has struggled, notwithstanding its location in the very spot where the Easter Rising had its

main focus. It is submitted that visitor numbers to the museum in 2016 amounted to 160,833, but subsequently declined to 80,000 in 2019, immediately prior to the arrival of Covid in Ireland. Given this steep fall, the introduction of some temporary external identification of the GPO museum, in a form commonly employed by museums and galleries in other cities, was identified as necessary. It was decided to seek planning permission to install two external banners for a short period in order to bring the attention of the public to the existence of the museum into which the State had heavily invested. Accordingly, an application was made for permission in early 2019 for the temporary banners located in the portico. Following a third-party appeal, permission was granted by An Bord Pleanála on 16th December 2019 per ABP 305376-19. The permission was for a period of three years from that date.

- 7.4.3. It is stated that the number of visitors to the museum has not risen to the figures achieved before Covid, so that in 2022 the visitor numbers were only 46,834 or 59% of the 80,000 achieved in 2019, the last full year immediately prior to Covid. In response to the appeal the applicant submitted that the management of the GPO Museum have given anecdotal evidence of the value of the banners in informing the public of the presence of the Museum and have established by direct conversations with members of the public, that they play a valuable role in this. No further quantitative information has been provided to support this position.
- 7.4.4. The applicant submits that more recently, overall activity levels in Dublin City have risen so that the average footfall/pedestrian count for the city centre is now only c. 13% below the figure for 2019. However, O'Connell Street continues to perform poorly and the footfall on the street is more than 20% below the numbers counted in 2019 just prior to Covid.' A related factor in respect of O'Connell Street has been the deterioration in the security environment, as reflected in perceptions of safety. Whereas in other international cities, 90% of people would feel safe during the day, in O'Connell Street the corresponding figure is 66%. This situation is not helped by the low level of economic activity on O'Connell Street compared with, say, twenty or thirty years ago. It is against this background that the GPO museum has struggled to re-establish itself after the Covid years.
- 7.4.5. I agree with the applicant that the operation and success of the GPO museum is intrinsically linked to its location notwithstanding its position at the very spot at which the independent Irish State was effectively founded. Further I agree with the

comments of the Case Planner that the impact of the Covid Pandemic had on the city economy, particularly the tourism sector, and that the temporary period of permission covered by the original application (Reg Ref 3290/19) coincided with several lockdowns during the pandemic period. While the application would have benefited from more detailed factual figures and analysis of same in terms of demonstrating a clear link between the installation of the banners and numbers of visitors to the museum, I accept that the covid pandemic and associated restrictions had a significant effect on the number of visitors to the museum over a prolonged period. Given the unique circumstances pertaining to this application together with the intervening time between the date of application for planning permission to DCC in December 2022 and the appeal period to date that a grant of temporary permission for 18 months from the date of decision is reasonable. This will allow for a minimum of 2 full years visitor data to be collated and analysed while allowing the banners to remain in situ to the end of 2024. It is therefore recommended that temporary permission be granted for a period of 18 months from the date of decision.

## 7.5. Other Issues

- 7.5.1. **Development Contribution** – I refer to the Dublin City Council Development Contribution Scheme 2023-2026. Section 12 states that *no reductions in whole or in part shall apply to permissions for retention of development*. Having regard to the stated nature of the development comprising the retention of banners it is recommended that a Section 48 Development Contribution condition **is attached**.
- 7.5.2. **NOTE:** DCC did not attach a development contribution condition. Prior to making its decision the Board may wish to seek the views of relevant parties in this regard.
- 7.5.3. **Special Development Contribution** – TTI in their submission to DCC indicate that the development may be subject to a Section 49 Contribution Levy for Light Rails if not exempt. In 2017 Dublin City Council adopted a Supplementary Development Contribution Scheme Luas Cross City (St. Stephen's Green to Broombridge Line) in accordance with the provisions of Section 49 of the Planning and Development Act 2000 as amended. The appeal site is within the catchment area of the Scheme and is therefore subject to a supplementary development contribution. I have reviewed the scheme and note that Section 13 Retention Permissions states that *exemptions and*

*reductions shall not apply to permissions for retention of development.* Having regard to the stated nature of the development comprising the retention of banners it is recommended that a Section 49 Supplementary Development Contribution Luas Cross City (St. Stephen's Green to Broombridge Line) condition in accordance with the Planning and Development Act 2000 **is attached**.

- 7.5.4. **NOTE:** DCC did not attach a special development contribution condition. Prior to making its decision the Board may wish to seek the views of relevant parties in this regard.

## 8.0 **Appropriate Assessment**

- 8.1.1. Having regard to the nature and scale of the proposed development and its distance to the nearest European site, 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.

## 9.0 **Recommendation**

- 9.1. Having considered the contents of the application the provision of the Development Plan, the grounds of appeal and the responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be **GRANTED** for the following reason.

## 10.0 **Reasons and Considerations**

- 10.1. Having regard to the limited nature and scale of the proposed development, and in particular the site specific nature and purpose of the proposed banners to advertise the Witness History Visitor Centre which highlights the cultural, historical and social special interest of the GPO building, and to the policies of the Dublin City Development Plan 2022 - 2028 to promote tourism within the city, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract significantly from the character and setting of the landmark Protected Structure or the O'Connell Street Architectural Conservation Area and would not seriously injure the visual amenities of the area or of property in the vicinity. The proposed



development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 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 conditions. Where such conditions require 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><b>Reason:</b> In the interest of clarity</p>
2.	<p>The permission for the banner signs shall be for a period of three years from the date of this Order at which date the permission shall cease and the banner signs shall be removed, and the building returned to its former state unless a further permission has been granted before the expiry of that date.</p> <p><b>Reason:</b> To allow for a review of the development having regard to the circumstances then pertaining and in the interest of visual amenity</p>
3.	<p>a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façade structure and fabric.</p> <p>b) All works to the protected structure will be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011.</p> <p>c) All signage hereby permitted shall be properly maintained at all times, with any visible damage or decay being repaired at the earliest possible opportunity.</p>

	<p><b>Reason:</b> To ensure that the integrity of the protected structure is maintained and protected from unnecessary damage or loss of fabric.</p>
4.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
5.	<p>The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City (St. Stephen's Green to Broombridge Line) in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p>

	<b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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**Mary Crowley**

**Senior Planning Inspector**

**27<sup>th</sup> June 2023**