

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:	Martin Mc Court & Mark Meehan		
Status (i.e. Owner or Occupier):	Unoccupied		
Date of Request for Declaration:	15/06/2024	Date of Inspection:	27/08/2024
Decision Due Date:	04/09/2024	Previous Declarations:	Yes - Reference LHS23-02
Date of Issue of Declaration:	28/04/2024		

Address:**Location:**

Name of Building: The Widows Houses

National Grid co-ordinates: E 305865 N 295271

Address 1: Castlebellingham

O.S. Map Type:

Address 2: Co Louth

Map Sheet:

Address 3: A91K682

Site Number:

Protection Status:

Under the Planning and development Act 2000
(as amended)

Y / N**Details:**

Record of Protected Structures:

Y ✓

N

LHS 015-010

Architectural Conservation Area:

Y ✓

N x

Under the Planning and development Act 2000
(as amended)

Record of Monuments and Places:

Y

N x

Zone of Archaeological potential:

Y ✓

N

Preservation Order or Temporary
P.O.:

Y

N x

NIAH Registration No.:

13826012

Introduction:

The referrer has sought a section 57 declaration as per the Planning and Development Act 2000 (as amended) in respect of works being carried out to The Widows Houses, Castlebellingham.



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).

The Widows Cottages are identified as a Protected Structure and are described in the National Inventory of Architectural Heritage as an:

Pair of semi-detached multiple-bay single-storey with half-dormer attic former estate worker's houses, built 1826/7, now in use as private houses. Gabled projecting bay to east, gabled breakfront central bay, porch extension to west gable built 1864, dormers to north elevation, half dormers to south. Pitched slate roofs, clay ridge tiles, red brick Tudor style chimneystacks with diamond corbelled flues, cast-iron moulded gutters on painted timber projecting fascias, painted timber bargeboards, finials to east and west gables and to gable of projecting bay. Uncoursed rubble walling, projecting tooled limestone plinth, recess in north elevation of projecting bay with tooled limestone surround and decorative modillions with religious Della Robbia-revival plaque. Pointed arch and round-headed window openings, red brick block-and-start jambs, brick arches, painted timber hood mouldings, painted tooled stone sills, cast-iron Y-traceried casement

windows. Round-headed door opening to main entrance, red brick block-and-start jambs, brick arch, painted timber hood moulding, painted timber vertically-sheeted double doors, Y-traceried fanlight, approached by tooled limestone steps; pointed arch door opening to east elevation of projecting gable, painted brick block-and-start surround, painted timber vertically-sheeted and half-glazed door c. 1975, Y-traceried fanlight; square-headed door opening set in round-headed recess to west elevation, painted timber vertically-sheeted double doors. Single-storey brick porch extension to west elevation dated 1864, pitched slate roof with fish scale patterning, lead-capped ridge, painted timber decorative bargeboard to gable over doorway, cast-iron gutters, cast-iron downpipes; red brick walling with projecting tooled limestone plinth, red brick corbel course to eaves; square-headed window opening on west elevation with fixed light to six-pane timber window; square-headed door opening surmounted by flush limestone pediment with triangular overlight and carved inscription "John III.16, John XIV. 6, Acts IV.12", painted timber vertically-sheeted door, limestone threshold. Approached by cobbled path, adjacent to church to south; garden to east, west and north of building, yard to rear south) abutting church boundary wall.

The NIAH appraisal states:

Two of a group of similar houses, possibly designed by William Vitruvius Morrison and known as the Widow's Houses, this group was built to accommodate the widows of Castlebellingham estate employees. The finely executed detailing in this exquisite pair remains largely intact. The high quality design and craftsmanship is indicated by details like the Gothic windows, lattice glazing, decorative bargeboards and finials. A unique and valuable contribution to the architectural heritage of County Louth.

Planning History:

Development Address	The Widows Houses Castlebellingham Co.Louth CASTLEBELLINGHAM DUNDALK
Applicant Name	Martin & Valerie McCourt
Application Status	APPLICATION FINALISED
Decision Date	02/09/2019
Decision	CONDITIONAL
Development Description	Planning permission for extensions and modifications to existing 4 dwelling houses to provide 2 dwelling houses. Protected structure LHS-015-010 and LHS-015-011/ NIAH 13826012. Works to include all ancillary and associated site works.
File Reference	18753

Section 57 Declaration Reference LHS23-02 - Declaration advised that proposed works were development that was exempted development.

