



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:	Alan Johnston		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	27 th February 2025	Date of Inspection:	13 th March 2025
Date of Issue of Declaration:	14 th May 2025	Previous Declarations:	No known records.

Address:		Location:	
Name of Building:	Former Presbyterian Church	National Grid co-ordinates:	E N
Address 1:	Newry Street	O.S. Map Type:	
Address 2:	Carlingford	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A91 W992		

Protection Status:	Y / N		Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y ✓	N	LHS005-057
Architectural Conservation Area:	Y ✓	N	ACA Number 28 (Carlingford)
Under the Planning and development Act 2000 (as amended)			
Record of Monuments and Places:	Y ✓	N	NMS SMR Zone of Notification
Zone of Archaeological potential:	Y ✓	N	ZAP 4 (Carlingford)
Preservation Order or Temporary P.O.:	Y	N ✓	



NIAH Registration No. (if applicable):

13825052

Introduction:

The referrer has sought a Section 57 Declaration as per the Planning and Development Act 2000 (as amended) in respect of the proposed roof repairs including re-slating with natural Bangor Blue slates, leadwork, rainwater goods and masonry re-pointing with lime mortar, to the former Presbyterian Church building, located at Newry Street, Carlingford. A copy of the site location is included below.



Figure 1: Site Location



Figures 2-3: Front, side (southern) and rear views of the existing building



Figure 4: View of the northern side and roof of existing building

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. The subject building is included within the RPS under record no.LHS005-057) and is described as: *“Freestanding single-cell gable-fronted Presbyterian church, built 1869, with four-bay nave elevations.*

RPS Appraisal – *“Built in 1869 by Robert Young, this is a fine example of nineteenth-century church design. A focal architectural feature within the Newry Street streetscape. Attractive stained glass windows add to the architectural interest of the whole, while the handsome entrance gateway is another important survival.”*

Planning History:

The subject building is recorded within the National Built Heritage Service’s NIAH Survey data (Reg no. 13825052) which refers to the building’s name as ‘Carlingford Presbyterian Church’ and its original and current use as a ‘Church / Chapel.’

The submitted details refer to the building’s last known use as ‘commercial.’ There are no specific planning records pertaining to the building. It is noted there has been pre-planning in relation to this site, carried out in 2019 under – however no subsequent planning application appears to have been forthcoming. I note the following enforcement related records affecting the property:

- **Ref 19 U029:** Alleged unauthorised change of use and works to a Protected Structure – Case closed 28/05/2019
- **Ref 19 U203:** Alleged unauthorised change of use of church as wedding catering venue – Case closed 18/06/2020
- **Ref 19 U163:** Alleged unauthorised removal of pews – Case closed 30/10/2020

Description of the Structure:

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

“Freestanding single-cell gable-fronted Presbyterian church, built 1869, with four-bay nave elevations. Pitched slate roof, cast-iron ridge cresting, carved stone finials to east, ashlar chimneystack to west, stone verge coping to gables,



moulded cast-iron gutters on stone corbels, cast-iron downpipes. Squared-and-snecked dressed limestone walling to east elevation, granite plinth, ashlar limestone and granite diagonal buttresses surmounted by gabled pinnacles; roughcast-rendered walling to north, south and west elevations. Lancet windows to nave, splayed ashlar granite surrounds, stained glass leaded lights under sire protection screens; tripartite window to east elevation, pointed arch openings, splayed ashlar granite surround; pointed arch loop windows flank entrance, splayed ashlar granite surrounds, stained glass leaded lights. Pointed arch door opening, ashlar granite surround recessed in two orders, granite hood moulding with block stops, painted timber vertically-sheeted double doors accessed by granite steps. Church set back from street, bounded by random rubble uncoursed and rendered wall, soldier coping, square granite gate piers, pyramidal caps, cast-iron gates."

The NIAH appraisal of this properties further states:

"Built in 1869 by Robert Young, this is a fine example of nineteenth-century church design. A pleasing combination of limestone and granite masonry and the balanced disposition of window and door openings create a handsome, ordered east façade, which forms a focal architectural feature within the Newry Street streetscape. Attractive stained glass windows are also of note and add to the architectural interest of the whole, while the handsome entrance gateway is another important survival.

Referral Question:

The submitted question as set out in Question 10 of the S57 declaration request form states:

"Roof repairs including re-slating with natural Bangor Blue slates, leadwork, rainwater goods and masonry re-pointing with lime mortar."

