



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:	Grafton Group plc.		
Status (i.e. Owner or Occupier):	Owner Occupied		
Date of Request for Declaration:	5 th November 2024	Date of Inspection:	2 nd January 2025
Date of Issue of Declaration:	29 th January 2025	Previous Declarations:	None

Address:	
Name of Building:	Chadwick's Old Jail
Address 1:	Scarlet Street
Address 2:	Drogheda
Address 3:	Co. Louth
Eircode:	A92 T268



Protection Status:	Y		Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y ✓	N	DB-221
Architectural Conservation Area:	Y	N ✓	
Record of Monuments and Places:	Y ✓	N	13619124
Zone of Archaeological potential:	Y ✓	N	Drogheda Town Centre
Preservation Order or Temporary P.O.:	Y	N ✓	

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 Scarlet Street, Drogheda. The applicant is seeking to remove the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site and fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.



Figure 1: Protected structure and roof in question as viewed from Scarlet Street.



Figure 2- Bird's Eye View imagery submitted by the applicant detailing the existing roof



Figure 3: Location demoted by blue marker.

Protection Status:

Under the Planning and Development Act 2000 (as amended), the Record of Protected Structures is set out in the Louth County Development Plan 2021-2027 as varied. Chadwicks, Old Jail Scarlet Street, Drogheda (RPS DB 221 and NIAH 13619124) is described by the National Inventory of Architectural Heritage (NIAH) as: *'Detached multiple-bay single-storey stone former gaol, dated 1818, now in commercial use. Projection to south containing ashlar limestone breakfront. Sheet metal roof, hidden behind parapet wall. Random rubble limestone walling, ashlar limestone breakfront to projecting bay, tooled ashlar limestone quoins to projecting bay, ashlar limestone pilasters to south elevation; milestone located to west elevation. Diocletian window openings to south, set in round-headed recessed arches, wrought-iron security bars, surmounted by blind square-headed openings. Round-headed door opening to south elevation, round-headed recessed surround, painted timber sheeted door, overlight with wrought-iron security bars, stone date plaque surmounting entrance; stone plaque dedicated to "Drogheda Martyrs" to south elevation; goods entrance to east. Interior renovated, retaining segment of random rubble stone wall with round-headed arches, stone surround. Street fronted, parking to south.'*

Planning History:

Planning Ref No.	98/510081
Received Date	RENOVATE AND EXTEND EXISTING HARDWARE/BUILDERS PROVIDERS
Application Status	APPLICATION FINALISED
Application Type	PERMISSION
Application Name	EDWARD BATTERSBY
Development Description	RENOVATE AND EXTEND EXISTING HARDWARE/BUILDERS PROVIDERS.
Location	OLD GAOL SCARLET STREET DROGHEDA.
Decision	CONDITIONAL
Decision Date	21/06/1998

Referral Question:

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

The proposal relates to the removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site and fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

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.
-

Assessment:

The applicant has stated that they are seeking to replace an existing roof with a replacement roof consisting of '*proprietary profiled metal insulated roof panels to match as close as possible*'. It is noted that the roof of the structure has been specifically referred to within the description of the Old Gaol within the National Inventory of Architectural Heritage (NIAH). It is considered that the proposed replacement of the roof would materially affect the structure and as such the works **require planning permission**.

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

A site location map and a Bird's Eye view of the structure has been submitted. No details on the materials or a methodology has been submitted for the proposal.

Conclusion:

It is concluded, that WHEREAS a question has arisen as to whether the proposed development detailed under subsection 10 of the Request for Section 57 Declaration as detailed as follows:

- Removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site
- Fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

would or would not materially affect the character of protected structures or any element of the structures which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest at Chadwick's, Old Jail, Scarlet Street, Drogheda, A92 T268

AND WHEREAS Grafton Group plc requested a declaration on the question from Louth County Council on the 5th November 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 nature and extent of works set out in the referral question in respect of this structure,

AND WHEREAS Louth County Council has concluded that:

- (i) the stated works to the protected structure comprise of works that **are development**, and
- (ii) the stated works **would** materially affect the character of the structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest,
- (iii) the stated works would consist of the carrying out of works for the maintenance, improvement and alteration of this structure which **would** 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, and
- (iv) the proposed works would comprise development which does **not** come within the scope of 4(1)(h) or Section 57 of the Planning and Development Act 2000 as amended and would therefore **require planning permission**.

