



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:	Mark Cassidy (Solicitor)		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	14/03/2022	Date of Inspection:	16/03/2022
Date of Issue of Declaration:	03/05/2022	Previous Declarations:	None on record

Address:

Name of Building: **Hill House, St. Peter's Street**

Address 1: Drogheda

Address 2: Co. Louth

Address 3: A92 C951

Location:

National Grid co-ordinates:

E	N
304392	306856

O.S. Map Type:

Map Sheet:

Site Number:

Protection Status:

Y / N

Details:

Under the Planning and development Act 2000 (as amended)

Record of Protected Structures:

Y ✓ N

DB-214

Architectural Conservation Area:

Y ✓ N

ACA 11 – St. Peter's Church and Environs

Under the Planning and development Act 2000 (as amended)

Record of Monuments and Places:

Y ✓ N

Zone of Archaeological potential:

Y N x

Preservation Order or Temporary P.O.:

Y N x



NIAH Registration No.:

13619096 – Rated of Regional Importance and Architectural Interest

Description/Appraisal of the Structure:

Attached two-bay three-storey former house, built c. 1820, now in office use. Pitched artificial slate roof, clay ridge tiles, red brick corbelled chimneystack, stone coping parapet, gutter to south hidden by parapet, cast-iron gutters to north, circular cast-iron downpipes. Smooth rendered ruled-and-lined walling, rendered channelled quoins to ground floor and east elevation; red brick walling laid in Flemish bond, tooled limestone block-and-start quoins to first and second floors south elevation. Square headed window openings, painted stone sills, uPVC windows, wrought-iron guard to ground floor window. Round-headed door opening, plain-glazed fanlight, painted timber door with six raised-and fielded panels. Situated on north side of Saint Peter's Hill, at the corner of the churchyard. Street fronted.

Appraisal

Hill House displays a pleasing use of different materials, the red brick and render to the façade appealingly contrast with one another, forming a charming structure at the corner of the churchyard, a prominent location within the town.

Assessment/ Outline of Works:

Removal of an existing ground floor extension and the erections of a new two-storey extension to include ground floor office space with new toilet and washroom facilities to the first floor. External finishes to match existing structure.

The applicant advised during the site inspection on 16th March 2022, that the existing extension to the rear was to be removed and a two-storey extension constructed.

I have reviewed the NIAH record in respect of this property and have inspected the site.

As per the Planning and Development Act 2000, Section 4 1(h), the following shall be exempted development for the purposes of the Act (h): Development consisting of carrying out 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.

Section 57 (1) Notwithstanding 4 1(h), 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.

Special Remarks:

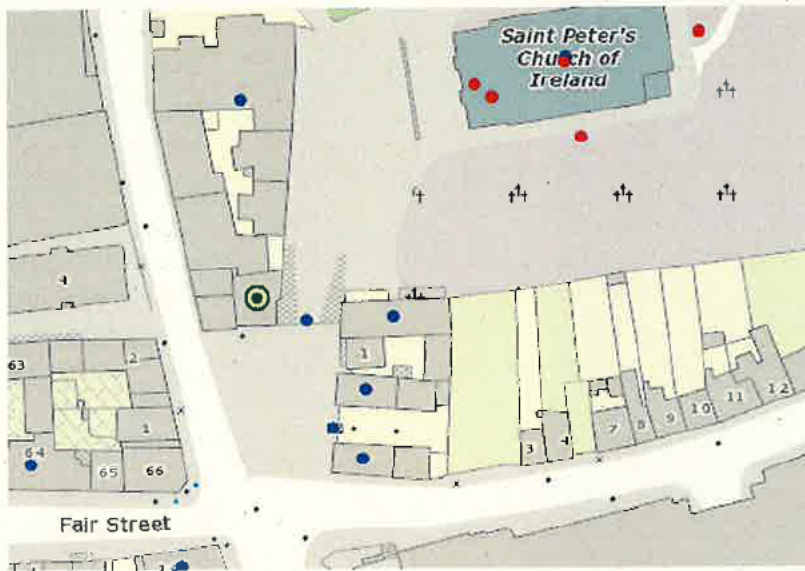
Based on the information submitted and having carried out a site inspection and reviewed the NIAH record, it is considered that the removal of the existing ground floor extension and erection of a new two-storey extension for commercial purposes require planning permission regardless of the status of the structure in question and no exemption pertains to extensions. A section 57 declaration allows for certain works to be considered which would not materially affect the character of the property.

Accordingly, the extent of works outlined is considered to be development which is not exempt development.



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

Figure 1: Map illustrating subject site (green dot)



Photograph 1: Side elevation illustrating area of works





Photograph 2: Illustrating rear door leading to the flat roof to the part two-storey rear extension.



Photograph 3: Photograph taken from flat roof of part two-storey extension looking down onto the flat roof of the single storey extension. Applicant advised during site inspection that the extension is to extend to the end and be two-storey in height





Photograph 4: Looking down onto the flat roof of the single storey extension which is proposed to be removed and a two-storey extension constructed



Recommendation:

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

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 Hill House, St. Peter's, Drogheda, Co. Louth

AND WHEREAS Mark Cassidy, Solicitors requested a declaration on the question from Louth County Council on the 14th March, 2022.

