



## 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.

<b>Applicant Name:</b>	Carmelita Fagan		
<b>Status (i.e. Owner or Occupier):</b>	Owner		
<b>Date of Request for Declaration:</b>	31 <sup>st</sup> Jan 2022	<b>Date of Inspection:</b>	23 <sup>rd</sup> March 2022
<b>Date of Issue of Declaration:</b>	01/04/2022	<b>Previous Declarations:</b>	None

<b>Address:</b>	<b>Location:</b>	<b>E</b>	<b>N</b>
Name of Building:	National Grid co-ordinates:	322344	310852
Address 1:	27 Euston Street	<b>O.S. Map Type:</b>	
Address 2:	Greenore	<b>Map Sheet:</b>	
Address 3:	Co. Louth	<b>Site Number:</b>	
<b>Eircode:</b>			

<b>Protection Status:</b>	<b>Y / N</b>		<b>Details:</b>
<small>Under the Planning and development Act 2000 (as amended)</small>			
Record of Protected Structures:	Y ✓	N	Lhs009-036D
Architectural Conservation Area:	Y ✓	N	Greenore ACA
<small>Under the Planning and development Act 2000 (as amended)</small>			
Record of Monuments and Places:	Y	N ✓	
Zone of Archaeological potential:	Y	N ✓	



Preservation Order or  
Temporary P.O.:

Y

N ✓

NIAH Registration No. (if applicable):

13831027

### Description of the Structure:



24-29 Euston Street, GREENORE, Greenore, LOUTH



#### Survey Data

Reg No	13831027
Rating	Regional
Categories of Special Interest	Architectural, Social
Original Use	Worker's house
In Use As	House
Date	1850 - 1870
Coordinates	322344, 310852
Date Recorded	08/08/2005
Date Updated	--/--

Terrace of six single-bay two-storey former worker's houses, built c. 1860, now in private domestic use. Rectangular-plan, two-storey returns to west. Hipped slate roof, clay ridge and hip tiles, red brick corbelled chimneystacks, some profiled cast-iron gutters on painted timber fascia to overhanging eaves, circular cast-iron downpipes. Unpainted roughcast-rendered walling, unpainted smooth rendered quoins; smooth rendered walling to north. Square-headed window openings, block-and-start unpainted smooth rendered jambs, flat-arched smooth rendered lintels, concrete sills, painted timber two-over-two sliding sash windows to numbers 25 and 27, variety of replacement windows elsewhere. Square-headed door openings, block-and-start unpainted smooth rendered jambs, flat-arched smooth rendered lintels, plain-glazed overlights, painted timber six-panel doors, uPVC door to no.28, glass top panels to no. 29. Fronts directly onto street, gardens to west bounded by roughcast-rendered walling with soldier coping, some concrete brick walling, square-headed openings with painted timber doors to gardens from western communal laneway.

### Appraisal

This terrace of modest but attractive workmen's houses testifies to the significance of Greenore's industrial past. The combination of the large port and the railway created the need for workers' housing which was provided here to a high standard. These houses retain many of their salient features and are a valuable part of Greenore's architectural legacy.

### Site Description of Proposed Works

The Structure on site at 27 Euston Street is an existing mid terrace dwelling house with a 2-storey rear return add on. The structure has 4 original window openings within the original structure and is located within Greenore Architectural Conservation Area. These openings include 2 two-over-two sliding sash windows on the front façade and to the rear there are 2 six-over-six sliding sash windows. On the rear return there are 2 eight pane timber framed casement windows. It is the 2 casement windows at the rear of the property which are the subject of this Section 57 Declaration.



### **Assessment**

The Planning Authority has considered the works to 27 Euston Street which involve the replacement of 2 existing timber casement windows on the 2-storey rear return which is an add on extension to the existing terraced dwelling with traditional wooden frame sash windows to match the style of the existing 4 traditional windows to this protected structure. The original traditional windows to the rear of this property are however 2 six-over-six timber sliding sash windows.

Depending on the nature of the works involved and the special interest of the structure, some works to a protected structure might not require planning permission. The Replacement of previous inappropriate alterations such as uPVC or aluminum windows with appropriately detailed replacement windows would not materially affect the character of the protected structure.