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 above, at Chadwick's, Old Jail, Scarlett Street, Drogheda, A92 T268 constitutes **development** that is **Not** exempted development.

Signed by Inspector

Signed by Planning Authority Officer

Ciarán Kelly, Assistant Planner

Date: 20th January 2025

Joanna Kelly, Senior Planner

Date:

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: 058/2025

Reference No: S57 DB24-04

Date Application Received: 5th November 2024

Description: The proposal relates to the removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site and fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

Name of Applicant: Grafton Group plc.

Location of Development Chadwick's Old Jail, Scarlet Street,
Drogheda, Co. Louth A92 T268

WHEREAS a question has arisen as to whether the proposed development detailed under subsection 10 of the Request for Section 57 Declaration as detailed as follows:

- Removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site
- Fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

would or would not materially affect the character of protected structures or any element of the structures which contributes to its special architectural, historical,

archaeological, artistic, cultural, scientific, social or technical interest at Chadwick's, Old Jail, Scarlet Street, Drogheda, A92 T268

AND WHEREAS Grafton Group plc requested a declaration on the question from Louth County Council on the 5th November 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 nature and extent of works set out in the referral question in respect of this structure,

AND WHEREAS Louth County Council has concluded that:

- (i) the stated works to the protected structure comprise of works that **are development**, and
- (ii) the stated works **would** materially affect the character of the structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest,
- (iii) the stated works would consist of the carrying out of works for the maintenance, improvement and alteration of this structure which **would** 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, and
- (iv) the proposed works would comprise development which does **not** come within the scope of 4(1)(h) or Section 57 of the Planning and Development Act 2000 as amended and would therefore **require planning permission**.

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 above, at Chadwick's, Old Jail, Scarlett Street, Drogheda, A92 T268 constitutes **development** that is **Not** exempted development.

SIGNED: 
Joanna Kelly
Senior Planner

Dated: 24th January 2025

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: 24th January 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:	Grafton Group plc.
2.	Address of Protected Structure:	Eircode: Chadwick's, Old Jail, Scarlet Street, Drogheda.
		A92 T268
3.	Correspondence of Protected Structure: (if different from 2 above)	Declan Walsh, Chartered Building Surveyor & Conservation Surveyor, Main Road, Tullyallen, Drogheda, Co. Louth
4.	NIAH Ref. No. 13619124	Louth RPS Ref. No. ID DB-221
5.	Is the structure owner occupied or rented?	Owner occupied
6.	If rented, state name and address of owner:	
7.	Use of structure (residential, commercial etc.)	Commercial Hardware & Builders Merchants
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):	
	Planning Reg. Ref. No. 98 510081	



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
- Removal of existing asbestos roof cladding from an existing modern portal frame Warehouse/storage building on the site.
- Fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

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:

Date:

