



An
Bord
Pleanála

Board Direction
RL05E.RL3545

The submissions on this file and the Inspector's report were considered at a Board meeting held on 8th December 2017.

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

Board Order as follows:-

WHEREAS a question has arisen as to whether works comprising external insulation and render finish to existing dwelling is or is not development or is or is not exempted development:

AND WHEREAS Carl & Eileen Fullerton requested a declaration on this question from Donegal County Council and the Council issued a declaration on the 11 day of January, 2017 stating that the matter was development and was not exempted development:

AND WHEREAS Carl & Eileen Fullerton referred this declaration for review to An Bord Pleanála on the 7 day of February, 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 5(1)(a) of the Planning and Development Act, 2000, as amended,
- (e) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The works constitute development within the meaning of Section 3 of the Planning and Development Act 2000
- (b) The development does not come within the scope of Section 4(1)(h) as it materially effects the external appearance of the structure to render the appearance inconsistent with the character of the structure.

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 application of external insulation and render finish to the existing dwelling is development and is not exempted development.

Board Member

Date: 8th December 2017

Maria FitzGerald