

What about Routine Maintenance?

In general, works of repair and maintenance, where carried out in accordance with the Department of Culture, Heritage and the Gaeltacht's Architectural Heritage Protection - Guidelines for Planning Authorities, do not require planning permission.

Owners/occupiers should seek professional advice for the assessment of problems and for the proposal of the best solutions. The best solutions are often those that are based on traditional methods and involve the least intervention. It is important to be aware that some modern methods of repair are incompatible with traditional construction and may actually lead to an exacerbation of the problem and damage to the protected structure.

Some works that are normally considered exempted development may require planning permission, when taking place to a protected structure. The types of works where planning permission would generally be required are:

- New build or extension to a Protected Structure (irrespective of size);
- Demolition works to, or within the grounds of, a Protected Structure;
- Changes to the internal layout of a Protected Structure (such as subdivision of rooms or breaking through new openings);
- Changes to or removal of the historic materials of the Protected Structure (such as roof covering, windows and doors, wall finishes, plasterwork, internal joinery, plasterwork and other decorative features);
- Owners and occupiers must also make sure that the protected structure is not endangered (i.e. not harmed, damaged or allowed decay) through neglect or through deliberate actions and works.

What does this mean for an owner or occupier who wishes to develop or alter their property?

As most protected structures are buildings in use as homes and places of employment protected structure status does not stop the development or alteration of a property.

The objective when doing work to a protected structure is not to damage or remove the elements that make it of special interest or contribute to its character. Before commencing development or alteration works consultation should take place with the Conservation / Planning Officer to discuss:

- The nature & scope of works proposed where it is unclear whether or not a planning permission is required, (for example repairs carried out in accordance with conservation principles, please see above where a method statement is agreed with the Conservation Officer may not require planning permission).

- Prior to the submission of a planning application where a planning permission is required.
- Before submitting a Section 5 Declaration - where the planning authority is asked to determine if specific works require planning permission.
- Before submitting a Section 57 Declaration (see over).

Are there any measures in place to assist owners / occupiers to preserve a protected structure?

- Yes - Grants are available under the BHIS (Built Heritage Investment Scheme) and HSF (Historic Structures Fund), administered by Louth County Council (NB Subject to funding determined annually by the relevant Department). Please note that many schemes have a closing date for applications in the first month(s) of the year (Jan/Feb).

Exemption from Planning Levies: Renovations to restore/refurbish structures deemed to be "Protected Structures" in the Louth County Development Plan, where the Council is satisfied that the works substantially contribute to the restoration or protection of the structure.

* Other Agencies Offering Funding:

- Irish Georgian Society www.igs.ie/updates
- The Heritage Council www.heritagecouncil.ie

Thatching Grants:

Housing Grants Section: Department of Housing, Local Government and Heritage, Government Buildings, Ballina, Co. Mayo

F26 E8N6

Website: <https://www.gov.ie/en/service/32e72-thatching-grant/>

Email: thatch@housing.gov.ie

Phone: 096 24283

Get in Touch!

