



An
Bord
Pleanála

Inspector's Report ABP-317934-23

Development

The development consists of the retention 3 no. signs located at the Northumberland Road boundary of the site.

Location

The Schoolhouse Hotel Limited
(Protected Structure), 2-8
Northumberland Road, Ballsbridge,
Dublin 4

Planning Authority

Dublin City Council.

Planning Authority Reg. Ref.

3984/23

Applicant(s)

The Schoolhouse Hotel Limited

Type of Application

Retention Permission

Planning Authority Decision

Split decision

Type of Appeal

First Party

Observers

Eoin McMahon

Date of Site Inspection

4th October 2023

Inspector

John Duffy

1.0 Site Location and Description

- 1.1. The appeal site which contains The Schoolhouse Hotel (a protected structure) is located on the north-east side of Northumberland Road, immediately adjacent to McKenny Bridge over the Grand Canal in Dublin 4. The building, previously a schoolhouse, was converted into hotel use in the late 1990s. There are 3 no. illuminated signs located at the front boundary of the site which adjoins Northumberland Road.
- 1.2. Pedestrian access only to the premises is from Northumberland Road while vehicular access to the hotel surface car park is from a laneway to the north-east of the site. The predominant land-uses in the immediate area of the site are residential and office uses.

2.0 Proposed Development

- 2.1. The development consists of the retention of signage located at the front perimeter of the site, adjoining Northumberland Road. Two of the signs (Signs 1 and 2) comprise double-sided, black free-standing pressed metal panels with illuminated lettering / information projected in white coloured text. Sign No. 1 measures 3.08m in height and 2 metres in width (2.26 sqm), while Sign No. 2 is 2.24m in height and 1.2 metres in width (0.816 sqm).
- 2.2. Sign No. 3 which is also illuminated comprises a single sided illustrated Perspex menu board which is affixed to the front railing of the site adjoining and facing Northumberland Road. This sign measures 46cm in length and 580 cm in width (0.2668 sqm).
- 2.3. The stated purpose of the signs is to demarcate the existence of the hotel at this location and to replace pre-existing signs.
- 2.4. The planning application was accompanied by a Planning Report prepared by John Spain Associates, Planning and Development Consultants which sets out the planning rationale for the proposal. Key points include the following;
 - the 2 no. free-standing signs are a replacement of the previous signage at the same locations;

- the signage demarcates the location of The Schoolhouse Hotel and provide for wayfinding and information;
- the signage is carefully designed, appropriately scaled and separated from the building to ensure it does not detract from the protected structure and neighbouring properties and that it is consistent with the Dublin City Development Plan 2022-2028.

2.5. A Conservation Method Statement was also submitted with the application which includes the description of works, a declaration that the proposal would have no impact upon the protected structure or neighbouring properties along with photographs of the signage taken during the day and at night-time.

2.6. A Sign Survey (Drawing No. LD-01-PP) was also submitted as part of the planning documentation.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to issue a split decision and granted permission for Sign No.1 and refused permission for Sign No. 2 and Sign No. 3 as follows:

Sign No.1

‘Having regard to the previously approved signage in this location, the nature and scale of the proposed development and its location on the site it is considered that the proposed development, subject to conditions, would not seriously injure the residential amenity or architectural character of the area and would, therefore, be in accordance with the zoning objective and policy of the Dublin City Development Plan 2022-2028.’

Sign No. 2 and Sign No. 3

‘The illuminated signage for retention is not in keeping with the Z2 zoning of the site and when viewed with the other elements currently on site in this location, add to the visual clutter and have a negative impact on the setting of the protected structure and on surrounding residential amenity. The development for retention would

therefore be contrary to the policies and objectives of the Dublin City Development Plan 2022-2028 and the proper planning and sustainable development of the area.'

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planning Report reflects the decision to issue a split decision. The potential for visual clutter was referenced in the report. It was also noted that signage was originally previously permitted in 2002 in roughly the same location and was subject to a condition that it should not be internally illuminated. Furthermore, the original signage was smaller in scale and less prominent than that proposed.

