

Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco
Suíomh / Website: www.wicklow.ie

Peibin Li

31st August 2023

RE: Declaration in accordance with Section 5 of the Planning & Development Acts
2000 (As Amended) – EX54/2023

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT.

Tá an doicimead seo ar fáil i bhformáidí eile ar iarratas
This document is available in alternative formats on request

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísí, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.





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DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

Applicant: Pelbin LI

Location: 7 Prince of Wales Terrace, Bray, Co. Wicklow

CHIEF EXECUTIVE ORDER NO. CE/PDE/1543/2023

A question has arisen as to whether “works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows” at 7 Prince of Wales Terrace, Bray, Co. Wicklow is or is not exempted development.

Having regard to:

- The details submitted on the 4th August 2023;
- Section 2, 3, 4(1)(h) and 57(1) of the Planning and Development Act 2000 (as amended).
- Bray MD Local Area Plan 2018 and Wicklow CDP 2022

Main Reasons with respect to Section 5 Declaration:

- 1-12 Prince of Wales Terrace is protected structure B68 as per the Wicklow CDP 2022 and Bray MD LAP 2018
- The proposal involves the carrying out of works for the maintenance, improvement or other alteration of the structure.
- Under Section 57, works which materially affect the character of the structure or element of the structure which contributes to its special architectural interest are not exempted development.
- The original timber windows significantly contribute to the appearance and architectural interest of the protected structure. The removal of the original windows and replacement with upvc windows does materially affect the external appearance and special architectural interest of the of the structure and therefore materially impacts on the character of the protected structure. The proposal to retain these upvc windows on the lower floors materially affects the character of the structure and therefore is not exempted development. The proposal to replace the upper windows with two over two pane upvc sash windows would materially affect the character of the structure and therefore is not exempted development. The works are not exempted development under Section 57.

The Planning Authority considers that “works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows” at 7 Prince of Wales Terrace, Bray, Co. Wicklow “is development and is not exempted development.

Signed: 
ADMINISTRATIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT

Dated 31st August 2023



WICKLOW COUNTY COUNCIL

**PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5**

CHIEF EXECUTIVE ORDER NO. CE/PDE/1543/2023

Reference Number: EX 54/2023

Name of Applicant: Peibin Li

Nature of Application: Section 5 Referral as to whether "works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows" is or is not exempted development

Location of Subject Site:

Report from Aisling McNamara, EP

With respect to the query under Section 5 of the Planning & Development Act 2000 as to whether "works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows" at 7 Prince of Wales Terrace, Bray, Co. Wicklow is or is not exempted development within the meaning of the Planning & Development Act 2000 (as amended)

Having regard to:

- The details submitted on the 4th August 2023;
- Section 2, 3, 4(1)(h) and 57(1) of the Planning and Development Act 2000 (as amended).
- Bray MD Local Area Plan 2018 and Wicklow CDP 2022

Main Reasons with respect to Section 5 Declaration:

- 1-12 Prince of Wales Terrace is protected structure B68 as per the Wicklow CDP 2022 and Bray MD LAP 2018
- The proposal involves the carrying out of works for the maintenance, improvement or other alteration of the structure.
- Under Section 57, works which materially affect the character of the structure or element of the structure which contributes to its special architectural interest are not exempted development.
- The original timber windows significantly contribute to the appearance and architectural interest of the protected structure. The removal of the original windows and replacement with upvc windows does materially affect the external appearance and special architectural interest of the of the structure and therefore materially impacts on the character of the protected structure. The proposal to retain these upvc windows on the lower floors materially affects the character of the structure and therefore is not exempted development. The proposal to replace the upper windows with two over two pane upvc sash windows would materially affect the character of the structure and therefore is not exempted development. The works are not exempted development under Section 57.

Recommendation

The Planning Authority considers that works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows" at 7 Prince of Wales Terrace, Bray, Co. Wicklow **is development and is not exempted development.** as recommended in the report by the EP.

Signed Nicola Henning Dated 31st day of August 2023

ORDER:

I HEREBY DECLARE:

That "works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows" at 7 Prince of Wales Terrace, Bray, Co. Wicklow **is development and is not exempted development** within the meaning of the Planning & Development Act 2000 (as amended).

