



An
Bord
Pleanála

Inspector's Report ABP-309433-21

Development	Amendments to Marina Development previously granted under 16/679.
Location	Marina Building, Greystones Harbour Marina, Greystones, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	20401
Applicant(s)	Bernard Gallagher
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellants	Tara and Stephen Morris
Date of Site Inspection	7 th April 2021
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site comprises of a detached building located on a short pier on the western side of Greystones Marina. Greystones Marina is located to the north of the old village on the coast side. A large pier to the north and a shorter pier to the south provide harbour for the marina and these piers are protected on the sea side with rock armour.
- 1.2. Within the harbour area are berthing areas for small ships/ yachts and a number of slipways. The subject pier provides for an internal harbour area within the marina. The subject building is a three-storey building with the upper/ third level set back. The building is of a concrete/ render finish and is noticeable for the variety of window types in its elevations. The upper floor is a mostly glazed structure with flat roof over. The building appears to be only partially complete with scaffolding supports, and a partially complete balcony evident. Signs of rusting from protective rail supports was also evident.
- 1.3. Lands to the west are developed in the form of apartments and houses probably associated with the development of the marina. The older part of Greystones adjoins immediately to the south/ south west of the site.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Retention of building as built including the current height, outline and massing, door and window configurations.
 - Proposed new development of design alterations to 3 no. external staircases, new external terrace to the west façade, new clear glass guarding to terraces, white powder coated galvanised steel balustrades to external stairs.
 - New blue-grey stone cladding panels to west façade, new powder coated perforated aluminium clad feature wall to south façade, new durable blue painted finish to the lift shaft to the eastern façade, and new durable white paint finish to the overall building.
 - New pedestrian access gate and safety railing around the building at ground floor level.

- All ancillary hard landscaping and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to grant permission for the development following the receipt of further information. Two conditions were applied, condition no. 1 is standard and no. 2 states the following:

'Within six months from the date of the final grant of permission, the exterior walls as indicated on the drawing submitted on the 10/12/21, shall be completed using a finish which shall be in accordance with the requirements of Wicklow County Council'.

I note that the date in the condition is incorrect as the drawings were received on 10/12/2020.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report reflects the decision to grant permission. Further information was sought in relation to the provision of a detailed design statement which is to consider the site context, design rationale, design details and a visual impact analysis.

3.2.2. Other Technical Reports

None.

3.2.3. Prescribed Bodies Reports

None.

3.2.4. Objections/ observations

A single letter of observation was received from Steven & Tara Morris, the appellants.

Issues raised, in summary, include:

- Wish to see the development completed as it is an eyesore at present.

- Concerned about the proposed design/ materials to be used in the external treatment of this building. This should be a landmark building for Greystones and due to its height, it is visible from many different directions.
- It is considered that the development should represent the best that Greystones has to offer. The developer did not adhere to the permitted development and the proposed material finishes will substantially and negatively impact on the look of this building.
- The external treatment will not result in a 'nautical and maritime' feel as proposed. The external treatment is very urban and industrial and is out of character with the existing form of development in Greystones.
- Suggest alternative forms of external treatment including wood, imitation wood cladding etc.
- Concern that the use of glass on the top balcony will require a significant amount of cleaning and maintenance, which may not be done. Sea salt forms a noticeable residue on glass. The use of metal balustrades or treated timber may be more appropriate in this location.
- There is a need to replace the temporary looking railings on the top of the building with something more appropriate.
- There is a need for clarity as to what the uses are around the building, a number of temporary structures have been parked here over time.
- Request that the development be either finished or taken down, but not left in the incomplete manner it is at present. They wish to see the day that the building and the marina is fully complete.

4.0 Planning History

P.A. Ref. 16/679 refers to an August 2016 decision to grant permission for office units, public showers and restaurant on this site in Greystones Marina.

