



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:	Armagh Construction Ltd.		
Status (i.e. Owner or Occupier):	Rented by Louth County Council		
Date of Request for Declaration:	19 th March 2024	Date of Inspection:	18 th April 2024
Date of Issue of Declaration:	16 th May 2024	Previous Declarations:	None

Address:	Location:		
Name of Building:	St. Mary's College	National Grid co-ordinates:	E N
Address 1:	Dundalk	O.S. Map Type:	
Address 2:	Co. Louth	Map Sheet:	
Address 3:		Site Number:	
Eircode:	A91 AD05		

Protection Status:	Y / N		Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y ✓	N	D244, D245, D246
Architectural Conservation Area:	Y	N ✓	
Under the Planning and development Act 2000 (as amended)			
Record of Monuments and Places:	Y	N ✓	
Zone of Archaeological potential:	Y ✓	N	Dundalk Town Centre
Preservation Order or Temporary P.O.:	Y	N ✓	

NIAH Registration No. (if applicable):

13702026

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 (St Mary's College, Nicholas St, Dundalk Co. Louth).

**Protection Status:**

Regional

Planning History:

22/827 - Permission for a residential development consisting of: 1. Demolition of (a) two storey sports hall and single storey science block (modern extensions to the former St Mary's School), (b) outbuildings within the curtilage of the protected structures and (c) boundary stone wall to Nichols Street. 2. Construction of the following: (a) A three storey apartment block etc.

Description of the Structure:

Attached multiple-bay three-storey red brick school building, dated 1874. Comprising five-bay four-storey central pedimented block flanked by eight-bay three-storey blocks. Pitched and hipped slate roofs, moulded cast-iron gutters to north, cast-iron gutters to south on brick corbelled eaves, circular cast-iron downpipes, granite verge coping, cross finials to pediments. Red brick walling laid in Flemish bond, chamfered granite plinth course, block-and-start granite quoins, moulded brick string courses to north of west elevation, yellow brick corbel course to central pediment. Segmental- and round-headed window openings to north of west elevation, granite sills, moulded red brick surrounds to ground floor, red brick hood-mouldings to first and second floors, painted timber casement windows to ground floor, uPVC windows to upper floors; segmental- and square-headed window openings to south of west elevation, granite sills, painted timber casement windows to ground floor, uPVC windows to first floor, painted timber two-over-two sliding sash to second floor; round-headed window openings to third floor of central pediment flanked by quatrefoil openings, yellow brick surrounds, uPVC windows.

Segmental-headed door opening, tooled limestone block-and-start surround, keystone dated "1874", glazed overlight, vertical glazing bars, painted timber vertically-panelled double doors, two limestone steps; segmental-headed door opening to north of west elevation, chamfered brick reveals, hood moulding, limestone keystone, decorative glazed overlight, painted timber door with six flat panels flanked by sidelights, stone step to entrance. School fronts onto narrow Nicholas Street forming part of the Marist Brothers' complex of school buildings, close to the Marist Church.

The **NIAH** appraisal of this property states:

Designed by John Murray in 1874, this is a robust school building designed for the Marist Fathers as part of a large school complex. Handsomely detailed and constructed of high-quality materials, it is indicative of the growing confidence of the Catholic hierarchy at this period of expansion in Catholic education.

Referral Question:

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

The proposed works as specified by the applicant are as follows:

Existing Kitchen:

- Provision of new worktop counter to match existing including all services.
- Generally clean and repaint area.

Proposed Canteen:

- Provide new 30 min fire door and surround to match existing.
- Fit new 60 Min fire rated suspended ceiling and light fittings.
- Remove existing counter tops.
- Repaint walls as necessary.
- Provided new dining furniture.



Room 8-Proposed male showers

- Room to be subdivided into two with stud partition and acoustic filling.
- Provision of showers, toilets, wash basins and cubicles.
- Provision of mechanical ventilation.
- Provision of anti-slip flooring.
- Radiator to be installed.
- Fit new 60 min fire rated ceiling and light fittings.
- Windows to be serviced and cleaned.
- Repaint room.