05/11/2024

05/11/2024

Daytime contact telephone number: 086 8122172

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

Land Registry Compliant Map

SITE LOCATION MAP

Tailte Éireann



CENTRE COORDINATES:
ITM 709089,775640

PUBLISHED: 06/11/2024
ORDER NO.: 50432547_1

MAP SERIES: 1:5,000
1:1,000
MAP SHEETS: 2319
2319-12

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Ireland.
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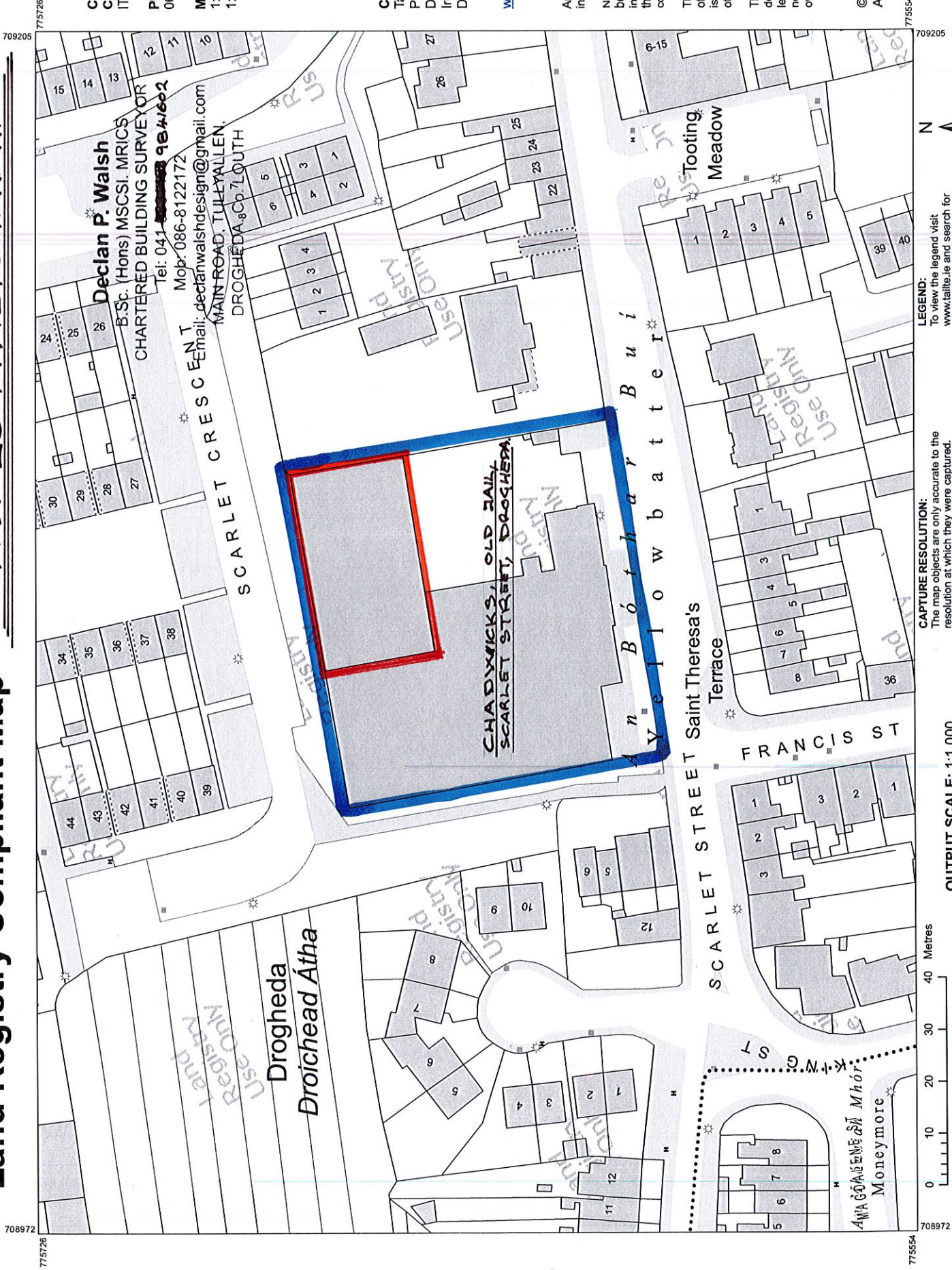
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FOR IDENTIFICATION PURPOSES ONLY

EXISTING ASBESTOS ROOF
CLADDING TO BE REPLACED

CHADWICKS
OLD JAIL
SCARLET STREET
DROGHEDA
CO. LOUTH
A92 T268