

7 Shanganagh Terrace
Killiney
Co. Dublin
16th July 2020

AN BORD PLEANÁLA
D28052-20
20 JUL 2020
Fee: € 220 Type: cheque
Time: By: PAA

An Bord Pleanála
64 Marlborough St.
Dublin 1

Dear Sir,

Re: Dún Laoghaire Rathdown Co. Co. Ref. 4520
Notification of declaration on development and exempted development at
7 Shanganagh Terrace, Killiney, Co. Dublin, decision dated 6th July 2020.

I refer to the correspondence dated 6th July from DLR Co. Co., copy attached, as well as to a telephone call to the Planning Dept. on Thursday 9th July when it was confirmed that the reference to work at 9 Assumpta Park, Shankill, Co Dublin was an error and not relevant to this matter.

My grounds for appealing the declaration are:

1. There are only 6 gable ends fully visible on the 17 houses on the north side of Shanganagh Terrace. My house No. 7, has the only gable end that is faced in red brick. The other gables have rendered or painted render finishes, see sample photographs attached. The detached house, No. 8, one of the 13 protected houses on the Terrace, has a painted render finish to both gables.
2. It is generally understood that Government policy is to encourage the upgrading of older houses so as to help reduce Ireland's Carbon emissions. The policy is emphasized by the provision of Government grants, where applicable. The (1895) gable of No.7 is a solid wall with an outer red brick facing, backed with breeze concrete and internal plaster, total thickness of some 18 inches. This wall is permeable and offers little heat retention. The U value would be many times greater than that recommended today.
3. Part of the correspondence from DLR Co. Co. Ref. 53/20 reviews the external insulation proposed. I have included a fairly comprehensive list of Architectural details which are available with the proposed insulation system and should cover the queries mentioned. It should be noted that the System has an Irish Agrément Board Certificate No. 12/0371. I am a retired civil engineer, now aged 80, and for a number of years have represented the CIF on the Irish Agrément Board.

A site visit might be helpful.

This letter is my formal appeal of the DLR Co. Co. Declaration. I enclose a cheque for 220euro.