Signed : Fogel T. May L Dated 31st day of August 2023
Senior Engineer
Planning Development & Environment

Section 5 Declaration

Ref: EX54/2023

Name: Peibin Li

Location: 7 Prince of Wales Terrace, Bray

Re: replacement of vertical sash windows

Question: The applicant is seeking a Section 5 Declaration for the following:

Whether works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows is or is not development and is or is not exempted development.

A Conservation report is submitted and this report provides further detail on the question being asked. It is detailed as follows:

(i) to alter the uPVC sashes on the top floor to a two over two pane sash vertical sliding window to match the uPVC sash windows seen in numbers 1 and 4

(ii) to retain the one over one pane vertical sliding sash windows on the lower floors

The Conservation report proposal also refers to the reinstatement of a collapsed ceiling of the porch, however this is not referred to in the application form, and appears to not form part of the question.

Planning History:

None listed on iplan

UD5677 –

Warning letter 13th June 2023

Alleged unauthorised development, consisting of the carrying out of the following developments to a three storey over basement terrace residential building located at no. 7 Prince of Wales Terrace without p.p.:

1(a) The removal of eight no. glass glazed timber sash frame window elements from their respective window openings, on front / streetscape / northern elevation of this building (not encompassing its two basement windows)

(b) The installation of uPVC glass glazed window frames in each of the said 8 no. window openings.

2. The carrying out of internal renewal works that may involve the removal of timber doors and other built elements that contribute to the special architectural heritage value

without planning permission.

Heritage:

1-12 Prince of Wales Terrace is protected structure B68 – listed as ‘structure, including interior, gate and railings’

Listed on NIAH Reg no. 16301241 – regional rating of architectural category of special interest.

Description: Terraced three-bay three-storey over basement house, built in 1861 as one of a planned row of twelve similar buildings. The façade is finished in unpainted ‘Tyrolean’ render with decorative moulded surrounds to many of the openings, a first floor sill course and projecting eaves course. The slated hipped roof, which is largely obscured from view behind a parapet, has shared rendered chimneystacks with corbelling. The

entrance, which consists of a panelled timber door, moulded jambs and semi-circular fanlight, is set within a projecting portico with Ionic columns, corner pilasters, entablature with projecting cornice, and a decorative pierced parapet which obscures the roof. The portico is paired with that of the neighbouring property, has an arched window to the side, and is reached via a flight of stone steps with decorative cast-iron railings. In general, the windows are flat-headed and have one over one and two over two timber sash frames, with segmental pediments on brackets above the ground floor windows, and simpler cornice-like hoods on brackets above those to the first floor. Cast-iron rainwater goods. The building faces onto a road, but is separated from it by a relatively large garden enclosed by decorative cast-iron railings.

Appraisal: This large mid-Victorian residence is part of a grand, and still largely intact, terrace, which along with the contemporary Duncairn Terrace and Goldsmith Terrace, makes Quinsborough Road Bray's most impressive thoroughfare.

Relevant Legislation:

-Planning and Development Act, 2000 (as amended):

Section 2 (1) defines works as including "Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure";

Section 2 (1) defines a structure as "Any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and (a) where the context so admits, includes the land on, in or under which the structure is situate, and (b) in relation to a protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

Section 3 (1) defines development as "The carrying out of works on, in, over or under land or the making of any material change in the use of structures or other land";

Section 4 (1)(a) to (l) specifies various categories of development which shall be exempted for the purposes of the Act;

Section 4 (2) provides for certain classes of development to be designated as exempted development by way of legislation.

Section 57 (1) states "Notwithstanding section 4(1)(a),(h),(i),(j),(k) or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of— (a) the structure, or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest".

"protected structure" means—

(a) a structure, or

(b) a specified part of a structure,

which is included in a record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure and which would not otherwise be included in this definition;

"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate, and

(b) in relation to a protected structure or proposed protected structure, includes—

(i) the interior of the structure,

(ii) the land lying within the curtilage of the structure,

(iii) any other structures lying within that curtilage and their interiors, and

(iv) all fixtures and features which form part of the interior or exterior of any structure or structures referred to in subparagraph (i) or (iii);

-Planning and Development Regulations, 2001 (as amended):

Article 6(1) states that certain classes of development which are specified in Schedule 2 shall be exempted development for the purposes of the Act, subject to compliance with any associated conditions and limitations;

Article 9(1)(a) details a number of circumstances under which the development to which Article 6 relates shall not be exempted development for the purposes of the Act

Assessment:

7 Prince of Wales is a protected structure.

The applicant is requesting a Declaration in accordance with Section 5 for works consisting of the replacement of the former vertical sliding sash windows with new vertical sliding sash windows.

