

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:	Peter Scott		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	9 th July 2026	Date of Inspection:	11 th September 2026
Date of Issue of Declaration:	16 th September 2026	Previous Declarations:	

Address:

Name of Building:

No. 4

Address 1:

St Mary's Road

Address 2:

Dundalk

Address 3:

Co. Louth

Eircode:

A91E9R7

Location:

National Grid co-ordinates:

E N

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 x

N

Louth RPS D331

Architectural Conservation
Area:

Y x

N

Dundalk ACA (No. 19)

Under the Planning and development Act 2000
(as amended)Record of Monuments and
Places:

Y

N x

Zone of Archaeological
potential:

Y x

N

Preservation Order or
Temporary P.O.:

Y

N x

NIAH Registration No. (if applicable):

13702033**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 4 Mary St, Dundalk, Co. Louth (shown below).



Protection Status:

Under the Planning and Development Act 2000 (as amended), the Record of Protected Structures (RPS) is set out in the Louth County Development Plan 2021-2027 as varied.

No. 4 Mary St (RPS: D331) (NIAH: 13702033) is described as: Terraced two-bay three-storey house, built c. 1800.

Tall, elegant proportions are typical of the architectural development in the late eighteenth and early nineteenth centuries and a fine timber door surround adds particular interest to the façade

Planning History:**Planning history on the subject site:**

None

Enforcement:

Section 11 Notice issued 12 Nov 2025

Legal proceedings-initiated Jan 2026

Property entered into Register of Derelict sites 2026

Court date rescheduled to 14 July 2026

Description of the Structure:

The **NIAH** description of this regionally important property as follows:

Terraced two-bay three-storey house, built c. 1800. Pitched slate roof, clay ridge tiles, brick corbelled chimneystack, moulded cast-iron gutter on corbelled eaves course, circular cast-iron downpipe. Painted roughcast rendered walling, painted smooth render to lower ground floor. Square-headed window openings, painted smooth rendered reveals and soffits, painted stone sills, painted timber one-over-one sliding sash windows, metal window guard to ground floor. Round-headed door opening, painted timber doorcase comprising engaged Doric columns supporting frieze, moulded cornice and spoke fanlight, timber panelled door. House fronts directly onto street, poured-concrete paving to north.

*The **NIAH** appraisal of this property's includes –*

As an integral part of a group of three, this building is a fundamental component within the streetscape, the group representing an appealing contrast with the lower, smaller structures to their immediate west. Tall, elegant proportions are typical of architectural development in the late-eighteenth and early-nineteenth centuries and a fine timber door surround with spoked fanlight adds particular interest to the façade.

Referral Question:

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

This request, as detailed in Section 10 of the S57 request form, pertains to:

Description of Proposed Development

All of the following in relation to the front of the property:

Complete connection of water supply into the property from St Mary's Road. Requires a small (1 sq ft) section of concrete below the front door to be removed and reinstated once the connection is made.

Repointing of loosened ridge tiles and reconditioning of existing gutter and brackets.

Clean and repaint the guttering and downpipe.

Clean and repaint the window frames and cills.

Clean, repair and repaint the front door reveals and surrounds.

Clean, repair and repaint the fanlight.

Clean the front door and reapply the timber treatment.

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.

Section 68 of the Act stipulates that the carrying out of any works specified in a notice under section 59 (1) or 60 (2) shall be exempted development.

Assessment:

Having regard to Section 2 of the Planning and Development Act 2024 as amended, it is considered that the proposed works, as described, is "development" within the meaning of the Act.

Development can be exempt from the requirement for planning permission by either Section 4 of the Planning and Development Act 2000 as amended, or by Article 6 of the Planning and Development Regulations 2001 as amended. However, under Section 57 of the Planning and Development Act, 2000 (as amended), the carrying out of works to a Protected Structure is only exempt if the works would not 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.

I have reviewed the RPS and NIAH in respect of this property. I have also inspected the property.

Assessment of the proposals:

I would consider the proposed works which are minor will significantly improve the appearance and condition of the property and will not 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.

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

- Declaration form.
- Photographs of existing elevation

Conclusion:

WHEREAS a question has arisen as to whether the proposed development detailed under Section 10 of the Request for Section 57 Declaration 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.4 Mary Street, Dundalk, Co. Louth.

AND WHEREAS Mr Peter Scott requested a declaration on the question from Louth County Council on the 9th July 2026

AND WHEREAS Louth County Council in considering this referral, had regard particularly to –

- a) Section 2 of the Planning and Development Act, 2024
- b) Section 4 (1)(h) of the Planning and Development Act, 2000 (as amended),
- c) Section 57 of the Planning and Development Act, 2000 (as amended),
- d) The Architectural Heritage Protection Guidelines for Planning Authorities,
- e) The status of the building as a Protected Structure listed in the Record of Protected Structures,
- f) The planning history of the site,
- g) The pattern of development in the area.

AND WHEREAS Louth County Council has concluded that

The nature of the proposed is development and is exempted development on the grounds that the works would not materially affect the character of no 4 Marys St Dundalk which is a protected structure, or any element of the structure which contributes to its special architectural or social interest.

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 proposal outlined is development and is exempted development.

Signed by Inspector



Brian Brooks, Executive Planner

Date

16th September 2026

Signed by Planning Authority Officer



David Hall A/Senior Executive Planner

Date

16th September 2026