Yours faithfully,

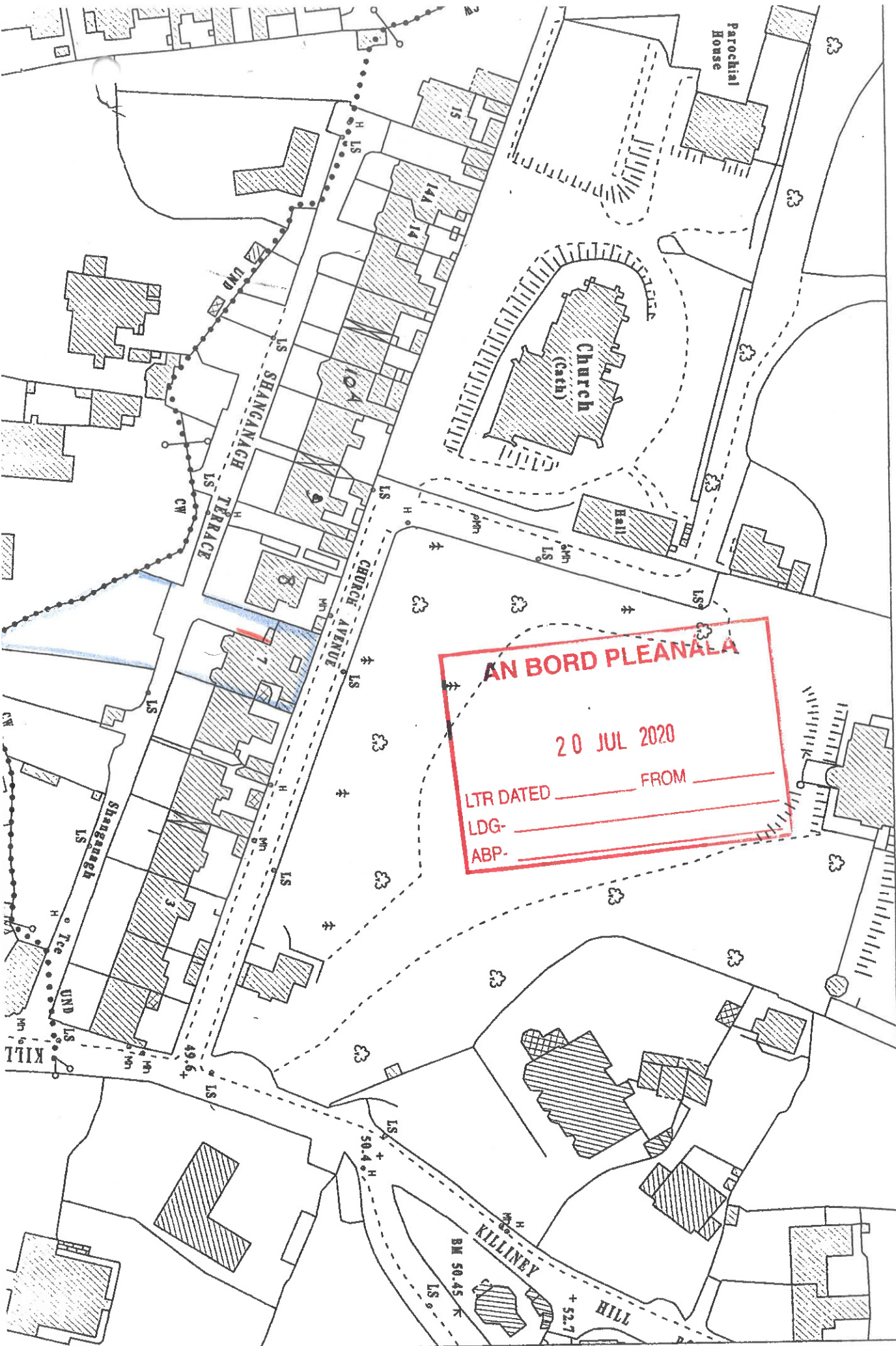

William Fleeton

Enclosures attached.

Urban PLACE Map



325567
224353



1:10
345

Planning Department
An Rannóg Pleanála
Registry Section
Ciarán Carolan
Asst. Staff Officer
Direct Tel: 01 2054700
Fax: 01 2803122

William Fleeton
7 Shanganagh Terrace
Killiney
Co Dublin

AN BORD PLEANÁLA

20 JUL 2020

LTR DATED _____ FROM _____

LDG- _____

Reference No: Ref4520

Application Type: Declaration on ~~ABP~~ Development and Exempted Development Act
- Section 5, Planning & Development Act (as amended)

Registration Date: 22-Jun-2020

Decision Date: 06-Jul-2020

Location: 7 Shanganagh Terrace, Killiney, Co Dublin

Development Works: To fit external insulation on 64m² gable of a west facing solid wall which has a red brick facing. This part of the house dates from 1895. The insulation will benefit two bedrooms and two receipt rooms. The front of the house faces south and is not included in the works.

NOTIFICATION OF DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

In pursuance of its functions under the planning & Development Act, 2000 (as amended), Dún Laoghaire-Rathdown County Council has, by Order No. Ref.REF53/20 dated 06-Jul-2020 decided to issue a Declaration that:

Having regard to:

(a) sections 2, 3 and 4 (1) (h) of the Planning and Development Act 2000, as amended,

It is considered that:

A. the fitting of external fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, would **constitute development and would not constitute exempted development** pursuant to the provisions of Section 4 (1)(h) of the Planning & Development Act, 2000, as amended.

Date of issue: 06-Jul-2020

Signed: Ciarán Carolan

For Senior Executive Officer

NOTE: Where a Declaration is issued under Section 5, any Person issued with such a Declaration, may, on payment to An Bord Pleanála, 64 Marlborough Street, Dublin 1, of a fee of €220, refer the Declaration for review, **within 4 weeks** of the date of issue of the Declaration.

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

PLANNING & DEVELOPMENT ACT, 2000 (as amended)

SECTION 5 PLANNING & DEVELOPMENT ACT 2000 (as amended)

Reference No: Ref4520

Applicant: William Fleeton 7 Shanganagh Terrace, Killiney, Co Dublin

Agent: William Fleeton 7 Shanganagh Terrace, Killiney, Co Dublin

Registration Date: 22-Jun-2020

Location: 7 Shanganagh Terrace, Killiney, Co Dublin

Description of Works: To fit external insulation on 64m² gable of a west facing solid wall which has a red brick facing. This part of the house dates from 1895. The insulation will benefit two bedrooms and two receipt rooms. The front of the house faces south and is not included in the works.

Report:

Declaration pursuant to Section 5 of the Planning and Development Act 2000 (as amended) in respect of:

To fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing. This part of the house dates from 1895. The insulation will benefit two bedrooms and two receipt rooms. The front of the house faces south and is not included in the works.

Located at: 7 Shanganagh Terrace, Killiney, Co. Dublin.

Site Description

The subject site is located on the north side of Shanganagh Terrace, in an established residential area. Shanganagh Terrace is located to the west of Killiney Hill Road. The site comprises of an existing detached large two storey detached red brick period style dwelling with hipped roof profile. Shanganagh Terrace is a private laneway with dwellings mainly located on the north side of the road. The existing property is set back from fronting the public roadway and is served by pedestrian and vehicular access to the front and amenity space to the front opposite the laneway. Church Avenue runs to the rear (north) of the properties along Shanganagh Terrace. The streetscape of Shanganagh Terrace in the vicinity of the subject site is characterised by detached and semi-detached two storey dwellings of differing form and appearance to that of the subject dwelling. A number of the properties along Shanganagh Terrace are Protected Structures including No. 8 Shangahagh Terrace to the west of the subject dwelling.

