



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:	Bernadette Kavanagh		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	22/11/2021	Date of Inspection:	15/12/2021
Date of Issue of Declaration:	17/02/2022	Previous Declarations:	None on record

Address:	Location:	E	N
Name of Building: Connell & Co.	National Grid co-ordinates:		
Address 1: No. 5 Church Street	O.S. Map Type:		
Address 2: Dundalk	Map Sheet:		
Address 3: Co. Louth	Site Number:		

Protection Status:	Y / N	Details:
<small>Under the Planning and development Act 2000 (as amended)</small> Record of Protected Structures:	Y ✓ N	D114
Architectural Conservation Area:	Y ✓ N	
<small>Under the Planning and development Act 2000 (as amended)</small> 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): **13702030**

Description of the Structure:

End-of-terrace two-bay two-storey former house, built c. 1830, now in commercial use. Shopfront c. 1880 to ground floor. Hipped slate roof, smooth rendered corbelled chimneystack, moulded cast-iron gutters on painted timber eaves course, circular cast-iron downpipes. Smooth rendered ruled-and-lie walling, painted quoins to north-west corner. Square-headed window openings, painted stone sills, painted timber one-over-one windows. Shopfront to ground floor comprising polished granite stall riser surmounted by large square-headed display windows with overlights, painted smooth rendered fascia board with painted lettering reading "CONNELL & CO", dentilled cornice terminating in foliate brackets, supported on polished pink granite Doric pilasters; central recessed square-headed door opening, plain-glazed overlight, timber and glazed double doors with painted timber floral detail; mosaic tiled "Connell & Co." to entrances; canvas awnings to shop. Interior with linoleum floor, timber shelving, mahogany counter, timber and glazed cash office. Shopfronts directly onto Clanbrassil Street.

Connell's Drapers is a very fine example of a shopfront dating from the Victorian era and exhibiting all the character and confidence of that period. The survival of the shopfront and interior in such a well-maintained condition adds to its significance, and its attractive appearance makes an invaluable contribution to Dundalk's main street.

Assessment:

The works are for maintenance of the existing shop front. The works to be undertaken are set out in a quotation from Gerard Lynch joinery. The property owner had been in correspondence with the conservation section of the Council with regard to the deterioration and concerns that the shop front is in a poor state or repair and without works undertaken may be dangerous.

The works include the retaining of the existing sign board and the replacement of the timber. The façade of the shop has deteriorated and the replacement timber is like for like so retain in situ the shop front appearance.

The timber is to be fully hardwood.

The PA consider that the Connell's Drapers is a very fine example of a shop front dating from the Victorian era and exhibiting all the character and confidence of that period and any works should retain the shop front appearance. Maintenance is required to the shop front from a visual inspection.

Outline Schedule of Works:

Works which **would not** materially affect the character of the protected structure are outlined as follows include works considered to be routine maintenance which can be undertaken without materially affecting the character of the protected structure include:

- i) Routine external maintenance repairs to timber and replacement timber on rotting sections on shop front.
- ii) Erection of hoarding around the shop front.
- iii) Retain and repair existing signboard and stud out of sign board
- iv) Routine maintenance to external of shop
- v) All timber replacement or rotting sections to be hard wood

Special Remarks:

The house dates from 1820 -1840

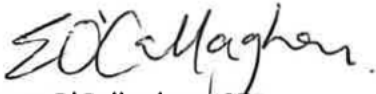
The House falls within two categories of interest as follows: Architectural and Artistic

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

Quotation from Gerard Lynch Joinery and an email from Bernadette Kavanagh, property owner.

Phone call with Bernadette Kavanagh and Emer O'Callaghan on 14/12/2021

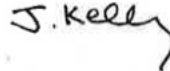
Signed by Inspector



Emer O'Callaghan, SEP

Date: 16/02/2022

Signed by Planning Authority Officer



Joanna Kelly, Senior Planner

Date: 16/02/2022

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: 149/2022

Reference No: S57 D21-05

Date Application Received: 22 November 2021

Description of Development: Maintenance works to existing shopfront to include the retaining of the existing sign board and the replacement of the timber.

Name of Applicant: Bernadette Kavanagh

Location of Development No. 5, Church Street, Dundalk,
Co. Louth

WHEREAS the question has arisen as to whether the proposed 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 No. 5 Church Street, Dundalk, Co. Louth

AND WHEREAS Bernadette Kavanagh requested a declaration on the question from Louth County Council on the 22nd November 2021.

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) Section 68 of the Planning and Development Act, 2000 as amended,
- (f) Section 77(1) of the Planning and Development Act 2000, as amended,
- (g) The Architectural Heritage Protection Guidelines for Planning Authorities,
- (h) The special interest pertaining to the protected structure in question and
- (i) The nature and extent of works set out in the referral question which seeks to address the safety concerns in respect of this structure,

AND WHEREAS Louth County Council has concluded that –

- (i) Having considered the works listed, as set out in the structural report, submitted with the application, are works that constitute development within the meaning of the Planning and Development Act, 2000 as amended;
- (ii) That the works as follows:
 - Routine external maintenance repairs to timber and replacement timber on rotting sections on shop front.
 - Erection of hoarding around the shop front.
 - Retain and repair existing signboard and stud out of sign board
 - Routine maintenance to external of shop
 - All timber replacement or rotting sections to be hard wood

constitute works that would not materially affect the character or special interests of the protected structure, and

- (iii) are the works are considered to be routine maintenance works, which can be undertaken without materially affecting the character of the protected structure.

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 proposed works to No. 5 Church Street, Dundalk as detailed above, **constitutes development that is exempted development.**

SIGNED:


Emer O'Callaghan
Senior Executive Planner

Dated: 17th February, 2022

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: 
Frank Pentony
Director of Services

Dated: 17th February, 2022

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.276/2019 dated the 27th day of September, 2019.

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Comhairle Contae Lú
Louth County Council

**PLANNING AND DEVELOPMENT ACT 2000
REQUEST FOR SECTION 57 DECLARATION**

The above Act provides that any works which would affect the character of a protected structure, or a proposed protected structure will require planning permission, even where those works would normally be exempt under Section 4 (1)(h) of the 2000 Act.

As an owner or occupier of a protected structure you are entitled under the above act to request the Council to issue a declaration as to the type of works which may or may not be permitted in your structure. In order to issue this declaration you should supply the following information:

- 1. Name of Applicant: Bernadette Kavanagh
- 2. Address of Protected Structure: No. 5, Church Street, Dundalk.
- 3. Correspondence address: (if different from 2 above) "ARÓ MÓR,"
Newtownpark Avenue, Blackrock,
Co. Dublin.
- 4. NIAH Ref No. & Louth RPS Number _____
- 5. Is structure owner occupied or rented? OWNER occupied
- 6. If rented state name and address of owner: _____
- 7. Use of structure (residential, commercial etc.): Commercial.
- 8. Site location map to the scale of 1:1000 clearly identifying the structure and boundaries to which the application refers (subject structure to be outlined in red, overall land holding to be outlined in blue)
- 9. Has a declaration been sought previously? No

I wish to apply for a declaration from Louth County Council as to the type of works which need permission in my structure.

Signed: Bernadette Kavanagh Date: 21-11-21.

Daytime contact telephone Number: 

It should be noted that the Council is normally obliged to issue this declaration within three months of the request being made and that 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 Office, Planning Dept. Louth County Council,
Town Hall, Crowe St, Dundalk, Co Louth
Email: conservation@louthcoco.ie

