



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:	Caroline McArdle		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	13 Oct 2022	Date of Inspection:	24 Nov 2022
Date of Issue of Declaration:		Previous Declarations:	None on record

Address:		Location:	
Name of Building:	Valetta	National Grid co-ordinates:	E N
Address 1:	14 Stapleton Place	O.S. Map Type:	
Address 2:	Dundalk	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A91 W3C2		

Protection Status:	Y / N		Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y ✓	N	D345
Architectural Conservation Area:	Y ✓	N	The Crescent ACA, Dundalk
Under the Planning and development Act 2000 (as amended)			
Record of Monuments and Places:	Y	N ✓	
Zone of Archaeological potential:	Y ✓	N	ZAP 2 - Dundalk
Preservation Order or Temporary P.O.:	Y	N ✓	



NIAH Registration No. (if applicable):

13707012

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 Stapleton Place, Dundalk.



Figure 1: Front Façade – Valetta – denoted by red arrow

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.

Valetta, Stapleton Place (RPS D345) is described as:

c.1900, Edwardian two-bay two-storey with attic house. This handsome red brick house adds to the varied streetscape of this terrace. It is constructed from high-quality materials, with attractive red brick detailing contributing to its significance. The fine cast-iron railings add artistic interest.

Planning History:

None

Description of the Structure:

- An attached two-bay two-storey with attic house built c. 1900
- Canted bay window and gabled lucarne to south
- Two-storey return to north and an attached to house to east



- Pitched slate roof, hipped roof to return, crested ridge tiles, red brick shouldered corbelled chimneystacks with raised banding, moulded cast-iron gutters on corbelled eaves course, half-round gutters lucarne, terracotta finial
- Red brick walling laid in Flemish bond, projecting plinth, moulded string course, denticulated cornice to canted bay and under lucarne, dog-tooth moulding, egg-and-dart moulding to canted bay, chevron moulding to lucarne
- Square-headed window openings, roll-moulded soffits and reveals, limestone sills; round-headed window opening to attic, limestone sill; uPVC windows
- Segmental-headed door opening under timber and glazed canopy supported on cast-iron brackets, roll-moulded brick soffit and reveals
- Painted timber six-panel door and plain-glazed overlight with granite steps
- Set back from the road, garden to south, concrete path, red brick boundary wall, limestone coping, cast-iron railings, red brick piers with recessed panels, cast-iron gate.

The NIAH appraisal of this properties includes –

'This handsome red brick house, dating to the turn of the nineteenth century, adds to the varied streetscape of this terrace. Displaying the characteristic graciousness of the period, it is constructed from high quality materials, with attractive red brick detailing contributing to its significance. The fine cast-iron railings add artistic interest.'

Referral Question:

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

This request pertains to the removal of uPVC windows in the front elevation of dwelling and reinstatement of timber sash to match the original design of those next door – No. 15 Stapleton Place, Dundalk.

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:

Under Question 10 of the Request form, works that are proposed are described as follows:

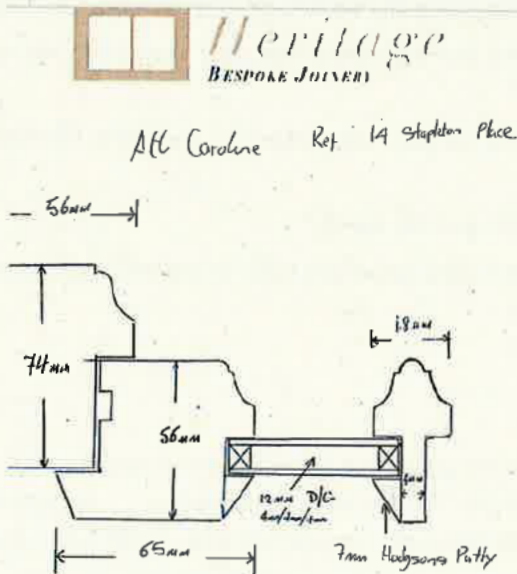
Reinstatement of sash windows on front of house with window details as follows;

1. Heritage box sash windows
2. Polished brass ball bearing
3. 2no. sash lifts, sash eyes and Brighton fastener
4. Cords and lead weights
5. Painted finish, hardwood timber, slimlite 4/4/4 heritage glazing



6. Fitted with putty
7. Glazing bars approx. 22mm and horns to match no. 15 (attached property).

See below window section submitted on the 22nd November 2022.



I consider that the replacement of PVC windows with hardwood heritage style sliding sash windows with appropriately detailed replacement windows is considered not to require planning permission.

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

- Declaration form
- Drawing – window section, submitted on 22nd November 2022.
- Site photos taken by Planning Authority Inspector on 24th November 2022

Conclusion:

I conclude, that WHEREAS a question has arisen as to whether the proposed development detailed under Section 10 of the Request for Section 57 Declaration – Reinstatement of sash windows on front of house with windows detailed as follows:

1. Heritage box sash windows
2. Polished brass ball bearing
3. 2no. sash lifts, sash eyes and Brighton fastener
4. Cords and lead weights
5. Painted finish, hardwood timber, slimlite 4/4/4 heritage glazing
6. Fitted with putty
7. Glazing bars approx. 22mm and horns to match no. 15 (attached property) – detailed the submitted window section,

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 Valetta, 14 Stapleton Place, Dundalk



AND WHEREAS Caroline McArdle requested a declaration on the question from Louth County Council on the 13th October 2022

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

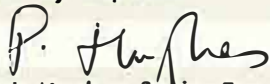
- (a) Section 2 of the Planning and Development Act 2000, as amended,
- (b) Section 3 of the Planning and Development Act 2000, as amended,
- (c) Section 4 (1)(h) of the Planning and Development Act 2000, as amended,
- (d) Section 68 of the Planning and Development Act, 2000 as amended,
- (d) Section 77(1) 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 and are, therefore, development, and
- (ii) the stated 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,
- (iii) the stated works would consist of the carrying out of works for the maintenance, improvement and alteration of this structure 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.

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, to Valetta, 14 Stapleton Place, Dundalk as detailed by the Request for Section 57 Declaration and submitted window section at Valetta, 14 Stapleton Place, Dundalk, **constitutes development that is exempted development.**

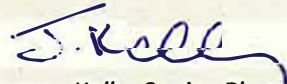
Signed by Inspector


Patricia Hughes, Senior Executive Planner

Date

6th Dec 2022

Signed by Planning Authority Officer


Joanna Kelly, Senior Planner

Date

6th Dec. 2022