AN BORD PLEANÁLA

20 JUL 2020

LTR DATED _____ FROM _____
LDG- _____
ABP- _____

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

Relevant Recent Planning History

Subject Site

No recent record of planning applications on the subject site.

Relevant Policy from Dun Laoghaire – Rathdown County Development Plan 2016 – 2022

Under the Dún Laoghaire-Rathdown County Development Plan 2016-2022, the site is subject to zoning objective A, which seeks 'to protect and /or improve residential amenity'.

The site is located within the Killiney Architectural Conservation Area. JUL 2020

Planning Comment

The Council is requested to determine in accordance with Section 5 of the Planning and Development Act 2000, (as amended), whether or not:

- a. fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace, Killiney, Co. Dublin.

constitutes development and if so, whether the development constitutes exempted development.

Development or not Development

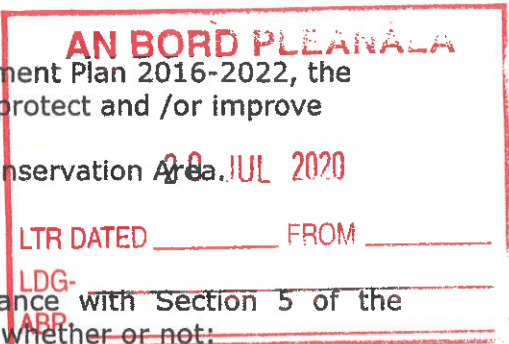
The first matter for determination is whether the proposal would or would not constitute development.

With regard to whether the proposal constitutes works and/or development, regard is had to Section 2(1) of the Planning and Development Act 2000 (as amended), where 'works' is defined as 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.'

Having regard to the above, it is considered that the proposed development detailed in the documentation submitted would include acts of construction, alteration, repair and renewal and therefore constitutes 'works' as defined in the Planning and Development Act 2000 (as amended).

Section 3(1) of the Planning and Development Act, 2000 (as amended) states that 'development means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land'.

Having regard to the above, it is considered that fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, comprise of the carrying out of 'works' at No. 9 Assumpta Park, Shankill, Co. Dublin and therefore constitute development as defined in the Act.



Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

Exempted Development or not Exempted Development

The second matter to be determined is whether the proposal would constitute exempted development or not.

a external insulation and render to existing house

It is to be determined whether the fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, would constitute exempted development or not.

In assessing this element of the determination, regard is, had to Section 4 (1)(h) of the Planning & Development Act, 2000, as amended, which states that the following shall be exempted development for the purposes of the Act:

'Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures'.

In order to insulate two bedrooms and two reception rooms, the proposal seeks to fit external insulation on 64sqm gable of a west facing solid wall which has a red brick finish. The external insulation would be coloured to match the existing brick colour and pointing. As stated, mineral wool insulation which offers greater permeability is to be used instead of expanded polystyrene foam. A CGI section of the proposed external insulation and details of the proposed schedule of works to fit the external insulation is included in the documents submitted, the contents of which are noted.

While the dwelling is not a Protected Structure it is located within the Killiney Architectural Conservation Area.

The dwelling has a red brick finish and the west gable comprises a large chimney breast detail, window openings, corncing details and an adjoining conservatory. It is considered that the thickness of the external insulation would be problematic at the junctions, around the windows, the conservatory, junction with front façade, around the chimney breast and at the roofline. It is considered that the west gable façade would be completely altered by the addition of external insulation. Therefore, having regard to the design, material and detail of the existing west gable, it is considered that the fitting of external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, would materially affect the external appearance of the structure so as to render its appearance inconsistent with the character of the structure. In this regard, the proposed works are not considered to constitute exempted development pursuant to the provisions of Section 4(1)(h) of the Planning and Development Act, 2000 (as amended).

AN BORD PLEANALA

20 11 2020

LTP DATED _____ FROM _____

LDG: _____

APP: _____

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

RECOMMENDATION

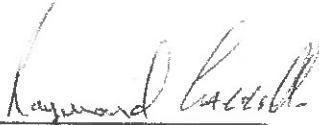
I recommend that Dún Laoghaire-Rathdown County Council advise the Applicant that:

Having regard to:

(a) sections 2, 3 and 4 (1) (h) of the Planning and Development Act 2000, as amended,

It is considered that:

A. the fitting of external fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, **would constitute development and would not constitute exempted development** pursuant to the provisions of Section 4 (1)(h) of the Planning & Development Act, 2000, as amended.


Administrative Officer


Executive Planner

ORDER

The issuing of a Declaration pursuant to Section 5 of the Planning & Development Act 2000, (as amended) to William Fleeton 7 Shanganagh Terrace, Killiney, Co Dublin, that

The fitting of external fitting external insulation on 64sqm gable of a west facing solid wall which has a red brick facing at 7 Shanganagh Terrace Killiney, Co. Dublin, **would constitute development and would not constitute exempted development** pursuant to the provisions of Section 4 (1)(h) of the Planning & Development Act, 2000, as amended.