3.2.2. Other Technical Reports

Conservation Officer: The Planning Report indicates that a note was received from the Conservation Officer which stated that the large, illuminated signage was out of keeping with the area and recommended replacing it.

Drainage Division: No objection.

3.2.3. Third Party Observations

An observation was received in relation to the planning application and a summary of the main issues raised are as follows:

- The location is iconic as it was a battle ground in the 1916 Rising.
- Queries the reasons for replacing the permitted signage.
- Previous signs were not illuminated in accordance with the planning conditions.
- Impact on Protected Structure.
- The sign located at the corner should be omitted if permission is granted.
- Negative impact on visual amenity due to banners/advertising on railing throughout the year.

4.0 Planning History

Appeal site

Planning Authority Ref. 3661/23 refers to a September 2023 grant of permission comprising the use of a lawn area to the front of the Schoolhouse Hotel building (fronting onto Northumberland Road) as an outdoor dining area and to include additional landscaping works.

ABP Ref. PL29S.201555 / Planning Authority Ref. 1607/02 refers to an application and associated first party appeal decided in May 2003 for installation of a CCTV system and retention of 3 no. free-standing non-illuminated signs at The Schoolhouse Hotel.

Relevant condition

2. The nameboards shall not be internally illuminated.

Reason: To protect the integrity of a protected structure and in the interest of visual amenity.

Planning Authority Ref. 1168/96 refers to a 1996 application granted permission by Dublin Corporation to change use of school to hotel. This decision was the subject of a third party appeal to An Bord Pleanála which upheld the grant of permission.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dublin City Development Plan 2022-2028, the appeal site is zoned Z2 – Residential Neighbourhoods (Conservation Areas)’ (see Map E) with the objective ‘To protect and / or improve the amenities of residential conservation areas.’
- 5.1.2. The appeal property, The Schoolhouse Hotel, 2-8 Northumberland Road, Dublin 4, is a Protected Structure (RPS Ref. 5872 – Former St. Stephen’s School).
- 5.1.3. The north-western part of the site falls within a Conservation Area associated with the Grand Canal.
- 5.1.4. The provisions of the Dublin City Development Plan 2022-2028 relevant to this assessment are as follows:

Volume 1:

- Chapter 7 (Objective CCUV45) – Advertisement Structures
- Chapter 11 (Policy BHA2) – Protected Structures
- Chapter 11 (Policy BHA9) – Conservation Areas

Volume 2: Appendix 17

- Section 1.0 – Advertising and Signage
- Section 3.0 – Illuminated Signs
- Section 8.0 – Advertising Development Management Standards

5.2. Natural Heritage Designations

The Grand Canal Proposed Natural Heritage Area is located to the north of the site.

5.3. EIA Screening

The proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), and therefore is not subject to EIA requirements.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has engaged the services of John Spain Associates, Planning and Development Consultants, to prepare an appeal against the decision to refuse permission for the retention of Sign No. 2 and Sign No. 3. Issues raised in support of the appeal include the following:

- The signage is appropriately located, carefully designed and it does not negatively impact on the protected structure or on the amenities of adjoining properties and the conservation area.

- The two free-standing signs have been erected to replace previous signs which were granted permission in 2002. It was necessary to replace these signs due to public safety concerns relating to poor structural integrity and rust.
- The signage allow the building to be easily identifiable along Northumberland Road. They provide for wayfinding and information relating to the hotel enabling the public to readily locate the hotel and allowing maximum visibility along this busy city centre route.
- The signage is not affixed to the protected schoolhouse building. It is appropriately separated from it, so as not to detract from its character.
- The signage is modestly scaled, is consistent with the Development Plan for the area and does not detract from the Z2 zoning objective of the area.
- The signage does not interfere with the safety / accessibility of pedestrians or wheelchair users.
- The Planning Authority's assertion that the signage adds to visual clutter is overstated. The new signage constitutes a modern upgrade to the previous signage. The precedent of signage at the site has already been established.
- The Planning Authority in this application granted permission for an illuminated sign close to the junction with Estate Cottages and Northumberland Road, despite concerns relating to illuminated signage in the Z2 zone.
- To satisfy the concerns raised, the appellant would be willing to accept a modification to the scheme vis a vis granting permission for the two free-standing signs and omission of the menu sign on the front perimeter railings.