The Planning Authority has considered the Section 57 Declaration which asks the question if replacing 2 non-original casement windows with a traditional wooden frame sash window to match the style of the existing 4 windows to a protected structure is exempt development and the Planning Authority consider that the casement windows on the rear return are in poor condition, do not match the style of the existing six-over-six sliding sash timber framed windows on the rear elevation of 27 Euston Street and therefore providing the new windows are appropriately detailed replacement windows in conformity with The Architectural Protection Guidelines for Planning Authorities and Department of Environment, Heritage and Local Government Conservation Guidelines, the question asked is considered to be development that would not materially affect the character of the protected structure.

### **Schedule of Works:**

Works which would not materially affect the character of the protected structure are outlined as follows:

- 1) Replacement of casement windows on rear return of 27 Euston Street with appropriate detailed replacement windows that match the style of the existing six-over-six sliding sash that are currently present on the rear façade of 27 Euston Street.

### **Special Remarks:**

The house and terrace was built around 1860, with a regional listing status and falls within 2 categories namely Architectural and Social.

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

- Map,
- Declaration form
- Site photos taken by Planning Authority Inspector 23<sup>rd</sup> March 2022





**Recommendation:**

I hereby recommend that a Declaration of Exemption be granted 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 27 Euston Street, Greenore, Co. Louth

**AND WHEREAS** Carmelita Fagan requested a declaration on the question from Louth County Council on the 31<sup>st</sup> January, 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 which seeks to replace two non-original casement windows on the rear return of the structure.

**AND WHEREAS** Louth County Council has concluded that –

- (i) The replacement of casement windows on the rear return constitutes “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) Replacement of casement windows, on rear return, with appropriate detailed replacement windows that match the style of the existing six-over-six sliding sash, would not materially affect the character of the protected structure.
- (iii) The said development, therefore, comes within the scope of section 4(I)(h) and Section 57(I) 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 to the rear return at 27 Euston Street, Greenore, Co. Louth as detailed above, **constitutes development that is exempted development.**

Signed by Inspector

Lisa Grant, Assistant Planner

Date

05/04/2022

Signed by Planning Authority Officer

Joanna Kelly, Senior Planner

Date

05/04/2022

**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:** 297/2022

**Reference No:** S57 LHS22-02

**Date Application Received:** 31 January 2022

**Description:** Replacement of two non-original casement windows, on rear return, with traditional wooden frame sash windows to match the style of the existing four windows.

**Name of Applicant:** Carmelita Fagan

**Location of Development** 27 Euston Street, Greenore, 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 27 Euston Street, Greenore, Co. Louth

**AND WHEREAS** Carmelita Fagan requested a declaration on the question from Louth County Council on the 31<sup>st</sup> January, 2022.

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- (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 which seeks to replace two non-original casement windows on the rear return of the structure.

**AND WHEREAS** Louth County Council has concluded that –

- (i) The replacement of casement windows on the rear return constitutes “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) Replacement of casement windows, on rear return, with appropriate detailed replacement windows that match the style of the existing six-over-six sliding sash, would not materially affect the character of the protected structure.
- (iii) The said development, therefore, comes 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 to the rear return at 27 Euston Street, Greenore, Co. Louth as detailed above, **constitutes development that is exempted development.**

**SIGNED:**


  
Joanna Kelly  
Senior Planner

**Dated: 07<sup>th</sup> April, 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:**

  
Thomas McEvoy  
A/Director of Services

**Dated: 07<sup>th</sup> April, 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.



Comhairle ConPLANNING AND DEVELOPMENT ACT 2000 (as amended)  
Louth County Council **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 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: **CARMELITA FAGAN**
  2. Address of Protected Structure: **27 EUSTON STREET,  
GREENORE, Co. LOUTH**
  3. Correspondence of Protected Structure:  
(if different from 2 above)
  4. NIAH Ref. No. **13 831027** Louth RPS Ref. No. **LH 5009-036D**
  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.) **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): **N/A**
  10. Please provide a brief description of the nature and scale of the development proposed (both internal and external) **THE REPLACING OF 2 NON-ORIGINAL CASEMENT WINDOWS WITH TRADITIONAL WOODEN FRAME SASH WINDOWS TO MATCH STYLE OF REMAINING 4 WINDOWS**  
(REAR OF HOUSE)
- 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



Comhairle Contae  
Louth County Council **PLANNING AND DEVELOPMENT ACT 2000 (as amended)**  
**REQUEST FOR SECTION 57 DECLARATION**

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, which may or may not require permission, in the above named structure.

Signed:

*Carmelita J. J.*

Date:

31/1/22

Daytime contact telephone number:



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](mailto:conservation@louthcoco.ie)



Greenore