Is hereby approved.

Signed: 
Approved Officer

AN BORD PLEANALA

20 JUL 2020

LTR DATED _____ FROM _____

LDG: _____

ABP: _____

Dated: 20/07/2020

Thereunto empowered by order of Príomhfheidhmeannach, Comhairle Contae Dhún Laoghaire-Ráth An Dúin, Order No. 2236, dated 20/06/2019, delegating to me all her powers, functions and duties in relation to the County Council of Dún Laoghaire-Rathdown in respect of this matter.

Gable No 8

Gable No 7

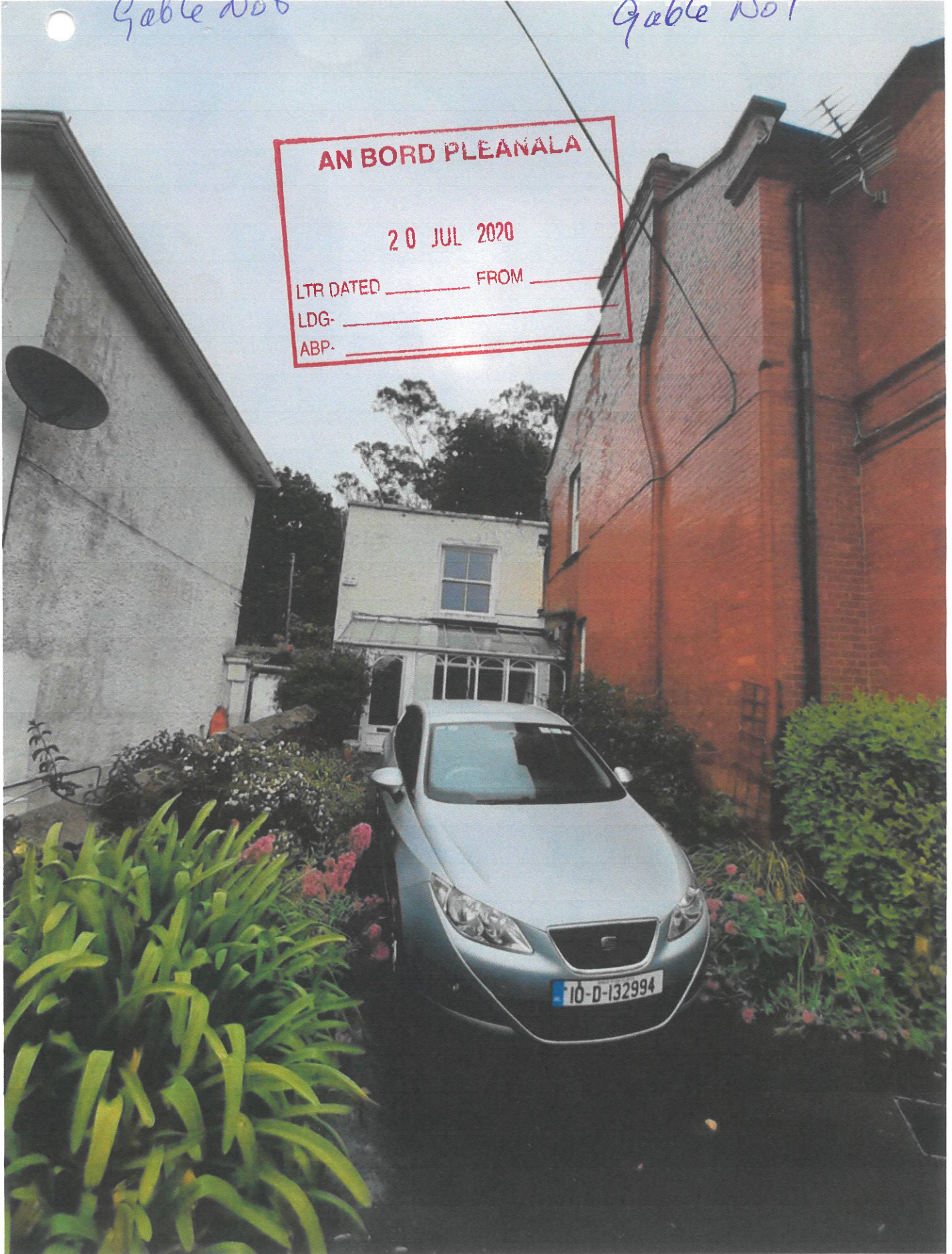
AN BORD PLEANALA

20 JUL 2020

LTR DATED _____ FROM _____

LDG- _____

ABP- _____



Shanganagh Ter. Kalliney

() subject)

