

Declaration

In accordance with Part IV, Section 57 (2) of the Local Government (Planning and Development) Act, 2000 (as amended).

Louth County Council:

This declaration specifies what works would, or would not, in the opinion of the planning authority materially affect the character of the protected structure, or any element thereof, and, as a result, require planning permission. Under the Act, protection extends to the entire structure including its interior and the land lying within its curtilage. It also extends to any other structures lying within the curtilage of the protected structure, to their interiors and to all fixtures and features that form part of the interior or exterior of any of these structures. Where specified in the Record of Protected Structures, protection may also extend to any other feature within the attendant grounds of the protected structure.

Nothing in this declaration exempts works that would not otherwise be exempt from a requirement for planning permission. Changes of use or intensification of the current use may require planning permission. If in doubt, the owner/occupier should consult the planning authority for further advice before commencing any works.

This Declaration may be referred to An Bord Pleanála for review within 4 weeks of its issue, upon payment of the requisite fee in accordance with Part IV, Section 57 (8) of the Planning & Development Act 2000 as amended.

Applicant Name:	Heidi lane		
Status (i.e. Owner or Occupier):	Owner occupied		
Date of Request for Declaration:	15 th June 2024	Date of Inspection:	
Date of Issue of Declaration:		Previous Declarations:	None on record

Address:

Name of Building:

Address 1:

Address 2:

Address 3:

Eircode:

Brewery Street

Castlebellingham

Co. Louth

A91W732

Location:

National Grid co-ordinates:

O.S. Map Type:

Map Sheet:

Site Number:

E

N

Protection Status:

Under the Planning and development Act 2000 (as amended)

Y / N

Details:

Record of Protected Structures:

Y x

N

NIAH ref no: 13826014. Louth RPS D095

Architectural Conservation Area:

Y x

N

Castlebellinham ACA (No. 13)

Under the Planning and development Act 2000 (as amended)

Record of Monuments and Places:

Y

N x

Zone of Archaeological potential:

Y

N x

Preservation Order or Temporary P.O.:

Y

N x

NIAH Registration No. (if applicable):

N/A

Introduction:

The referrer has sought a Section 57 Declaration as per the Planning and Development Act 2000 (as amended) in respect of works to a protected structure at the Brewery St, Castlebellinham, Co. Louth (shown below).



Protection Status:

Under the Planning and Development Act 2000 (as amended), the Record of Protected Structures (RPS) is set out in the Louth County Development Plan 2021-2027 as varied.

The three-storey house, Brewery St, Castlebellingham (RPS: LHs 015-022) (NIAH: 13826014) is described as: c. 1800. Terraced Four-bay, three storey house with slate roof, brick chimneys, rendered front façade – painted. Bas relief bust of the Blessed Virgin Mary and plaque over entrance door.

Planning History:

None

Enforcement:

None

Description of the Structure:

The NIAH description of this regionally important property (NIAH Ref: 13826014– is as follows:

Terraced four-bay three-storey house, built c. 1800. Return to rear. Pitched slate roof, clay ridge tiles, red brick corbelled chimneystacks. Painted roughcast rendered walling, painted smooth rendered plinth, bas relief bust of the Blessed Virgin Mary and plaque over entrance door. Square-headed window openings, painted smooth rendered slightly-projecting soffit and reveals, dressed limestone sills, painted timber sliding sash tripartite windows to ground and first floors, painted two-over-two timber sliding sash windows to second floor. Segmental-headed door opening, dressed ashlar limestone block-and-start jambs, voussoirs to arch with raised keystone, painted timber panelled door with six panels, narrow sidelights, plain-glazed overlight. Street fronted, warehouse building to west and north, lower two-storey house to immediate west.

The NIAH appraisal of this properties includes –

This awkwardly proportioned house makes an interesting contribution to the streetscape of Castlebellingham. The religious iconography is a notable feature. The tripartite windows and skillfully executed door surround complete this appealing structure.