Legislative Provision:

Section 57(1) of the Planning and Development Act 2000, as amended, states:

"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 Planning and Development Act 2000, as amended, stipulates that the carrying out of any works specified in a notice under section 59 (1) or 60 (2) shall be exempted development.

Assessment:

The proposed works relate to work to a Protected Structure within an Architectural Conservation Area.

Whilst the application has been submitted by email from Stephen Leighton RIBA MR IAI RIBA Accredited Conservation Architect on behalf of the applicant and owner, the application is not accompanied with any supporting documentation or detailing in relation to the proposed works, including Conservation Report. As such, this assessment relies solely on the details provided within the application form, including description of the proposed works, which states:

"Roof repairs, including re-slating with natural Bangor Blue slates, leadwork, rainwater goods and masonry re-pointing with lime mortar"



Under Section 57 (1) of the Planning Act 2000, as amended, *notwithstanding section 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.*

Section 57 (4) of the Planning Act 2000, as amended, states:

Before issuing a declaration under this section, a planning authority shall have regard to—

- (a) any guidelines issued under section 52 , and*
- (b) any recommendations made to the authority under section 53 .*

Section 57 (5) states:

If the declaration relates to a protected structure that is regularly used as a place of public worship, the planning authority:

- (a) in addition to having regard to the guidelines and recommendations referred to in subsection (4), shall respect liturgical requirements, and*
- (b) for the purpose of ascertaining those requirements shall—*
 - (i) comply with any guidelines concerning consultation which may be issued by the Minister for Arts, Heritage, Gaeltacht and the Islands, or*
 - (ii) if no such guidelines are issued, consult with such person or body as the planning authority considers appropriate.*

In having regard to the above, the existing building given its described and apparent redundant use as a former church, is not considered to constitute a protected structure that is regularly used as a place of public worship. In having further regard to the characteristics of the existing building, NIAH description and appraisal and RPS records, the proposed re-slating of the roof with natural slate roof tiles would in principle, be considered acceptable and not in principle materially alter the character of the existing structure. However, it is considered that limited details have been provided in relation to roof tiles, leadwork, rainwater goods and masonry re-pointing, including specification of these works, detailed drawings to clearly indicate the location of works in addition to methodologies for implementation of works and any protection measures etc.

It is therefore considered that on the basis of information available, it is not possible to determine whether the works would materially affect the character of the existing structure or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, including those elements to the building included within NIAH record 13825052.

Conclusion:

In the absence of further detailing, it is not possible at this juncture to determine whether the proposed works are exempted under Section 57 of the Act, including: *“Roof repairs including re-slating with natural Bangor Blue slates, leadwork, rainwater goods and masonry re-pointing with lime mortar.”*

Recommendation:

The character and special interest of a protected structure can be damaged by inappropriate works. The Planning Authority is concerned given the lack of detail submitted with the declaration and in advancement of works on site without the appropriate S57 declaration or planning permission for the undertaking of such works, that the distinctiveness of the protected structure may be lost through irreparable damage or works carried out which are not appropriate to a protected structure.



The applicant shall be requested to submit further details which clarify the precise nature of all proposed works, specifying what existing fabric or materials within the protected structures have been or will be removed, replaced or altered etc. The applicant shall be advised to adhere to the conservation principles as espoused by the Architectural Heritage Protection Guidelines for Planning Authorities and in particular, Sections 7.11, 7.12 and 7.13.

A full specification of proposed works and the details of techniques undertaken and to be undertaken shall be submitted. In the absence of the same, the Planning Authority may determine that the works are material and require planning permission given the nature and extent of works.

Further Information Required:

As such, the following information is requested to submit the following to enable a full assessment of this Section 57 declaration:

1. A Conservation Methodology Statement pertaining to proposed works to be carried out to the building as detailed in this Declaration, completed by a suitably qualified Conservation Architect and detailing all works to the fabric of the Protected Structure and its setting. Submitted particulars shall include details of the elements of the roof to be replaced, the extent of re-pointing being carried out and the positioning of new leadwork and replacement rainwater goods to be installed.

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

Signed by Inspector

Signed by Planning Authority Officer

Orla Rooney, Assistant Planner

Turlough King, A/Senior Planner

Date

Date

14th May 2025

14th May 2025