Ann Fleeton <[redacted]>

Thu 11/06/2020 15:49

To: Ann Fleeton <[redacted]>

Gable no 7

AN BORD PLEANÁLA	
20 JUL 2020	
LTR DATES	FROM _____
LDG	
ABP	



Sent from [Outlook Mobile](#)

Shanganagh Tce, Killinney

AN BORD PLEANÁLA

Gable No 9, 20 JUL 2020

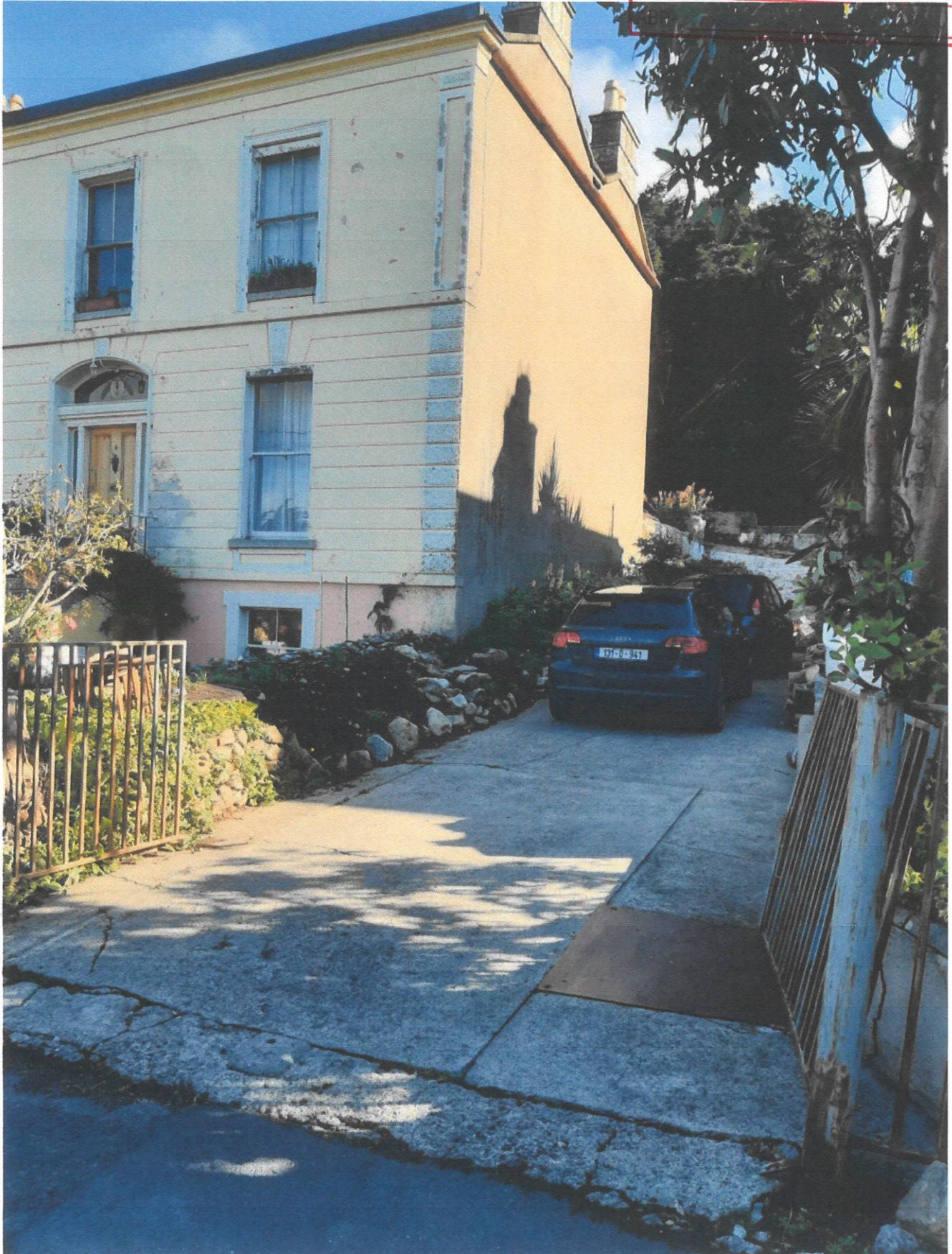
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Ann Fleeton <[redacted]>

Thu 16/07/2020 15:34

To: Ann Fleeton <[redacted]>

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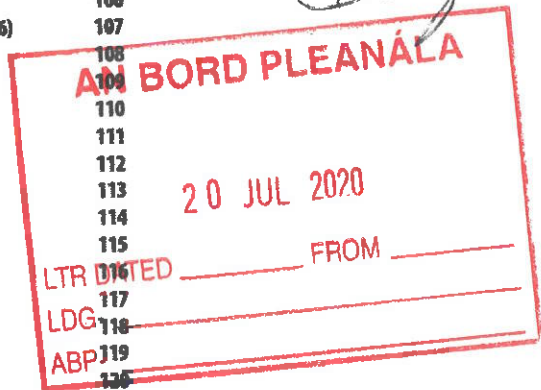