A Conservation report is submitted.

The report details that the NIAH described the windows on no. 7 as “the windows are flat headed and have one over one and two over two timber sash frames”. The former windows were replaced by window uPVC vertical sliding sash windows, those on the upper floor having no centre glazing bar.

The report describes the other houses in the terrace and indicates that some of the houses have retained their original windows and some have replaced the windows with uPVC.

The report states that the proposal for which a section 5 determination is requested is:

(i) to alter the uPVC sashes on the top floor to a two over two pane sash vertical sliding window to match the uPVC sash windows seen in numbers 1 and 4

(ii) to retain the one over one pane vertical sliding sash windows on the lower floors

Section 3 (1) defines *development* as “*The carrying out of works on, in, over or under land or the making of any material change in the use of structures or other land*”;

Section 2 (1) defines *works* as including “*Any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure*”;

The works relate to the alteration of the protected structure and an act involving the removal and replacement of the windows from the front exterior of the building. It is considered that ‘development’ has taken place.

The question now arises with regard to whether this ‘development’ is ‘exempted development’.

Exempted Development Section 4(1)(h) of the Planning and Development Act 2000 (as amended) states that “*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*” shall be exempted development.

However, given that the proposed development relates to a Protected Structure, Section 57(1) of the Planning and Development Act 2000 (as amended) is also applicable. In this regard, Section 57 (1) states “*Notwithstanding section 4(1)(a), (h), (i), (j), (k) or (l) and any regulations made under section 4(2), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of – (a) the structure, or (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest*”. The question therefore arises as to whether the proposed works would materially affect the character of the protected structure or any element of the structure which contributes to its interest.

Works that might ordinarily be exempt, are not exempt by reason of Section 57, if the works materially affect the character of the structure or element of the structure which contributes to its special architectural interest.

The original timber windows significantly positively contribute to the appearance and architectural interest of the protected structure. The replacement of the original timber windows with the upvc windows does materially affect the appearance and character of the protected structure. The proposal to retain these upvc windows on the lower floors materially affects the character of the structure and therefore is not exempted development. The proposal to replace the upper windows with two over two pane upvc sash windows would materially affect the appearance and character of the structure and therefore is not exempted development.

Recommendation:

With respect to the query under Section 5 of the Planning and Development Act 2000, as to whether

works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows consisting of the proposal to:

- retain the one over one pane uPVC vertical sliding sash windows on the lower floors
- alter the uPVC sashes on the top floor to a two over two pane sash vertical sliding window to match the uPVC sash windows seen in numbers 1 and 4

is or is not development and is or is not exempted development

The Planning Authority considers that:

works consisting of the replacement of the vertical sliding sash windows with new vertical sliding sash windows consisting of the proposal to:

- retain the one over one pane uPVC vertical sliding sash windows on the lower floors
- alter the uPVC sashes on the top floor to a two over two pane sash vertical sliding window to match the uPVC sash windows seen in numbers 1 and 4

is development and is **not** exempted development

Main considerations with respect to Section 5 Declaration:

- The details submitted on the 4th August 2023;
- Section 2, 3, 4(1)(h) and 57(1) of the Planning and Development Act 2000 (as amended).
- Bray MD Local Area Plan 2018 and Wicklow CDP 2022

Main Reasons with respect to Section 5 Declaration:

