



An
Bord
Pleanála

Inspector's Report ABP308207-20

Development	Amend previous permission under ref 17/98 and 19/427 for a house
Location	Cliff Cottage, Greystones, County Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	20/658.
Applicant(s)	Peshawar Limited
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party v Refusal
Appellant(s)	Peshawar Limited
Observer(s)	<ol style="list-style-type: none">1. Alexandra and Colin St John2. Frank and Suzie Kenny
Date of Site Inspection	13 th November 2020
Inspector	Hugh Mannion.

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of c 0.030 hectares, is located at Cliff Road, Greystones, Co. Wicklow. The area has a changing character and in particular to the immediate south is a newly completed 3 to 5 storey apartment block development within the grounds of the former La Touche Hotel, this redevelopment now fills an extensive block between Trafalgar Road and Cliff Road. The area is within the Greystones Harbour Architectural Conservation Area.
- 1.2. Cliff Cottage is a detached single cottage occupying a corner site at the junction of the Sidmonton Road and Cliff Road. It fronts onto and is accessed off Cliff Road and the roadside boundary comprises a high wall and solid timber gates. To the south is the former redeveloped La Touche Hotel. To the west and also accessed from Sidmonton Road is another cottage. Opposite the site to the north is a relatively recently constructed pair of semidetached two storey houses (5 and 6 Sidmonton Road) and further to the east is the garden of 'Cliffon', a house that faces onto Cliff Road and looks east over the sea. Greystones promenade runs along Cliff Road opposite the site and there is a small cove and beach at the lower level.

2.0 Proposed Development

- 2.1. The proposed development comprises amendments to a permitted house (reference numbers 17/98 and 19/427) at Cliff Cottage, Rathdown Lower, Greystones, County Wicklow. The amendments are:
 - At ground floor internal alterations (retaining a reconfigured 4 bedrooms with sanitary facilities) and a recessed front wall making the front garden 0.6m deeper and 0.875 narrower.
 - At first floor a larger terrace overlooking Sidmonton Road, a larger lounge and stairways to the second floor.
 - At second floor level there is stairwell, a new terrace on the north side and additional living room.

3.0 Planning Authority Decision

3.1. Decision

1. The design, scale and form of the proposed extensions in conjunction with those permitted under 17/985 and 19/427 would dominate and be out of character with the existing cottage and adversely affect the Greystones Harbour ACA.
2. The amenity of the property to the rear would be overlooked from the second-floor roof terrace.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommended refusal as provided for in the manager's order.

3.2.2. Other Technical Reports

None.

4.0 Planning History

ABP301408-18 - Permission for extensions and alterations, including new first floor living area and all associated works to existing house at Cliff Cottage, Greystones, County Wicklow.

4.2. Permission granted subject to conditions.

4.3. **ABP304844-19** Variations to previously approved permission (ABP-301404-18 and planning register reference number 17/985) for extensions and alterations now including new second floor living area and terrace and all associated works at Cliff Cottage, Rathdown Lower, Greystones County Wicklow.

4.4. Permission granted with conditions.

4.5. **PL27.245501** permission granted for redevelopment of the adjoining La Touche hotel.

4.6. **Development Plan**

4.7. Wicklow County Development Plan 2016-2022 is the relevant development plan for the area.

4.8. Objective HD9 provides that home improvements, alterations and extensions shall be in accordance with the principles of good design and protection of existing residential amenity will normally be permitted. New developments shall have regard to the protection of the residential architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building form), to provide visual diversity.

4.9. The site is zoned TC Town Centre in the Greystones – **Delgany and Kilcoole Local Area Plan 2013-2019** which has not been updated. This zoning objective is “To protect, provide for, and improve the development of a mix of 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. To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and promote urban design concepts and linkages between town centre activity areas”.

4.10. **Natural Heritage Designations**

Not relevant

4.11. **EIA Screening**

Having regard to the modest scale of the proposed development located in a built-up area where public piped services are available I conclude that there are no likely significant environmental impacts arising therefrom.

5.0 The Appeal

5.1. Grounds of Appeal

- The terrace is designed to allow seaward views. The applicant has no interest in views to the west or south. The neighbour to the west/south has no objection to the proposal.
- The planning authority's design guide in relation to avoiding distortion of scale or mass is reasonable but the context of this proposed development is a very small existing house with limited opportunity to develop within the site.
- The proposal seeks to meet current building regulations and the new design is an improvement on the previously permitted development.

5.2. Planning Authority Response

- No comment.

5.3. Observations

- The north facing terrace will overlook the property at Clifton to the north of the application site.
- The proposed terraces will overlook the property at 6 Sidmonton Road.
- The proposed development does not have regard to Development Plan advice to be sensitive to its location and surrounding uses.
- The proposed development is not in keeping with the ACA for the area.
- Permission was previously refused for impact on adjoining property and failure to have regard to the ACA.

5.4. Further Responses

None.