Shanganagh Tce, Killiney

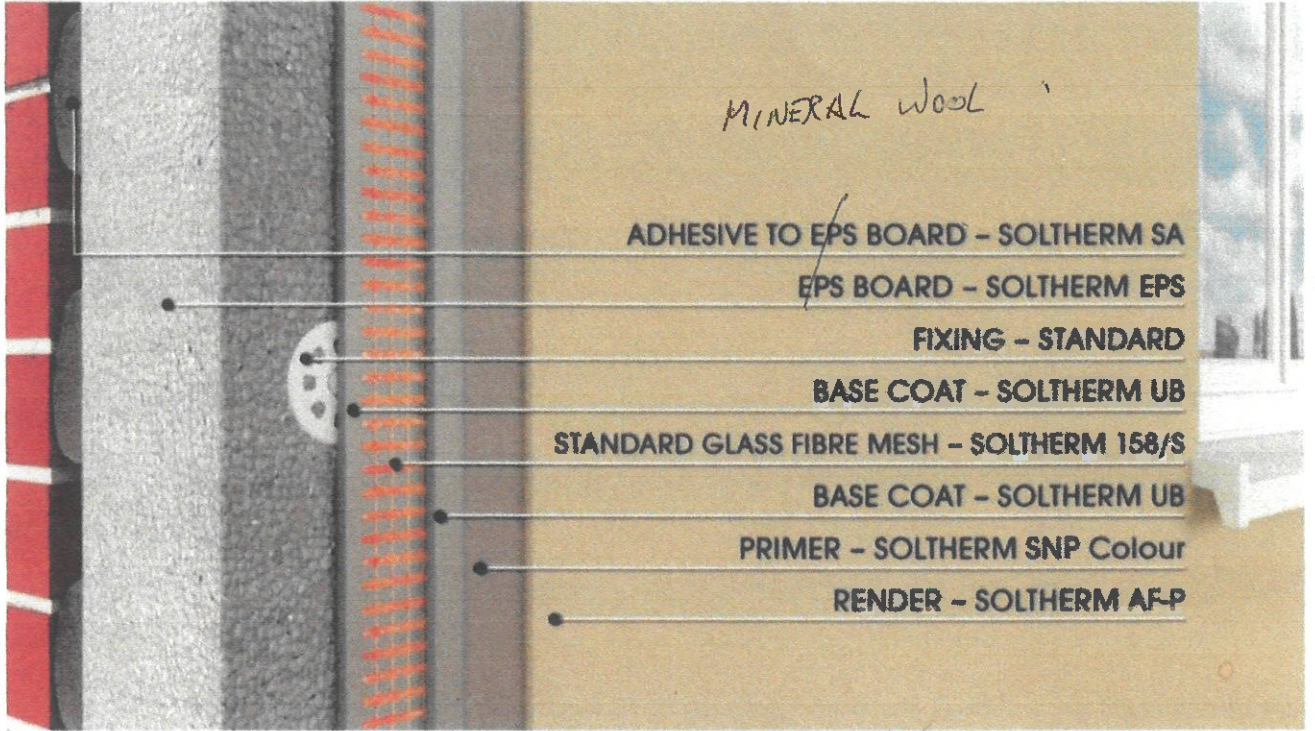
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From Architects Dwyg.