P.A. Ref. 18/483 refers to a July 2018 decision to refuse permission for amendments to a Marina Development previously granted under 16/679. The proposed works consist of the provision of an additional balcony at first floor level west side of premises, revision to external stairs north and south elevation, revisions to lift shaft structure, extension to kiosk at roof level and provision of

signage at entrance to BJ Marine. Retention permission was also sought for revision to overall height of structure, revisions to elevations and fenestration all of the above will include associated site works. Two reasons for refusal were issued as follows in summary:

1. Having regard to the location of the site, the planning history, the proposed design/ colour scheme, the proposed development would be 'a highly incongruous feature within the marina development' and would have a negative impact on the visual amenities of the area.
2. The details provided in relation to signage were not adequate to enable a full assessment of this aspect of the development.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Greystones – Delgany and Kilcoole are designated as a Level 3 – Large Growth Towns II within the Wicklow Development Plan Hierarchy as per the **Wicklow County Development Plan 2016 – 2022**.

Under the **Greystones – Delgany and Kilcoole Local Area Plan (LAP) 2013 – 2019** as extended, the subject site is zoned for an 'Action Plan' area – indicated as AP3 which refers to the 'Greystones Harbour and North Beach Action Plan'. The objective of this action plan is:

'To provide a high quality integrated harbour/marina mixed development linked to a linear coastal public park and any future heritage park. The development shall provide leisure, recreational, open space and marine facilities, and mixed form residential, commercial, civic and social amenities, centred around the harbour and marina. Optimisation of the use of natural daylight and views, conservation of energy and environmental sustainability should be key elements of the conceptual proposals for the development. The development shall provide a link to the coastline with public access and coastal protection works provided to preserve the landscape from further erosion in the future'.

5.2. Natural Heritage Designations

The site is not within a designated area; however, the following European Designated sites are within 5 km of the appeal site:

- Bray Head SAC (Site Code 000714) and Bray Head pNHA (Site Code 000714) – circa 1.04 km to the north

6.0 The Appeal

6.1. Grounds of Appeal

Tara & Stephen Morris have appealed elements of the decision of Wicklow County Council to grant permission for the proposed development.

The following comments are made:

- They welcome the grant of permission which will see the completion of this building which has become an eye sore. Overall, they are happy with the revisions made to this building following the receipt of further information.

There are two aspects that they are not happy with as follows:

- The grant of permission does not set out a timeframe for the completion of the development, other than the rendering of the walls has to be done within six months as per condition no. 2. The appellants are concerned that the works may take up to five years and result in the eyesore remaining in place for this period of time. Request that a condition be applied that conditions the completion of works within 12 months.
- The second aspect of concern is the proposed etched metal panel on the west facing side of the building. The image proposed and approved by the Council is that of Wicklow Head lighthouse, which is located in Wicklow Town, a distance of 20 km from the site. The lighthouse has no local relevancy to Greystones and will be out of context. Request that an alternative image be used, which has a local context or which could be an image of sailing boats or Bray Head.

6.2. Planning Authority Response

The Planning Authority wish to clarify that they did not consider it appropriate to condition a timeframe for the completion of this development.

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 and Nature of Development
- Design and Impact on the Character of the Area
- Other Issues
- Appropriate Assessment Screening

7.2. Principle and Nature of Development

- 7.2.1. The proposed development consists of the retention and completion of a three-storey building located within Greystones Marina. The site is prominent through its height and location within the marina. Permission was previously granted under P.A. Ref. 16/679 and the development of the site was undertaken contrary to the submitted plans. The building has only been partially completed and additional works are required.
- 7.2.2. The principle of development has already been established under 16/679 and following the receipt of further information, the Planning Authority considered that the submitted plans and details were acceptable in relation to the completion of his building. The building will provide for visitor services/ offices for the marina on the ground floor, a restaurant on the first floor and a bar with outside area on the second/ upper floor. These uses are considered to be acceptable in this location.

7.3. Design and Impact on the Character of the Area

- 7.3.1. In general, the proposals for completing the elevational treatment are acceptable. The existing building has an unfinished look and due to its location, adjacent to the sea, deterioration will be far more rapid than in the case of an inland site. The

temporary railings at second floor level are rusting and are streaking the elevations of the building.