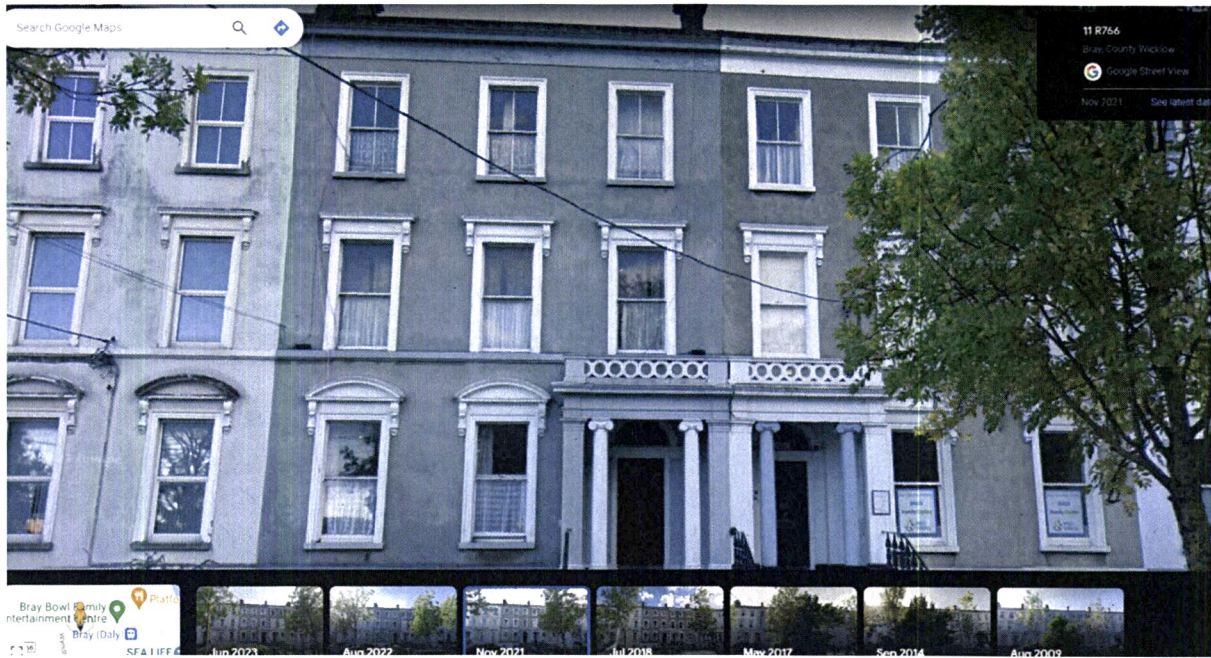
- 1-12 Prince of Wales Terrace is protected structure B68 as per the Wicklow CDP 2022 and Bray MD LAP 2018
- The proposal involves the carrying out of works for the maintenance, improvement or other alteration of the structure.
- Under Section 57, works which materially affect the character of the structure or element of the structure which contributes to its special architectural interest are not exempted development.
- The original timber windows significantly contribute to the appearance and architectural interest of the protected structure. The removal of the original windows and replacement with upvc windows does materially affect the external appearance and special architectural interest of the of the structure and therefore materially impacts on the character of the protected structure. The proposal to retain these upvc windows on the lower floors materially affects the character of the structure and therefore is not exempted development. The proposal to replace the upper windows with two over two pane upvc sash windows would materially affect the character of the structure and therefore is not exempted development. The works are not exempted development under Section 57.

A. MacDonnell
Exp.

22/08/2023



Current on site



Former



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

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MEMORANDUM

WICKLOW COUNTY COUNCIL

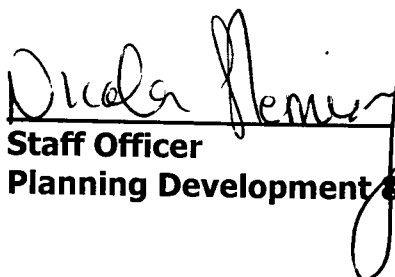
TO: Aisling McNamara
Executive Planner

FROM: Nicola Fleming
Staff Officer

RE:- Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). Ex 54/2023

I enclose herewith for your attention application for Section 5 Declaration received 4th August 2023.

The due date on this declaration is the 31st August 2023.


Staff Officer
Planning Development & Environment





**Comhairle Contae Chill Mhantáin
Wicklow County Council**

**Forbairt Pleanála agus Comhshaol
Planning Development and Environment**

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8th August 2023

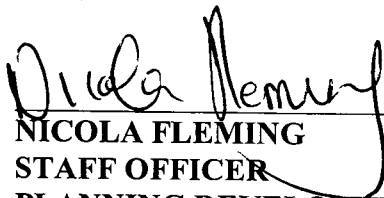
Peibin Li

**RE: Application for Certificate of Exemption under Section 5 of the Planning and
Development Acts 2000 (as amended). Ex 54/2023
Replacement of sash windows – 7 Prince of Wales Terrace, Bray**

A Chara

I wish to acknowledge receipt on 4th August 2023 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 31st August 2023.