SOLTHERM PREMIUM SILICONE SILICATE SYSTEM



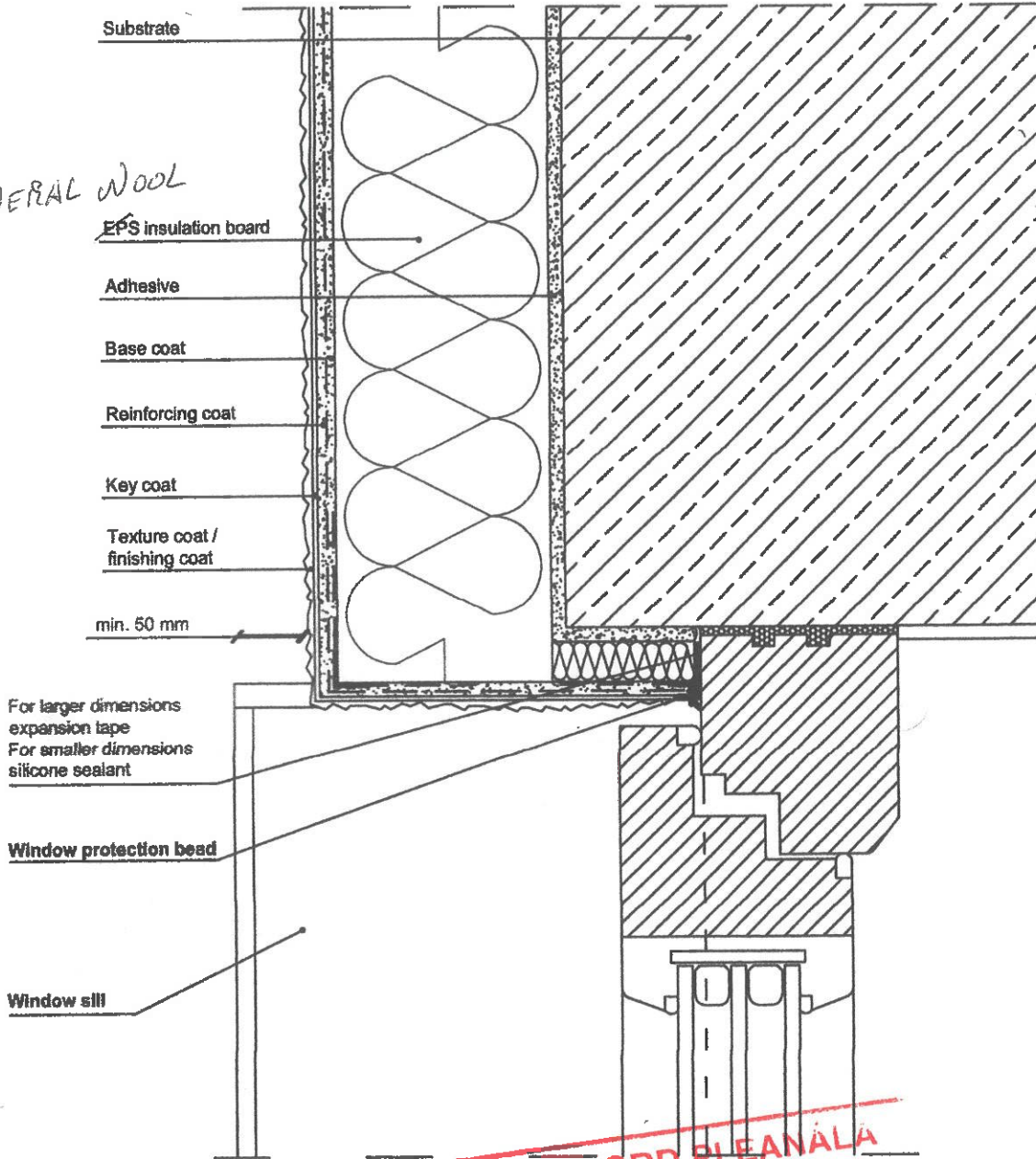
Note, MINERAL WOOL OFFERS GREATER PERMEABILITY

AN BORD PLEANÁLA
 20 JUL 2020
 LTR DATED _____ FROM _____
 LDG- _____
 ABP- _____

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16. WINDOW JAMB (FOR DETAILS NO. 13 AND 14)