- 7.3.2. The submitted plans and elevations clearly demonstrate the differences from the development as permitted and that now proposed for retention/ alteration. The height has increased from the permitted 9.31 m (ground to top of roof) to 10.935 m. I have no objection to the revised height, and it does not negatively impact on the visual amenity of the area. The original design included an additional 2.58 m of height in the form of a lift with a very large sign on the elevations visible from all sides of the building. The lift shaft proposed for retention increase the height of the existing building by an additional 1.493 m.
- 7.3.3. The external finish of the building is different from that originally proposed. The building is to be finished in a mix of stone clad tiles and walls will be painted either white or blue. Galvanised steel top-rail and posts with glass balustrades will protect the top of the building and access areas to the east and west elevations. In general, these finishes are acceptable, though I note that the Planning Authority consider that a finish other than paint may be required due to the location of the site and this was included in condition no. 2.
- 7.3.4. I note the comments made in the appeal regarding condition no.2 applied by the Planning Authority and that no timeframe has been provided to ensure the completion of development. The Planning Authority have responded that they did not consider it appropriate to apply such a condition. The condition does require the exterior walls to be finished with a suitable material within 6 months of the final grant of permission. I consider that the completion of this element of the development would be a significant visual improvement over the current situation. Whilst I generally agree with the Planning Authority, it would be a significant visual improvement if the second-floor railings were completed as approved. I therefore consider that condition no.2 is generally acceptable but should include the completion of the roof top glass balustrades.
- 7.3.5. The second issue raised in the appeal, the design used in the metal screen on the south elevation, is also noted. This is an unusual way of finishing an elevation, though it does address the issue of maintenance and should provide for an attractive finish to this side of the building. I therefore have no objection to this finish to the

south elevation. The appellants have raised no objection to the method of finish, their concern is the image proposed. They consider the use of a lighthouse in Wicklow Head as having no connection to the Greystones area, and in general I agree with this.

- 7.3.6. The proposed image on the perforated metal sheet will provide a dual function, a finish to the south elevation and secondly a piece of artwork available to the public to view. It would be appropriate if an alternative image were used such as one with local relevance to Greystones and with a maritime relevancy. The appellants have suggested an image of Bray Head or of a sailing ship, I have no objection to this. I note the report – Further Information Design Statement Report Appendix prepared by Ronan Rose Roberts Architects included with the further information response and it provides a good rationale for the finish to the south elevation. The examples provided in support of this report are all relevant to the area of the referenced development and there is no reason why something similar can't be done here. I am not aware if the screening has already been prepared, that is not the concern of the Board and if it were, it should be possible to erect it somewhere suitable in the Wicklow town area.

7.4. Appropriate Assessment Screening

- 7.4.1. 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 an European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted for the following reasons and considerations as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Greystones – Delgany and Kilcoole Local Area Plan (LAP) 2013 – 2019 as extended, and the location of the site within 'AP3' an area designated for an Action Plan, to the location of the site within the developed

Greystone Marine adjacent to the town centre, and to the nature, form, scale and design of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential 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 carried out and completed in accordance with the plans and particulars lodged with the application on the 30th Day of April 2020 and as amended by the further plans and particulars submitted to the Planning Authority on the 10th day of December 2020, 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>Reason: In the interest of clarity.</p>
2.	<p>a) Details of the materials, colours and textures of all the external finishes to the building shall be submitted to, and agreed in writing with, the Planning Authority and shall be fully completed within six (6) months of receipt of this order.</p> <p>b) The image proposed to be displayed, in the form of perforated aluminium cladding, on the south elevation of the building shall be revised to be an image with direct and clear relevancy to the Greystones area and with a maritime/ coastal theme. The image as proposed in the submitted documents shall not be used.</p> <p>Reason: In the interest of visual amenity.</p>

3.	<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 residential amenities of property in the vicinity.</p>
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Paul O'Brien
Planning Inspector

13th May 2021