6.0 Assessment

6.1. Impacts on amenity.

6.2. The owners of two properties to the north of the application site have made observations to the Board in relation to this appeal. Clifton is the first house on Cliff Road after the Sidmonton Road/Cliff Road junction and faces east to the coast. The second property (6 Sidmonton Road) is opposite the application site on the other side of Sidmonton Road (this property has constructed sometime in the last 10 years and is not shown on the urban place map lodged with the application).

6.3. The first-floor terrace looks north over Sidmonton Road onto the front façade of 6 Sidmonton Road. There is a permitted first floor terrace about 5.4m long and this application would increase the terrace almost 8m along this boundary. There is a screen/barrier about 1.5m along the north side of this terrace and (see the East View drawing number 12 lodged with the application) it appears that this is solid to the north and transparent to the east (seawards). Given its orientation relative to the façade of 6 Sidmonton Road and its separation distance (about 12m from the side garden of Clifton) I conclude that this terrace will not seriously injure the amenity of these properties.

6.4. The second-floor terrace is set back off the northern site boundary on Sidmonton Road by about 1.8m. The lodged drawings indicate planting along the edges of this terrace to the west, north and east. I conclude that the impact of this second-floor terrace is mitigated by the set back from the boundary along Sidmonton Road and the distance from the side garden of Clifton. For clarity I recommend a condition requiring a non-transparent screen to the west and north on both these terraces in order to respect the residential amenity of 6 Sidmonton Road and Clifton on Cliff Road.

6.5. Impact on ACA.

The site is zoned TC Town Centre in the Greystones – Delgany and Kilcoole Local Area Plan 2013-2019 which has not been updated. The TC zoning objective is “to protect, provide for, and improve the development of a mix of 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. To

consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and promote urban design concepts and linkages between town centre activity areas”.

- 6.6. The site is within Greystones Harbour ACA which the LAP describes as the area of Greystones town centre that lies to the east of the railway line and which is framed by Marine Road, Cliff Road, the harbour and Victoria Road, it has a distinctive seaside character and many buildings of historic and architectural heritage interest. The expansion of Greystones in Victorian times followed the arrival of railway in 1855 and contains a good collection of buildings relating to this period, intermingled with some earlier Georgian and vernacular houses and more recent houses and public buildings.
- 6.7. The planning authority refused permission in the case because the proposal would dominate and be out of character with the existing cottage on site and it would thereby adversely affect the character of the ACA. The LAP describes the ACA as being characterised by two storey semi-detached and terraced house with rendered finishes, moulded quoins and slate roofs, building facades are characterised vertically orientated sash windows, timber panelled doorways and fanlights, many chimneys are rendered with corbelled caps and clay pots, some well-preserved traditional style shopfronts and that the Victorian seaside resort character as represented by the original building of the La Touche Hotel. The existing cottage does not reflect closely these characteristics.
- 6.8. The application site comprises a small working man’s cottage possibly related to the fishing industry as it was conducted in the nearby Greystones Harbour. It is not a protected structure and it may be concluded on that basis that the planning authority did not consider it to be of special architectural or other importance. The character of the area has been altered significantly since change of use of the former La Touche hotel grounds (adjoining the site to the south) to apartments which now address Cliff Road with a long façade of 3 and 5 storey apartment development. The La Touche site had been identified in the LAP as an opportunity site where a mix of uses including commercial, tourist, leisure, office and residential uses was acceptable “in accordance with the TC zoning objective”. The single storey cottage is now dwarfed by the adjoining developments and appears visually out of place in the altered streetscape context. The appeal makes the reasonable point that the character of

the area has changed. Having permitted the more significant changes observable within the wider ACA it would be unreasonable to prevent amendments to a relatively modest house/site. I conclude that the proposed development will not detract from the streetscape quality along Cliff Road and that the redevelopment is part of a wider pattern of regeneration of the area which does not detract from the architectural conservation value of the area.

6.9. **Appropriate Assessment**

6.10. Having regard to the modest scale of the proposed development and the likely scale and nature of the emissions therefrom 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.

7.0 **Recommendation**

7.1. I recommend a grant of planning permission.

8.0 **Reasons and Considerations**

Having regard to the changing character of development in the area and subject to compliance with the conditions set out below it is considered that the proposed development would not detract from the architectural quality of the area or seriously injure the residential amenity of adjoining property through overlooking or overshadowing and would, otherwise, accord provisions of the Wicklow County Development Plan with the proper planning and sustainable development of the area.

9.0 **Conditions**

1.	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
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	<p>authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The first-floor and second floor terraces shall be fitted with opaque/non-transparent screening 1.8m high measured from the internal floor of these terraces for their full lengths along Sidmonton Road. Prior to commencement of development the developer shall submit plans and particulars providing for this amendment for the written agreement of the planning authority.</p> <p>Reason: In the interests of residential enmity.</p>
3.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
5.	<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</p>

	<p>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>Reason: 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>
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Hugh Mannion
Senior Planning Inspector

23rd November 2020