Mise, le meas



NICOLA FLEMING

STAFF OFFICER

PLANNING DEVELOPMENT AND ENVIRONMENT



Wicklow County Council
Council Buildings
Wicklow
0404 20100

04/08/2023 10 03 49

Receipt No L1/0/316974

PEIBIN LI
7 PRINCE OF WALES TERRACE
BRAY
CO WICKLOW

EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non vatable	

Total	80 00 EUR
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Tendered	
Postal Order	80 00

Change	0 00
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Issued By Cashier5MW
From Customer Service Hub
Vat reg No 0015233H



Wicklow County Council
County Buildings
Wicklow
Co Wicklow
Telephone 0404 20148
Fax 0404 69462

Office Use Only

Date Received _____

Fee Received _____

**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000(AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

- (a) Name of applicant: Peibin Li
Address of applicant

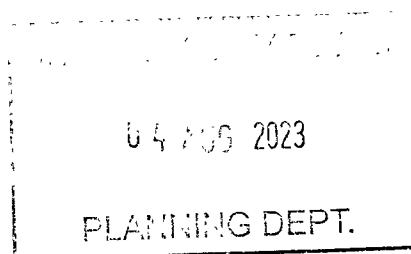
Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

- (b) Name of Agent (where applicable) **J. P. Colclough**
MA Cantab, Dip Conservation Studies York, dip Arch RIBA
Consultant in Architecture and Historic Buildings

Address of Agent : **Ormsby house, Durrow, County Laois, R32X2A0**

Note Phone number and email to be filled in on separate page.



3. Declaration Details

- i. Location of Development subject of Declaration: 7 Prince of Wales Terrace
Bray, County Wicklow
- ii. Are you the owner and/or occupier of these lands at the location under i. above ? Yes/
No.
Yes
- iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or
occupier _____

- iv. Section 5 of the Planning and Development Act provides that : If any question arises
as to what, in any particular case, is or is not development and is or is not exempted
development, within the meaning of this act, any person may, on payment of the
prescribed fee, request in writing from the relevant planning authority a declaration
on that question. You should therefore set out the query for which you seek the
Section 5 Declaration _____
The replacement of the vertical sliding sash windows with new vertical sliding sash
windows, as appended report, and as seen in many of the adjacent protected structures

- Additional details may be submitted by way of separate submission.*
- v. Indication of the Sections of the Planning and Development Act or Planning
Regulations you consider relevant to the Declaration _____
works to a protected structure that do not involve loss of any sound original material
and are supported by good conservation practice

Additional details may be submitted by way of separate submission.

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ? Yes

vii. List of Plans, Drawings submitted with this Declaration Application _____

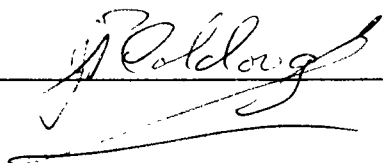
Site Location map

Conservation report

Elevation at 1:100

viii. Fee of € 80 Attached ? _____ Postal Order attached _____

Signed :



Dated :

2 AUGUST 2023

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

- A. Extension to dwelling - Class 1 Part 1 of Schedule 2
- Site Location Map
 - Floor area of structure in question - whether proposed or existing.
 - Floor area of all relevant structures e.g. previous extensions.
 - Floor plans and elevations of relevant structures.
 - Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

J. P. Colclough

MA Cantab, Dip Conservation Studies (York), Dip Arch, RIBA
Consultant in Architecture & Building Conservation

jp.colclough@cantab.net

7 PRINCE OF WALES TERRACE

BRAY

Protected Structure B68

CONSERVATION REPORT

The consultant was briefed to prepare a report and proposals and a section 5 application for the retention and improvement of replacement sash windows on 7 Prince of Wales Terrace, a protected structure, following a letter from The Local Authority Planning Enforcement Officer resulting from the unauthorised installation of UPVC vertical sliding sash windows, those on the upper floor having no centre glazing bar.

DESCRIPTION

The property is one of a terrace of twelve uniform residences of three stories over basement dating from 1861. The facade is in three bays, the door under a portico approached by a flight of stone steps with wrought iron railings. The facade is plastered in lime plaster and painted.