6.2. Planning Authority Response

No response on file.

6.3. Observation

An observation on the appeal was received from Eoin McMahon of 23 Mount Street Upper, Dublin 2. The submission can be summarised as follows:

- It is incongruous to have granted permission for the largest sign, Sign No. 1, which fronts onto the historic Grand Canal and Mount Street Bridge, and disallowed the smaller, lower and less conspicuous Sign No. 2.
- On account of its illumination and its prominence on the open canal side setting and its 1916 associations permission should have been refused for Sign No. 1.
- The local authority noted in refusing permission for Sign No. 2 that it is not in keeping with the Z2 Zoning of the site, that it adds to the visual clutter and negatively impacts on the setting of the protected structure. It is considered that these same issues apply to Sign No. 1.
- Permission should have been granted for Sign No. 2 without illumination and for relocation of Sign No. 3, also without illumination, within the curtilage of the property.
- It is excessive and unnecessary in digitally connected times to blitz the site with large, illuminated signage.
- A pattern has developed, including at heritage sites, where smaller and/or non-illuminated signs are subsequently illuminated and/or increased in size.
- The current/future owner of this site may decide to switch signs demarcating the site to an advertisement for any particular product or include advertising alongside the name of the establishment.
- In recent years plastic outdoor dining pods have been positioned at the front of the building along with lighting strung on top of the perimeter railings.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal, and inspected the site during daylight hours and after dark, and having regard to the relevant local policies and guidance I consider that the main issues in this appeal are as follows:

- Principle of Development
- Impact on the Visual Amenity of the area

- Impact on the Protected Structure
- Impact on the Residential Amenity of the area
- Appropriate Assessment Screening

7.2. Principle of Development

- 7.2.1. I note that ‘Advertisements and Advertising Structures’ are not listed within the ‘Permitted in Principle’ or ‘Open for Consideration’ categories of the Z2 Zoning Objective. Notwithstanding, given that the proposal generally involves the replacement of previously permitted signage at the appeal site (see Planning History above) I consider the proposition to be acceptable in principle.

7.3. Impact on the Visual Amenity of the area

- 7.3.1. The Planning Authority’s refusal reason relating to Sign No. 2 and Sign No. 3 notes that the illuminated signs are not in keeping with the Z2 zoning of the site and that when viewed with other elements currently on the site, they add to the visual clutter and have a negative impact on the setting of the protected structure and on surrounding residential amenity. The appellant contends that the signage is appropriate in design and scale and does not negatively impact on the area, nor does it detract from the protected structure.
- 7.3.2. The Dublin City Development Plan 2022-2028 divides the City into separate zones of advertising control, which are indicated at Figure 1 in Appendix 17. The appeal site is located within Area 1 (which encompasses the Georgian area of Dublin City), described as a ‘zone of high-quality urban form, where advertising is inappropriate in the streetscape.’
- 7.3.3. Section 3.0 of Appendix 17 of the Dublin City Development Plan 2022-2028 sets out policy requirements in respect of illuminated signage including that the number of illuminated signs in the vicinity of the site will be taken into consideration when assessing proposals.

- 7.3.4. Section 8.0 of Appendix 17 of the Dublin City Development Plan 2022-2028 sets out development management standards for advertising signage which includes the rationale for proposed/existing outdoor advertising structures, the concentration of existing advertising structures in the area, impact on the character of the street and the amenities of adjoining properties, and impact on the character and integrity of Architectural Conservation Areas, Protected Structures and Conservation Areas.