Proposed bedroom 00

- Room to be subdivided into two with stud partition and acoustic filling.
- Provide new 30 min fire door and surround to match existing.
- Fit new 60 Min fire rated suspended ceiling and light fittings.
- Install new radiator.
- Requirement for ventilation to be monitored.
- Windows to be serviced and cleaned.
- Fit new window blind.
- Adapt electrics as necessary.
- Fit new carpet.

Room 9

- Remove and retain existing door set.
- Provide new 30 min fire door and surround, decorate as necessary.

Bedroom 1

- Lay out to remain as is.
- Remove and retain existing door set.
- Provide new 30 min fire door and surround to match existing.
- Adapt electrics as necessary.
- Windows to be serviced and cleaned.
- Paint walls and ceiling.
- Fit new carpet.
- Provided new window blind.



Bedroom 2 / 3

- Room to be subdivided into two with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blind.
- Requirement for ventilation to be monitored.

Bedroom 4/5/6

- Room to be subdivided into three along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.



Bedroom 7/8

- Room to be subdivided into two along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.

Bed 9/10

- Room to be subdivided into two along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.



Bedroom 11/12

- Room to be subdivided into two along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.

Bedroom 13/14

- Room to be subdivided into two along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.

Bedroom 15/16

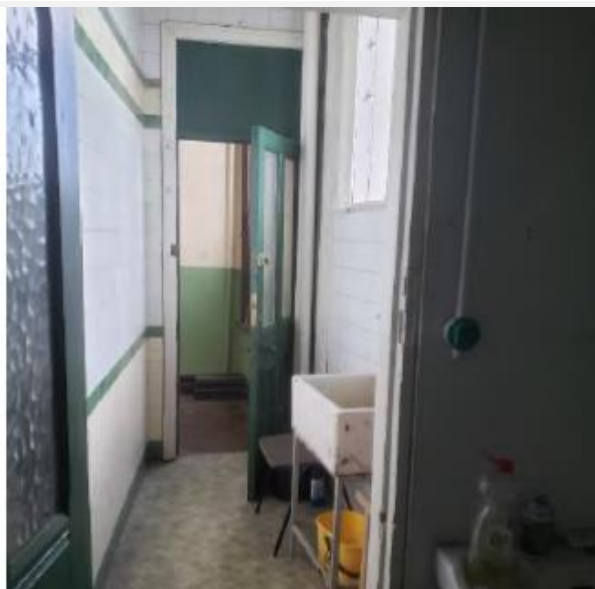
- Room to be subdivided into two along existing lines with stud partition and acoustic filling.
- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Electrics to be adapted as necessary.
- Boards and projector stands to be removed.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Fit new window blinds.
- Requirement for ventilation to be monitored.

Day Room

- Remove and retain existing door set.
- Provide new 30 min fire doors and surround to match existing.
- Provide new 30 min lobby and wall.
- Electrics to be adapted as necessary.
- Radiator to be installed as necessary.
- Windows to be serviced and cleaned.
- Room to be painted.
- New carpet to be fitted.
- Requirement for ventilation to be monitored.
- Provide new lounge furniture.