- Phone: 042 9335457
- Email: conservation@louthcoco.ie

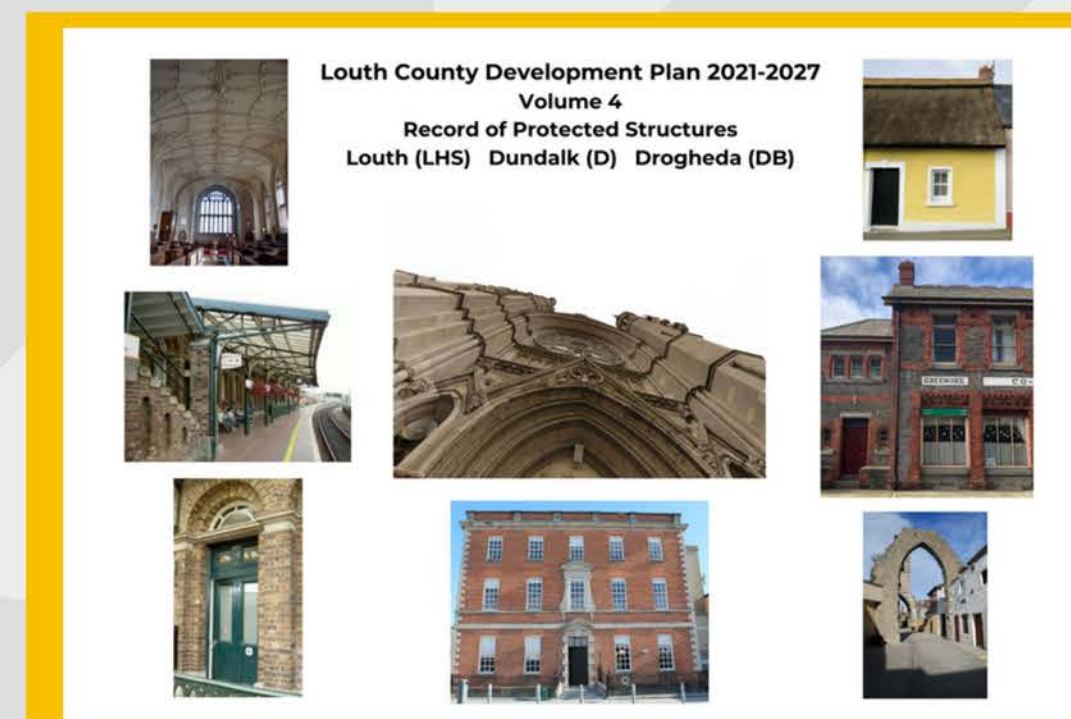
or, for further details, visit our webpage:

<https://www.louthcoco.ie/en/services/planning/conservation/>

Protected Structures are Exempt from Building Energy Rating



A Guide to Protected Structures



What is a Protected Structure?

A protected structure is a structure or part of a structure that a planning authority considers to be of special interest from an:

- Architectural interest;
- Historical interest;
- Archaeological interest;
- Artistic interest;
- Cultural interest;
- Scientific interest;
- Social interest;
- Technical interest.

All protected structures in County Louth are entered in the Record of Protected Structures (RPS). The full list of protected structures, and their detail, is contained in Volume 4 of the Louth County Development Plan 2021-2027. You can view the Record of Protected Structures by clicking on the link below:

<https://www.louthcoco.ie/en/publications/development-plans/louth-county-development-plan-2021-2027/louth-cdp-2021-2027-rps-1.pdf>

The owner/occupier of a protected structure is legally obliged to ensure that no danger is caused to the structure. Furthermore, when undertaking works to a protected structure the owner/occupier must ensure that they (the works) are in accordance with best practice conservation principles.



What are Best Conservation Principles?

All works must be in accordance with the following conservation principles including:

- Keep a building in use;
- Do research & analysis before you commence any works;
- Use expert conservation advice i.e. Conservation Architect to oversee project;
- Minimum intervention is a basic rule of thumb;
- Protect special interest / character of the structure;
- Respect earlier alterations, which form part of the building character;
- Always repair rather than replace
- Ensure honesty of repair & alteration using appropriate materials supported by a detailed method statement;
- Repairs & alterations should be reversible;
- Avoid incremental damage;
- Discourage architectural salvage;
- Alternative approaches to satisfy building regulations is advised, while protecting building character.

What Parts of a Protected Structure must be Preserved?

The obligation to preserve a protected structure applies to all parts of the structure (unless otherwise specifically stated in the description in the Record of Protected Structures), including:

- The exterior;
- The interior;
- Fixtures and features which form part of the interior or exterior;
- The land lying within the curtilage (the immediate area surrounding or having an established relationship with the structure); and
- Any other structures on that land and their interiors.

What Obligations Fall on Owners/Occupiers to Ensure the Preservation of Protected Structures?

An owner or occupier of a protected structure must ensure that the structure or any element of it is not endangered. Endangering a structure can mean either directly or indirectly damaging the structure, or any element of it, by neglecting the structure to such an extent that it is damaged.

Can I Carry Out Development to a Protected Structure without planning permission?

Under the planning system, many minor works to structures do not normally require planning permission. These works are known as exempted development.

However, for a protected structure, such works are exempted only in the instance that the works would not materially affect the character of the structure, or any element of the structure, that contributes to its special interest.

Works which are normally exempt and which do not affect the character of the structure would not require planning permission.

However, owners and/or occupiers who carry out such works without a specific written declaration of exemption from the planning authority do so at their own risk.

How can I clarify the works which would be exempted and the works that would require permission?

The Planning and Development Act, 2000 (as amended) 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 (Section 57) 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.