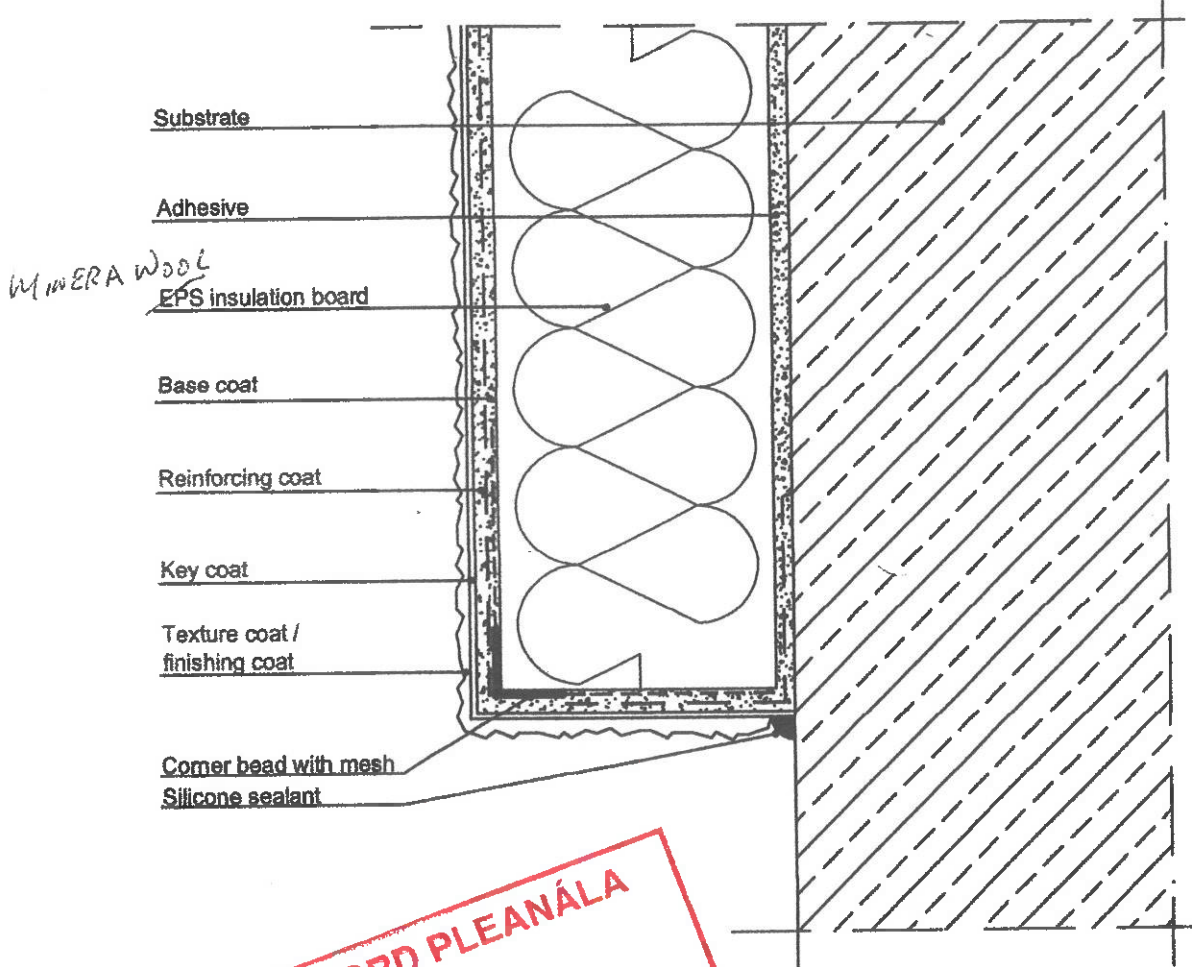
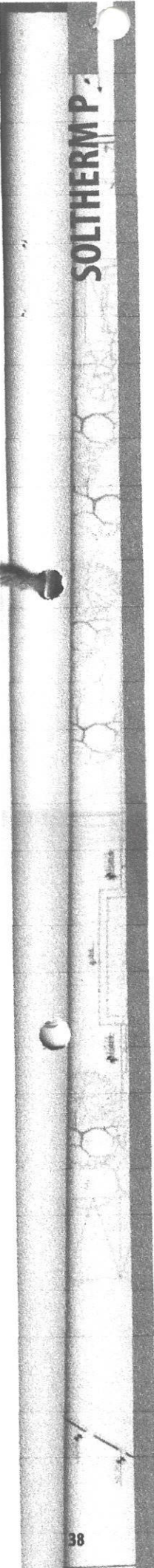
MINERAL WOOL



Product	Designation
Adhesive	SOLTHERM UB / SOLTHERM SA / SOLTHERM WB / SOLTHERM BC-P
Base coat	SOLTHERM UB / SOLTHERM WB / SOLTHERM BC-P
Reinforcing coat	R 117 A 101 / AKE 145 ST 112 - 100/7 KM
Key coat	SOLTHERM AP / SOLTHERM AP colour / SOLTHERM STP / SOLTHERM STP colour / SOLTHERM SNP / SOLTHERM SNP colour
Texture coat / Finishing coat	SOLTHERM AFC / AFC eco-shield / SOLTHERM SFC-P / SOLTHERM AF-P / SOLTHERM MTC / SOLTHERM STF
Primer	SOLTHERM AP / SOLTHERM STP / SOLTHERM SNP / SOLTHERM SP
Paint	SOLTHERM ACP / SOLTHERM ACP eco-shield / SOLTHERM STP / SOLTHERM STC-P

*Application of products to Soltherm: Technical Approval 024-120028

35. STOP END DETAIL WITH VERTICAL CORNER BEAD



AN BORD PLEANÁLA
 20 JUL 2020
 LTR DATED _____ FROM _____
 LDG- _____
 ABP- _____

Product	Designation
Adhesive	SOLTHERM UB / SOLTHERM SA / SOLTHERM WB / SOLTHERM BC-P
Base coat	SOLTHERM UB / SOLTHERM WB / SOLTHERM BC-P
Reinforcing coat	R 117 A 101 / AKE 145 ST 112 - 1007 KM
Key coat	SOLTHERM AP / SOLTHERM AP colour / SOLTHERM STP / SOLTHERM STP colour / SOLTHERM SNP / SOLTHERM SNP colour
Texture coat / Finishing coat	SOLTHERM AFC / AFC eco-shield / SOLTHERM SFC-P / SOLTHERM AF-P / SOLTHERM MTC / SOLTHERM STF
Primer	SOLTHERM AP / SOLTHERM STP / SOLTHERM SNP / SOLTHERM SP
Paint	SOLTHERM ACP / SOLTHERM ACP eco-shield / SOLTHERM STPT / SOLTHERM STC-P

*Description of products in European Technical Approval ETA-13082