WC

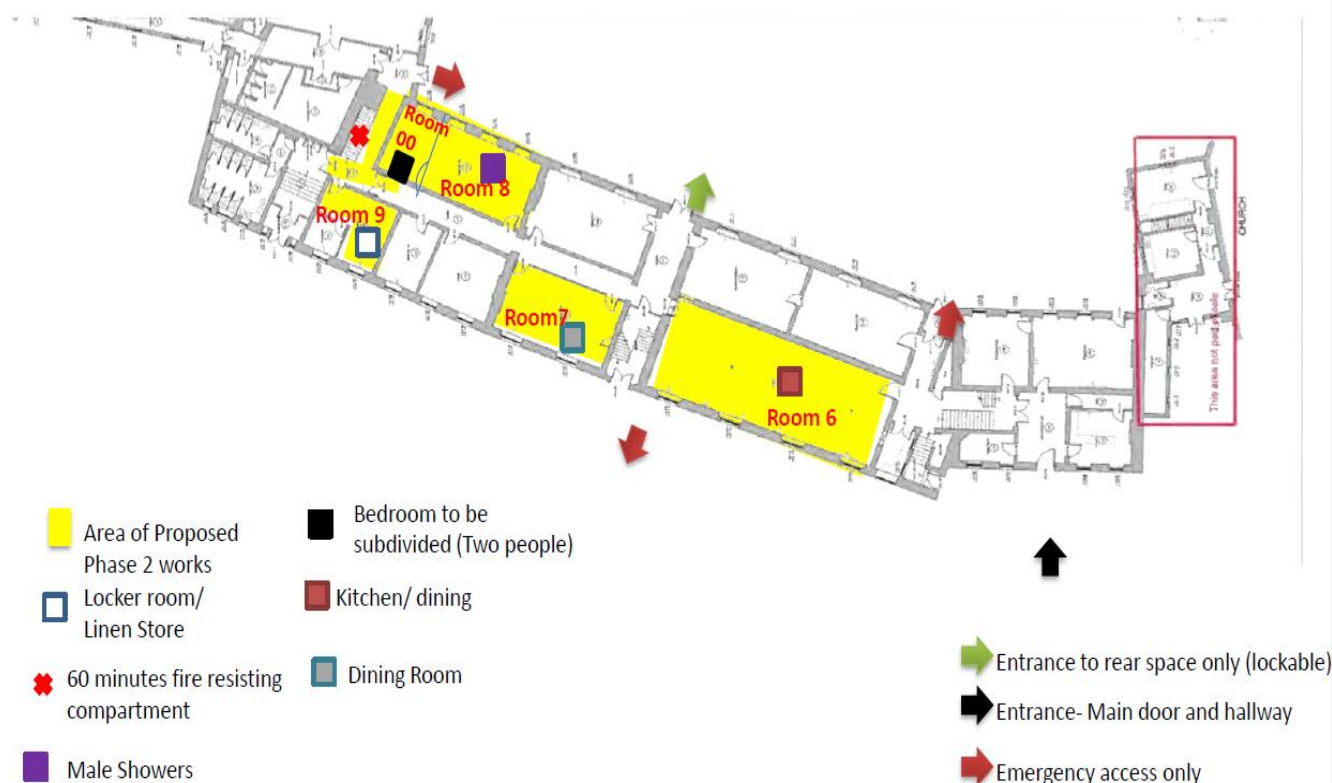
- Remove and retain existing outer door set.
- Provide new 30 min fire doors and surround to match existing.
- Windows to be serviced and cleaned.
- Electrics to be adapted as necessary.
- Radiator to be installed as necessary.
- Fit new toilet and wash hand basin.
- Provide new flooring.
- Provided mechanical ventilation.
- Make good defective tiling.
- Room to be painted.



Hallway

- Electrics to be adapted as necessary.
- Fit new flooring.
- Paint walls and ceilings.
- Windows to be serviced and cleaned.

Ground Floor



First Floor

- Area of Proposed Phase 2 works
- WC
- Day Room
- Bedroom to be subdivided along previous lines
- Bedroom
- Denotes Stair well to be closed



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

any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Assessment:

The works as submitted consist of phase 2 of the programme. Phase 1 has been completed in a very satisfactory manner in compliance best practice and conservation principles.

The Planning Authority has considered the works (Phase 2) to St Marys College, Nicholas St, Dundalk Co. Louth which involve the works outlined above with '*Description of Proposed Works*'. The applicant has also submitted drawings and a description of the proposed alterations.

Having visited the property and reviewed the submitted plans, I am satisfied that the proposed works as they relate to compliance with fire safety standards namely, the provision of kitchen facilities, subdivision of rooms, toilet/shower facilities and days rooms are reversible and do not materially affect the character of the protected structure.

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

- Placement map
- Existing and proposed plans
- Description of works

Conclusion:

I hereby recommend that a Declaration of Exemption be issued 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 St Marys College, Nicholas St, Dundalk.

AND WHEREAS Armagh Construction LTD requested a declaration on the question from Louth County Council on the 19th of March 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 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 said development, therefore, comes within the scope of section 4(1)(h) and Section 57(1) 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 as specified by the applicant to the property at St Marys College, Nicholas St, Dundalk Co. Louth as detailed above, **constitutes development that is exempted development.**

Signed by Inspector

Signed by Planning Authority Officer

Brian Brooks, Executive Planner

Turlough King, Senior Executive Planner

Date

Date

16th May 2024

16th May 2024