Referral Question:

Would works materially affect the character of the protected structure and as a result, require planning permission?

This request, as detailed in Section 10 of the S57 request form, pertains to:

- Timber framed sash windows (heritage double glazing). No further details have been submitted.

Legislative Provision:

Section 57(1) of the Planning and Development Act 2000 (as amended) states ‘that notwithstanding Sections 4(1)(h) and any regulations made under Section 4(2), the carrying out of works to a protected structure, or 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.

Section 68 of the Act stipulates that the carrying out of any works specified in a notice under section 59 (1) or 60 (2) shall be exempted development.

Assessment:

I have reviewed the RPS in respect of this property and have inspected the site from the public street. It is noted that the applicant has not provided any specific details as to the scope and nature of the proposed works.

However, I conclude that the general maintenance, repair and painting of the existing windows to bring them into a state of good repair would not materially affect the character of the protected structure or the ACA.

Any further documentation attached (maps, photographs, sketches, notes etc.)?

- Declaration form.
- Drawings/ map submitted.
- Photos of front elevation

Recommendation:

I hereby recommend that a Declaration of Exemption be issued for the development described above, for the reason(s) set out hereunder:

WHEREAS the question has arisen as to whether works would or would not materially affect the character of protected structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest at Brewery St, Castlebellingham.

AND WHEREAS Heidi Lane requested a declaration on the question from Louth County Council on the 15th June 2024.

AND WHEREAS Louth County Council in considering this referral, had regard particularly to –

- a) Section 2 of the Planning and Development Act 2000, as amended,
- b) Section 3 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 57 of the Planning and Development Act, 2000 as amended,
- e) The Architectural Heritage Protection Guidelines for Planning Authorities,
- f) The special interest pertaining to the protected structure in question and
- g) The nature and extent of works set out in the referral question.

AND WHEREAS Louth County Council has concluded that:

- (i) The stated works to the protected structure comprise of “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);

- (ii) That the general maintenance, repair and painting of the existing timber windows to bring them into a state of good repair would not materially affect the character of the protected structure would not materially affect the character of the protected structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest,
- (iii) The said development, therefore, comes within the scope of section 4(1)(h) and Section 57(1) of the Planning and Development Act 2000 (as amended).

NOW THEREFORE Louth County Council, in exercise of the powers conferred on it by Section 57 of the 2000 Act as amended, hereby decides that the general maintenance, repair and painting of the existing windows would not materially affect the character of the protected structure at Brewery St, Castlebellingham, Co. Louth, constitutes development that is exempted development.

Signed by Inspector

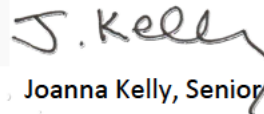


Brian Brooks, Executive Planner

Date

26/08/24

Signed by Planning Authority Officer



Joanna Kelly, Senior Planner

Date

28th August 2024

LOUTH COUNTY COUNCIL

CHIEF EXECUTIVE'S ORDER

PLANNING & DEVELOPMENT ACT 2000 (as amended)

Section 57 Declaration – Works to a Protected Structure

Chief Executive's Order No: 641/2024

Reference No: S57 D24-02

Date Application Received: 14th June 2024

Description: Timber framed sash windows (heritage double glazing). No further details have been submitted.

Name of Applicant: Heidi Lane

Location of Development **Brewery Street, Castlebellingham, Co. Louth A91 W732**

WHEREAS the question has arisen as to whether works would or would not materially affect the character of protected structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest at Brewery St, Castlebellingham.

AND WHEREAS Heidi Lane requested a declaration on the question from Louth County Council on the 15th June 2024.


AND WHEREAS Louth County Council in considering this referral, had regard particularly to –

- a) Section 2 of the Planning and Development Act 2000, as amended,
- b) Section 3 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 57 of the Planning and Development Act, 2000 as amended,
- e) The Architectural Heritage Protection Guidelines for Planning Authorities,
- f) The special interest pertaining to the protected structure in question and
- g) The nature and extent of works set out in the referral question.