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 removal of the existing ground floor extension and erection of a new two-storey extension constitutes "works" as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) The removal of the existing ground floor extension and erection of a new two-storey extension constitutes "development" as defined in Section 3 of the Planning and Development Act 2000 (as amended) for which there is no exemption;
- (iii) The removal of the existing ground floor extension and erection of a new two-storey extension to a commercial structure requires planning permission
- (iv) The said development, therefore, does not fall 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 proposed works at Hill House, St Peter's Street, Drogheda, as detailed above, constitutes development that is not exempted development

Signed by Inspector

Signed by Planning Authority Officer

Handwritten signature of Ann McCormick in black ink.

Ann McCormick (Assistant Planner)

Handwritten signature of Joanna Kelly in blue ink.

Joanna Kelly (Senior Planner)

Date: 03/05/2022

Date: 03/05/2022

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: 369/2022

Reference No: S57 DB22-01

Date Application Received: 14 March 2022

Description: Removal of an existing ground floor extension and the erections of a new two-storey extension to include ground floor office space with new toilet and washroom facilities to the first floor.

Name of Applicant: Mark Cassidy (Solicitor)

Location of Development: Hill House, St. Peter's, Drogheda, 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 Hill House, St. Peter's, Drogheda, Co. Louth

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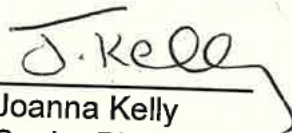
- a) Section 2 of the Planning and Development Act 2000, as amended,
- b) Section 3 of the Planning and Development Act 2000, as amended,
- c) Section 4 (1)(h) of the Planning and Development Act 2000, as amended,
- d) Section 57 of the Planning and Development Act, 2000 as amended,
- e) The Architectural 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 removal of the existing ground floor extension and erection of a new two-storey extension constitutes “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) The removal of the existing ground floor extension and erection of a new two-storey extension constitutes “development” as defined in Section 3 of the Planning and Development Act 2000 (as amended) for which there is no exemption;
- (iii) The removal of the existing ground floor extension and erection of a new two-storey extension to a commercial structure requires planning permission;
- (iv) The said development, therefore, does not fall within the scope of section 4(l)(h) and Section 57(l) 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 proposed works at Hill House, St Peter’s Street, Drogheda, as detailed above, constitutes development that is not exempted development.

SIGNED:

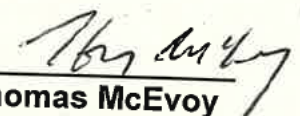

Joanna Kelly
Senior Planner

Dated: 6th May, 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 Refused** for the works, as described above.

SIGNED:


Thomas McEvoy
A/Director of Services

Dated: 6th May, 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.125/22 dated the 15th day of March, 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: Mark Cassidy (Solicitor)
2. Address of Protected Structure: **Hill House
St Peters Street,
Drogheda,
Co Louth** Eircode: **A92C951**
3. Correspondence of Protected Structure:
(if different from 2 above)
**Gerry Eustace (Agent)
Barns Road,
Beabeg,
Drogheda,
Co. Meath**
4. NIAH Ref. No. **13619096** Louth RPS Ref. No. **DB-214**
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.) **Commercial**
8. Has a Declaration been sought previously **No**



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

9. Are you aware of any (1) previous planning application/s or (2) enforcement proceedings pertaining to this site? (If so, please give details): **None**

As far as can be ascertained there has been no previous planning application or enforcement proceedings pertaining to this site.

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

The development would consist of the removal of an existing ground floor extension and the erection of a new two-story extension to include ground floor office space with new toilet and washroom facilities to the first floor. External finishes to match existing structure.

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:

2/03/2022

Daytime contact telephone number:



Gerry Eustace 0872175876



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

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

Hill House/Gerald Daly and Co. Solicitors, Peter's Hill, MONEYMORE,
Drogheda, LOUTH



 [View on map](#)

Survey Data

Reg No 13619096

Rating Regional

Categories of Special Interest Architectural

Original Use House

In Use As Office

Date 1800 - 1840

Coordinates 308913, 275330

Date Recorded 22/07/2005

Date Updated --/--

Description

Attached two-bay three-storey former house, built c. 1820, now in office use. Pitched artificial slate roof, clay ridge tiles, red brick corbelled chimneystack, stone coping parapet, gutter to south hidden by parapet, cast-iron gutters to north, circular cast-iron downpipes. smooth rendered ruled-and-lined walling, rendered channelled quoins to ground floor and east elevation; red brick walling laid in Flemish bond, tooled limestone block-and-start quoins to first and second floors south elevation. Square-headed window openings, painted stone sills, uPVC windows, wrought-iron guard to ground floor window. Round-headed door opening, plain-glazed fanlight, painted timber door with six raised-and-fielded panels. Situated on north side of Saint Peter's Hill, at corner of churchyard. Street fronted.

