

An
Bord
Pleanála

Board Direction
ABP-309407-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/06/2021.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether the installation of external insulation to the front of the dwelling house at No. 16 Beech Park Avenue, Foxrock, Dublin 18, is or is not development or is or is not exempted development:

AND WHEREAS Thomas Clarke requested a declaration on this question from Dún Laoghaire Rathdown County Council and the Council restated the question as whether the installation of external insulation to the exterior of the dwelling house at No. 16 Beech Park Avenue, Foxrock, Dublin 18, is or is not development or is or is not exempted development, and issued a declaration on the 15th day of January, 2021 stating that the matter was development and was exempted development:

AND WHEREAS the said Thomas Clarke referred this declaration for review to An Bord Pleanála on the 8th day of February, 2021:

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

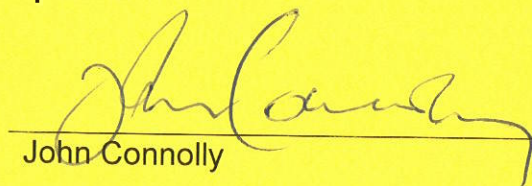
- (a) Sections 2, 3 and 4(1)(h) of the Planning and Development Act, 2000, as amended, and
- (b) the character and pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the installation of external insulation to the exterior of the dwelling house constitutes works which are development, as defined in Section 3 of the Planning and Development Act, 2000, as amended,
- (b) the installation of external insulation to the exterior of the dwelling house constitutes “works for the maintenance, improvement or other alteration of any structure” as defined in Section 4(1)(h) of the said Act,
- (c) the installation of external insulation to the exterior of the dwelling house constitutes works which amount to the entire concealment of exterior details and finishes which are defining characteristics of the semi-detached housing along Beech Park Avenue and which therefore materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure and that of neighbouring structures,
- (d) the installation of external insulation to the exterior of the dwelling house accordingly does not come within the scope of Section 4(1)(h) of the Planning and Development Act, 2000, as amended.

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 installation of external insulation to the exterior of the dwelling house at No. 16 Beech Park Avenue, Foxrock, Dublin 18, is development and is not exempted development.

Board Member:


John Connolly

Date: 11/06/2021