



An  
Bord  
Pleanála

## Board Order 05E.RL.3545

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### Planning and Development Acts 2000 to 2017

**Planning Authority: Donegal County Council**

**Planning Register Reference Number: S5 16/44**

**WHEREAS** a question has arisen as to whether works comprising external insulation and render finish to existing dwelling at Aileach Road, Buncrana, County Donegal is or is not development or is or is not exempted development:

**AND WHEREAS** Carl and Eileen Fullerton care of John McCarthy Architect of Clonglash, Buncrana, County Donegal requested a declaration on the said question from Donegal County Council and the Council issued a declaration on the 11<sup>th</sup> day of January, 2017 stating that the matter was development and was not exempted development:

**AND WHEREAS** the said Carl and Eileen Fullerton referred the declaration for review to An Bord Pleanála on the 7<sup>th</sup> 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, as amended,

- (c) section 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (d) section 5(1) of the Planning and Development Act, 2000, as amended, and
- (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, as amended, and
- (b) the development does not come within the scope of section 4(1)(h) of the Planning and Development Act, 2000, as amended, as it would materially affect the external appearance of the structure so as 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 said works comprising external insulation and render finish to existing dwelling at Aileach Road, Buncrana, County Donegal is development and is not exempted development.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of    2017**