



An
Bord
Pleanála

Board Direction
ABP 300101-17

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/07/2018.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to whether the modifications to the exterior of the dwellings consisting of provision of external insulation and associated render on the façade of 39 houses at Lough Na Glack Estate, Drummond Otra, Carrickmacross, Co. Monaghan, are or are not development and are or are not exempted development,

AND WHEREAS Lough Na Glack Management Company Ltd. of Unit 9, Steadfast Industrial Estate, Carrickmacross, Co. Monaghan requested a declaration on this question from Monaghan County Council and the Council issued a declaration on the 18th day of October 2017 stating that the works are development and exempted development,

AND WHEREAS Lough Na Glack Management Company Ltd. referred this declaration for review to An Bord Pleanála on the 31st day of October, 2017,

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) Section 4(4) of the Planning and Development Act, 2000, as amended,
- (e) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001-2018,
- (f) the planning history of the site,
- (g) the pattern of development in the area,
- (h) The submissions on file and the report of the inspector,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The modifications to the exterior of the dwellings consisting of provision of external insulation and associated render on the façade of 39 houses at Lough Na Glack Estate, Drummond Otra, Carrickmacross, Co. Monaghan constitute ‘works’ which in turn constitutes ‘development’ as defined in section 2 of the Act, as amended and
- (b) The works are exempted development because the works involved come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, as amended being works for the maintenance, improvement or other alteration of the subject structures and they do not materially affect the external appearance

of the structures (houses) so as to render the appearance inconsistent with the character of the structures and neighbouring properties.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the modifications to the exterior of the dwellings consisting of provision of external insulation and associated render on the façade of 39 houses at Lough Na Glack Estate, Drummond Otra, Carrickmacross, Co. Monaghan are development and are exempted development.

Board Member:

Date: 20/07/2018

Terry Prendergast