AND WHEREAS Louth County Council has concluded that:

- (i) The stated works to the protected structure comprise of “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) That the general maintenance, repair and painting of the existing timber windows to bring them into a state of good repair would not materially affect the character of the protected structure would not materially affect the character of the protected structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest,
- (iii) The said development, therefore, comes within the scope of section 4(1)(h) and Section 57(1) of the Planning and Development Act 2000 (as amended).

NOW THEREFORE Louth County Council, in exercise of the powers conferred on it by Section 57 of the 2000 Act as amended, hereby decides that the general maintenance, repair and painting of the existing windows would not materially affect the character of the protected structure at Brewery St, Castlebellingham, Co. Louth, **constitutes development that is exempted development.**

SIGNED: 
Joanna Kelly
Senior Planner

Dated: 29th August 2024

ORDER: In pursuance of the powers conferred upon the Council by the above Act, I concur with the above recommendation and I hereby direct that a **Section 57 Declaration of Exemption be Granted** for the works, as described above.

SIGNED: 
Thomas McEvoy
Director of Services

Dated: 29th August 2024

To whom this function has been delegated in accordance with the provision of Sections 154 of the Local Government Act 2001 by Order no CE.S.335/22 dated the 01st day of September, 2022.



PLANNING AND DEVELOPMENT ACT 2000 (as amended)
REQUEST FOR SECTION 57 DECLARATION

The above Act provides that notwithstanding section 4(1)(a), (h), (i), (j), (k), or (l) and any regulations made under section 4(2) of the Act, 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

As an owner or occupier of a protected structure you are entitled under the above Act to make a written request to the Planning Authority to issue a Declaration as to the type of works which it considers would or would not materially affect the character of the structure or of any element (as set out in Section 57(3) of the Planning and Development Act 2000 as amended) of that structure.

In order to allow for consideration of this request, please supply the following information:

1. Name of Applicant: HEIDI LANE
2. Address of Protected Structure: Eircode: A91 W732
BREWERY STREET
CASTLEBELLINGHAM
CO. LOUTH
3. Correspondence of Protected Structure: (if different from 2 above)
4. NIAH Ref. No. 13826014 Louth RPS Ref. No. LHS015-022
5. Is the structure owner occupied or rented? OWNER OCCUPIED
6. If rented, state name and address of owner: N/A
7. Use of structure (residential, commercial etc.) RESIDENTIAL
8. Has a Declaration been sought previously? NO
9. Are you aware of any (1) previous planning application/s or (2) enforcement proceedings pertaining to this site? (If so, please give details): NO



**PLANNING AND DEVELOPMENT ACT 2000 (as amended)
REQUEST FOR SECTION 57 DECLARATION**

10. Please provide a brief description of the nature and scale of the development proposed (both internal and external) in particular the works that you are seeking a declaration for

TIMBER FRAMED SASH WINDOWS , HERITAGE DOUBLE GLAZING.

Please note that the accuracy and relevance of the Declaration made by the Planning Authority is informed by the information furnished by the applicant. Any deviation from the information provided may require the re-consideration of the declaration.

11. Please provide a Site Location Map to the scale of 1:1000 clearly identifying the structure and boundaries to which this application refers. The subject structure should be outlined in red and overall landholding to be outlined in blue

I wish to apply for a declaration from Louth County Council as to the type of works as outlined above, which may or may not require permission in the above named structure.