Description of the Structure:

The site comprises of a pair of semi-detached multiple-bay single-storey with half-dormer properties situated immediately to the north of a church and associated graveyard. The site is situated within Castlebellingham ACA on lands zoned B1 Town/Village Centre as per the Louth County Development Plan 2021-2027, as varied, which has the objective "To support the development, improvement and expansion of town or village centre activities."

Referral Question:

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

The Section 57 application includes a Conservation Method Statement detailing works proposed.

The proposed works entail:

- Remediation of retaining brick and stone wall partly collapsed, a lower second of wall will be shuttered as per planning application 18753, rebuilding upper section in red brick using lime mortar as per original wall.
- Repairs to windows latches and sealing, repair and replace missing doors
- Repair to lime and lathe plaster internally
- Repair of stairs and joinery
- Removal of concrete floors, reinstating quarry tiles
- Repair Fireplaces and front fence railings
- Repair joinery & benches

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.

Section 57 (5) of the Act stipulates that if the declaration relates to a protected structure that is regularly used as a place of public worship, the planning authority (or the board)

(a) in addition to having regard to the guidelines and recommendations referred to in subsection (4), shall respect the 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

(iii) If no such guidelines are issued, consult with such person or body as the planning authority (or board) considers appropriate.

Assessment

The Planning Authority has considered the works to The Widows Houses, Castlebellingham which involve the works outlined above with ‘*Description of Proposed Works*’ and in the submitted Conservation Method Statement.

The applicant has also submitted a Conservation Method Statement and detailed drawings for the proposed chimney works, both of which have been prepared by Emmet Holland Architect, Grade 3 Conservation Architect.

The Conservation Method Statement has included a full photographic inventory of all works proposed.

The Conservation Statement has detailed that works will be undertaken by bricklayers, glaziers & plasterers with experience in the field of conservation.

New and replacement materials e.g. rainwater goods, bricks, paint on railings, timbers on stairs are to be approved by the conservation architect before use. The method statement has outlined the approach where the first option is to repair, reinstate and repoint in preference to replacement and only to replace where necessary. In certain locations original features are missing including ironmongery on internal doors, this is to be replaced with similar. Method for the repair of windows has been detailed.

Method in the preparation of materials including lime has been detailed in the statement. It has also been detailed that the structural stability of the building is to be ensured during repair works and no work involving the preparation of mortar will occur during cold weather as this may impact structural integrity.

An internal concrete floor is to be replaced as part of the proposed works. This concrete floor is not an original feature of the building, and the replacement should not detract from the integrity of the protected structure.

The statement has detailed existing works on site that have occurred to date (as agreed under a previous Section 57 declaration) such as the restoration of the external chimney and this is considered to be of a high standard.

In summary, when considering the proposed works involving:

- Remediation of retaining brick and stone wall partly collapsed
- Window latches & sealing
- Repair and replace doors
- Repair to lime and lathe plaster
- Repair stairs
- Removal of concrete floors, reinstating quarry tiles
- Repair Fireplaces
- Repair railings
- Repair joinery & benches.

I am satisfied, based on the information contained within the Conservation Method Statement, that whilst the proposal meets the definition of works as defined in Section 2 of the Planning and Development Act 2000 (as amended), that these works involve the maintenance, improvement and alteration of this structure which do not materially affect the external appearance of the structure and do not materially affect the character of the protected structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest

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 The Widows Houses, Castlebellingham, Co. Louth, A91 K682.

AND WHEREAS Martin McCourt & Mark Meehan requested a declaration on the question from Louth County Council on the 15th of June 2024.

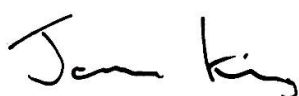
AND WHEREAS Louth County Council in considering this referral, had regard particularly to –

- 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 associated documentation.

AND WHEREAS Louth County Council has concluded that –

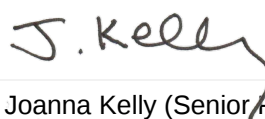
- (i) The stated works to the protected structure comprise of “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) The stated works would not materially affect the character of the protected structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest,
- (iii) The stated works 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 and
- (iv) 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).

Signed by Inspector



James King (Assistant Planner)

Signed by Planning Authority Officer



Joanna Kelly (Senior Planner)

Date: 28/08/2024

Date: 28th August 2024