The appellant has set out a number of justifications for the signage including that the two free-standing signs replace the previous signage granted permission under ABP Ref. PL29S.201555. I note that appeal decision, by way of condition No. 2, required the permitted signage not to be internally illuminated.

Other than the 3 no. illuminated signs proposed to be retained I note from the site inspection there is no other illuminated signage in the immediate vicinity of the appeal site. It is my opinion that the 2 no. illuminated freestanding signs which are of good design quality and black in colour, and which are located at approximately the same locations of the previously permitted signs which have been removed, appropriately identify the location of the hotel. In my opinion, this signage does not detract from the Z2 zoning objective for the area and does not unduly impact on the visual amenity of the area. I do not consider that the signage to be retained constitutes visual clutter or contributes to it at this location.

I note the concern of the observer that the current/future owner of the property may include product advertising alongside the signage denoting the name of the establishment. If the Board is minded to grant permission, I consider that Condition No. 1 requiring the proposal to accord with the plans and particulars lodged with the application would address this issue.

I do have a concern however in relation to Sign No. 3, the menu board, which I acknowledge offers prospective customers useful information relating to the food offering at the hotel. My concern relates solely to the illuminated nature of this sign which I consider is particularly visually distracting after dark and as a result unduly impacts on the visual amenity of the area. This issue is addressed further below.

7.4. Impact on the Protected Structure

- 7.4.1. Objective BHA2 (b) of the Dublin City Development Plan 2022-2028 seeks to protect structures included on the Record of Protected Structures from any works that would negatively impact their special character and appearance. Sign No. 3 comprises a menu board affixed to the front railings of the site, adjoining and facing Northumberland Road and located to the front of the Protected Structure. Having regard specifically to its illuminated nature, Sign No. 3 is highly visible and conspicuous after dark, and although not overly large, in my view it detracts from the setting of the Protected Structure. As such, on account of its illuminated nature, I consider that Sign No. 3 is not in accordance with Objective BHA2 as set out in the City Development Plan. However, I consider that this issue can be addressed by way of a condition requiring that the menu board is not internally illuminated. Having regard to the design and locations of Sign No. 1 and Sign No. 2 I do not consider they negatively impact on the integrity of the Protected Structure.

7.5. Impact on the Residential Amenity of the area

- 7.5.1. Part of the reason cited by the Planning Authority for refusing permission for Sign No. 2 and Sign No. 3 relates to their impact on surrounding residential amenity. The report of the Planning Authority does not elaborate on this issue. Having inspected the site I am of the opinion that the signage does not impact on the residential amenity of the area.

7.6. Appropriate Assessment Screening

- 7.6.1. 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 retention permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Council Development Plan 2022 – 2028, the zoning of the site, the location of the appeal site which comprises a Protected Structure and to the nature, form, scale and design of the signage to be retained, it is considered that retention permission should be granted for the retention of Sign No.1, Sign No. 2 and Sign No. 3. The signage, subject to conditions, would not seriously injure the visual or residential amenities of the area or of property in the vicinity and would not seriously detract from the character of the protected structure. This development to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Condition

1.	<p>The development consisting of Sign No. 1, Sign No. 2 and Sign No. 3 shall be retained in accordance with the plans and particulars lodged with the application on the 19th June 2023, except as may otherwise be required in order to comply with the following condition.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Sign No. 3 comprising the menu board shall not be internally illuminated.</p> <p>Reason: In the interest of visual amenity.</p>

I confirm that this report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

John Duffy
Planning Inspector

16th November 2023

Appendix 1 - Form 1
EIA Pre-Screening
[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-317934-23		
Proposed Development Summary	Retention of 3 signs located at the Northumberland Road boundary of the site.		
Development Address	The Schoolhouse Hotel (Protected Structure), 2-8 Northumberland Road, Ballsbridge, Dublin 4		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	X		
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			

		Threshold	Comment (if relevant)	Conclusion
No	X	N/A		
Yes				Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No		Preliminary Examination required
Yes		Screening Determination required