Patrick Comerford writes

Prince of Wales Terrace was designed by Lanyon, Lynn and Lanyon, an architectural partnership based in Belfast and Dublin, formed in 1860. The partnership was formed when Charles Lanyon and William Henry Lynn took Charles Lanyon's eldest son, John Lanyon, as their junior partner. At the same time, the firm opened a branch office at 64 Upper Sackville Street (O'Connell Street), Dublin, which was run by John Lanyon until 1867.



No 1 Prince of Wales Terrace is an end-of-terrace three-bay three-storey over basement house. To the west elevation of the building there is a large full-width, single-storey over basement, entrance projection. The façade is finished in unpainted lined render with moulded quoins and decorative moulded surrounds to many of the openings, as well as moulded pilasters, a first floor sill course, and a parapet with a projecting eaves course.

The slated hipped roof, which is largely obscured from view behind that parapet, has rendered chimney stacks with corbelling. The parapet to the west elevation has a centrally positioned pediment. The roof of the single-storey projection is totally obscured from view behind its own more decorative pierced parapet with urn finials.

The entrance is to the south elevation of the single-storey projection and consists of a panelled timber door with three-quarter Ionic column 'jambs,' a projecting entablature and a plain semi-circular fanlight, all set within a moulded reveal.

A flight of stone steps leads up to the doorway with decorative cast-iron railings. In general, the windows are flat-headed, with arched heads to those to the projection. Most of the windows have one-over-one and two-over-two timber sash frames, with segmental pediments on brackets above the ground floor windows, and simpler cornice-like hoods on brackets above those to the first floor. To the rear there is a full-height return. There are cast-iron rainwater goods.

The house faces onto Quinsborough Road, but is separated from the street by a large garden to the front, with a large yard and garden to the rear. The garden is enclosed with decorative cast-iron railings with a matching gate to the front.

The 10 mid-terrace houses are three-bay three-storey over basement houses, built in 1861. The entrances consist of a panelled timber door flanked by pairs of moulded jambs with decorative console brackets, all set within projecting porticos with Ionic columns, corner pilasters, entablatures with projecting cornice, and decorative pierced parapets that obscure the roofs.

The porticos are paired with the neighbouring houses, and have arched windows to the side. They are reached by a flight of stone steps with decorative cast-iron railings. In general, the windows are flat-headed and have two-over two timber sash frames, with



segmental pediments on brackets above the ground floor windows, and simpler cornice-like hoods on brackets above those to the first floor. There are cast-iron rainwater goods, and the houses face onto the street, but are separated from it by the large gardens enclosed by decorative cast-iron railings and gates.

No 12 is the complementary end-of-terrace three-bay house. To the east elevation there is a large, full-width, single-storey over basement entrance projection. The parapet to the east elevation has a centrally positioned pediment. The roof of the single-storey projection is totally obscured from view behind its own parapet. To the rear there is a full-height return, with a lower two-storey extension to the north of this, added in the later 20th century.

The National inventory of Architectural Heritage description of No.7 reads

Terraced three-bay three-storey over basement house, built in 1861 as one of a planned row of twelve similar buildings. The façade is finished in unpainted 'Tyrolean' render with decorative moulded surrounds to many of the openings, a first floor sill course and projecting eaves course. The slated hipped roof, which is largely obscured from view behind a parapet, has shared rendered chimneystacks with corbelling. The entrance, which consists of a panelled timber door, moulded jambs and semi-circular fanlight, is set within a projecting portico with Ionic columns, corner pilasters, entablature with projecting cornice, and a decorative pierced parapet which obscures the roof. The portico is paired with that of the neighbouring property, has an arched window to the side, and is reached via a flight of stone steps with decorative cast-iron railings. In general, the windows are flat-headed and have one over one and two over two timber sash frames, with segmental pediments on brackets above the ground floor windows, and simpler cornice-like hoods on brackets above those to the first floor. Cast-iron rainwater goods. The building faces onto a road, but is separated from it by a relatively large garden enclosed by decorative cast-iron railings.

Appraisal

This large mid-Victorian residence is part of a grand, and still largely intact, terrace, which along with the contemporary Duncairn Terrace and Goldsmith Terrace, makes Quinsborough Road Bray's most impressive thoroughfare.