Appraisal

Hill House displays a pleasing use of different materials, the red brick and render to the façade appealingly contrast with one another, forming a charming structure at the corner of the churchyard, a prominent location within the town.

LCC_RPS:Hill House

RPS No: DB-214

Status: Protected Structure

Name: Hill House

Type: office

NIAH_No: 13619096

Planning Pack Map



Ordnance Survey Ireland
National Mapping Agency

CENTRE COORDINATES:
ITM 708941,775347

PUBLISHED: 14/02/2022
ORDER NO.: 50250338_1_f

MAP SERIES: 1:5,000
1:1,000
1:1,000

MAP SHEETS: 2319
2319-11
2319-12

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OUTPUT SCALE: 1:1,000

Site Location Map

CENTRE COORDINATES:
ITM 708841,775347

ORDER NO.:
50250338_1

MAP SHEETS:
6 Inch Raster
6 Inch Raster
MH024
MH020

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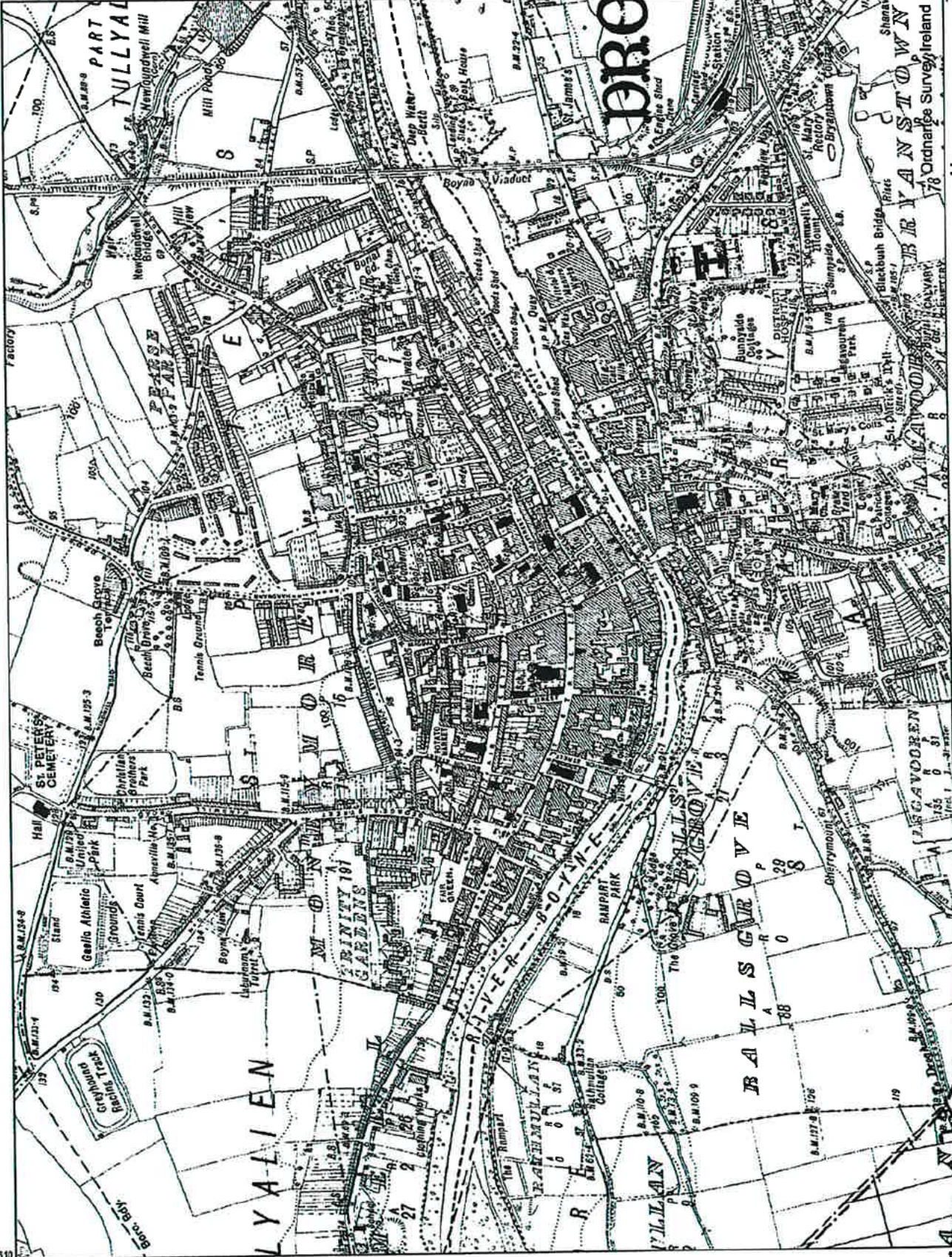
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OUTPUT SCALE: 1:10,560



707610

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Front Elevation

Front Elevation



Side Elevation





Site Location in Yellow