Signed: *M. [Signature]*

Date: 14/06/2024

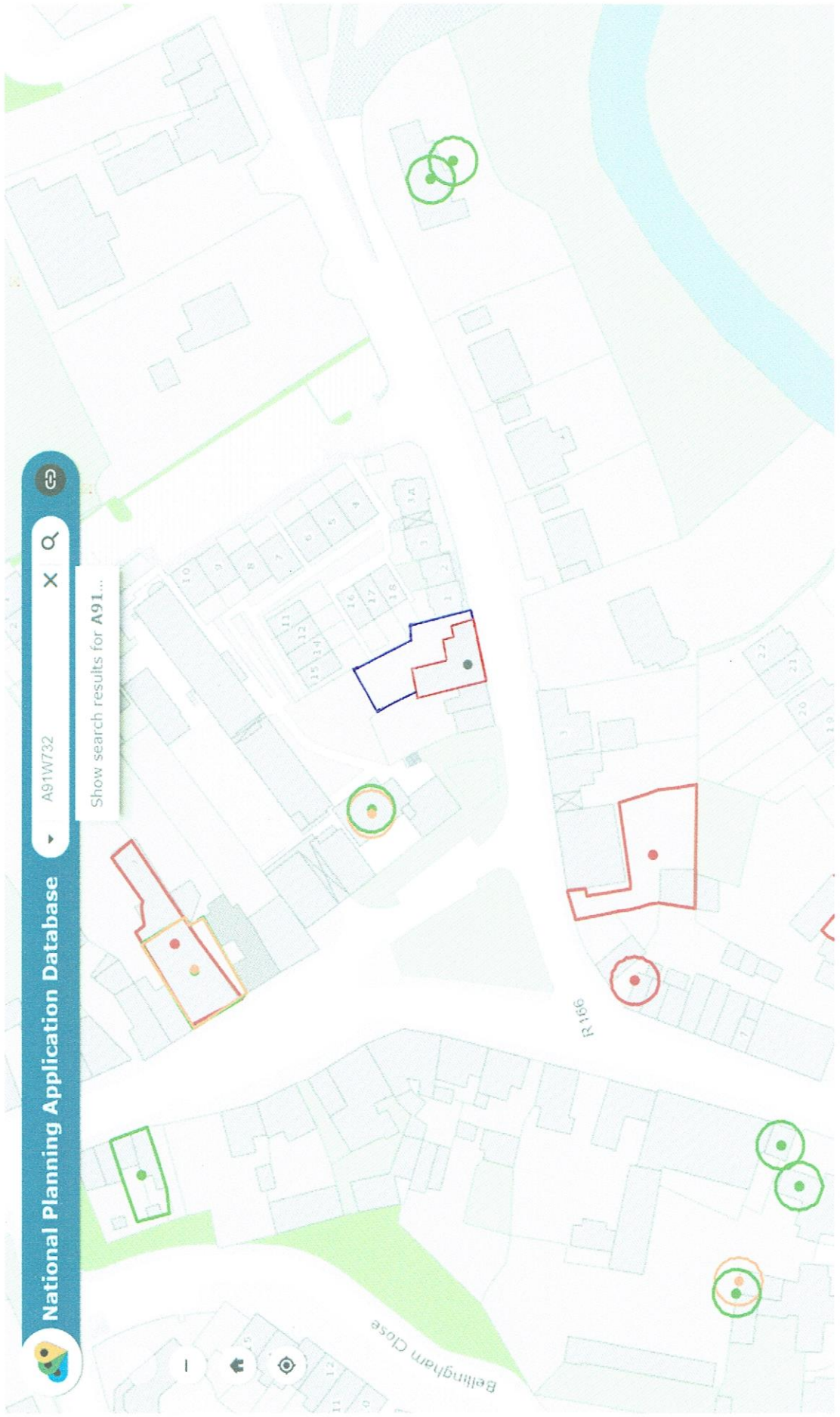
Daytime contact telephone number: [REDACTED]

It should be noted that the Council is normally obliged to issue this declaration within three months (12 weeks) of a request being made.

You will be contacted within this period to arrange an appointment for a suitably qualified person to carry out a detailed survey of the internal and external features of the structure.

Please Return Completed Form To:

Conservation, Planning Dept., Louth County Council,
Town Hall, Crowe Street, Dundalk, A91 W20C
Email: conservation@louthcoco.ie



National Planning Application Database

A91W732

Show search results for A91...

X Q



1

Bellingham Close

A91W732