The Consultant questions the description by the NIAH of the lime plaster as Tyrolean render. There is no evidence of this product on the property. It is noteworthy that the NIAH records the windows of the individual houses in the terrace as follows (in italic script) with the consultant's note on the actual design and material observed.

No.1 *the windows have one over one and two over two timber sash frames* - The windows to the front upper floor are now all one over one pane in UPVC, a change that seems to have been unnoticed.

No.2 *the windows are flat-headed and have two over two timber sash frames* - these are timber replacement windows, a poor quality restoration that has ignored the original appearance and may well not have respected the original timber profiles.

No.3 *the windows are flat-headed and have one over one and two over two timber sash frames* - This house has retained its original windows

No.4 *the windows are flat-headed and have one over one and two over two timber sash frames* - These windows have the correct pattern of glazing and are vertical sliding sashes but are in UPVC, a change that not even the NIAH inspectors noticed.

No.5 *the windows are flat-headed and have one over one and two over two timber sash frames* - This house has original windows in situ.

No.6 *the windows are flat-headed and have one over one and two over two timber sash frames* - This house has original windows in situ.

No.7 - the property in question - *the windows are flat-headed and have one over one and two over two timber sash frames* - The windows have been replaced by windows identical to those in number 4 except that the top floor windows should be two over two and not, as in number 1, UPVC one over one sashes. It is proposed to rectify this error.

No.8 - *the windows are flat-headed and have replacement uPVC frames* - The UPVC windows installed in this property are heavy, clumsy and quite unfortunate, with top hung sashes, and are entirely inappropriate, but do not seem to have attracted the attention of the Planning Authority as they certainly should have.



No.9 *the windows are flat-headed and have one over one and two over two timber sash frames* - This house has original windows in situ.

No.10 - *the windows are flat-headed and have replacement uPVC frames* - Again as in No.8 the UPVC windows installed in this property are heavy, clumsy and quite unfortunate, with top hung sashes, and are entirely inappropriate, but do not seem to have attracted the attention of the Planning Authority as they certainly should have.

No.11 - *the windows are flat-headed and have replacement metal frames* - The metal frames observed by the NIAH inspectors have been replaced by two over two vertical sliding UPVC sash windows; the pattern of glazing bars is inappropriate but does not appear to have attracted the attention of the Planning Authority

No.12 - *the windows are flat-headed, with arched heads to those to the projection. Most of the windows have one over one and two over two timber sash frames* - The frames that are recorded as observed by the NIAH inspectors appear to have been replaced by the two over two vertical sliding UPVC sash windows that are present; the pattern of glazing bars is inappropriate but does not appear to have attracted the attention of the Planning Authority

It is notable that of the twelve houses only four, numbers 3, 5, 6 and 9, have retained their original windows and while number 2 has replacement timber sashes. Numbers 1, 4, 7, 11 and 12 have replacement vertical sliding UPVC sashes and numbers 8 and 10 have top hung UPVC windows. Of the seven replacement UPVC windows The Authority has not taken effective action against any except number 7 which suggests to the Consultant there is a lack of consistency in the application of a preservationist and restorationist policy.

Number 7 has, since before the 1963 Planning Act came in to force, been in multiple occupation, with an inevitable history of neglect and lack of proper maintenance. Consequently the original windows had deteriorated to a point where replacement was an urgent necessity, and it is also noted that the interior doors had been replaced at some undefined time in the past, by a previous owner, with flush fire resistant doors. Otherwise the interior of the property is remarkably intact with skirtings, architraves, shutter boxes, fireplaces, cornices and plaster enrichments and even the glazed inner



doors to the hall surviving in reasonably good condition, although only one panel of etched glass remains undamaged.

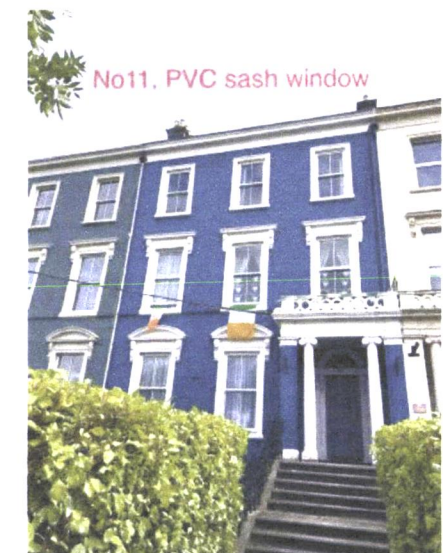
PLANNING HISTORY

Following the recent installation of UPVC windows without permission the Planning Enforcement Officer served a warning letter on 13 June 2023. The property is in pre 63 multiple occupation, and there is no record of any planning application for this property; planning applications listed for Prince of Wales Terrace since 1998 have been made for numbers 1, 2, 4 and 12. None of these applications mention any change in the windows. Despite this it is noted that eight of the twelve houses have had their windows changed, one replaced in timber, two with a significant change from double hung vertical sliding sashes to two part top hung UPVC casements which are notable intrusive in the character of the terrace, and the remainder to vertical sliding UPVC sashes, all this with no record of planning approval for alterations to a Protected Structure.

PROPOSAL

The proposal for which a section 5 determination is requested is to reinstate the collapsed ceiling of the porch, to alter the UPVC sashes on the top floor to a two over two pane sash vertical sliding window to match the UPVC sash windows seen in numbers 1 and 4, and to retain the one over one pane vertical sliding sash windows on the lower floors. In conservation terms, when considered against the standards of The Venice Charter, the principles set out by William Morris in establishing the SPAB and the principles of Conservation set down by ICOMOS, this is not a major issue as:-

- It is a fully reversible operation; the original sash weight boxes remain in situ along with the shutters shutter boxes and architraves, and at some point in the future, as long as a record exists of the original profiles, an exact copy of the original timber sashes can be installed as part of a full restoration of the entire terrace, and there has been no loss of sound original and historic material.
- It is a self evident and clearly identifiable intervention that cannot be mistaken for part of the historic fabric, and as such is preferable to the questionable restoration of the windows of number 2. It maintains the appearance and operation of the windows



unlike the inappropriate interventions in numbers 8 and 10. Also, unlike the replacement windows installed in numbers 11 and 12, but like the replacement UPVC windows in number 4, the proposal will respect in detail the original pattern of glazing bars.

- The intervention has replaced decayed original fabric that had reached the end of its natural lifespan with windows that have a high level of thermal insulation, are properly draught proofed, and do not detract from the general perception of the original appearance of the terrace. The superior thermal performance of these windows, as compared with the decayed and draughty sashes which they replaced, will significantly reduce the carbon foot print of the property.
- The original windows were of Baltic Pine, red deal, felled and selected from virgin forest. Timber of this quality is no longer to be found and any timber reproduction window will need to be treated with chemical timber preservatives or consolidates to give a reasonable life span and while it may have the superficial resemblance to the original it will only be a reproduction.

These features combine to make this application a reasonable proposition in terms of the conservation, appearance and the reduction of the carbon footprint of the property and the harmony of the entire terrace. While the Authority might wish to support, with financial backing, a full restoration of the entire terrace it would not necessarily, in the view of the Consultant, be a conservation project but a restoration and as such would need to be justified as recreating the artistic integrity of an outstanding architectural entity, which would be hard to sustain in this instance. Short of a policy by The Authority to take enforcement action against all the houses on the terrace that do not have original windows, which would be hard to justify, and adequate financial incentives for the installation of timber windows the replacement windows in number 7 are consistent with the standards set by past alterations to the fenestration of much of the terrace and as such should be permitted.

J. P. Colclough

July 2023

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7 Prince of Wales Terrace

Report



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ELEVATION 1:100

Site Location Map



**Tailte
Éireann**

**CENTRE
COORDINATES:**
ITM 726695,718821

PUBLISHED: 02/08/2023
ORDER NO.: 50349644_1

MAP SERIES: 6 Inch Raster
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6 Inch Raster
6 Inch Raster
MAP SHEETS: \$2_DN027+027A+028
DN026
WW004
WW008

COMPILED AND PUBLISHED BY:
National Mapping Division of
Tailte Éireann,
Phoenix Park,
Dublin 8,
Ireland.
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Planning Pack Map



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MAP SERIES: 1:1,000
MAP SHEETS: 3568-09
1:1,000 3568-14

COMPILED AND PUBLISHED BY:
National Mapping Division of
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