



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:	Mark McConnell		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	14 th September 2026	Date of Inspection:	15 th July 2026
Date of Issue of Declaration:	18 th September 2026	Previous Declarations:	N/A

Address:		Location:	
Name of Building:		National Grid:	E N
Address 1:	17 Barrack Street	O.S. Map Type:	
Address 2:	Dundalk	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A91 F7K7		

Protection Status:		Y / N	Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y x	N	D426
Architectural Conservation Area:	Y x	N	Joceyln Street / Seatown Place ACA
Under the Planning and development Act 2000 (as amended)			
Record of Monuments and Places:	Y	N x	
Zone of Archaeological potential:	Y	N x	
Preservation Order or Temporary P.O.	Y	N x	
NIAH Registration No. (if applicable):			13706017

Introduction:

The referrer has sought a Section 57 Declaration as per the Planning and Development Act 2000 (as amended) in respect of the following:

1. Dig out floors and remove off site
2. Electric DPC
3. New floor with 150mm insulation
4. removal of kitchen and refitting
5. drylining €3200.00
6. demolish back porch and removal off site
7. Plumbing works
8. New warm deck flat roofs and insulation of attic
9. New gutters and down pipes front and back
10. New skirting stud wall and doorways
11. New bathroom
12. New internal painting
13. New kitchen units

The subject building is located within the settlement limits of Dundalk and within an Architectural Conservation Area (ACA,) with the site occupying a mid-terrace location as indicated below.



Above: Site Location Plan

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 a protected structure under record D426, whereby it is described as:

“Attached two-bay two-storey house, built c. 1870, as a pair with adjoining house to west.”

The appraisal further refers to the building:

“This is a handsome example of a late nineteenth-century house, whose neat proportions and simple classical detailing gives the house its charm and appeal.”

Planning History:

Planning history on the subject site: There is one historical planning record for the site, as outlined below:

File ref. 55/522084: Michael Scollan – reconstruction and extension to dwellinghouse – Conditional 07/04/1976

Enforcement: no live enforcement files or any enforcement history on the site.

Description of the Structure:

The building is also further described on the NIAH Register (No. 13706017) where it is further described:

Attached two-bay two-storey house, built c. 1870, as a pair with adjoining house to west. Return to south elevation. Pitched artificial slate roof, unpainted smooth rendered corbelled chimneystack with raised banding, moulded cast-iron gutters on moulded red brick corbelled eaves course, circular cast-iron downpipe. Red brick walling laid in Flemish bond, painted smooth rendered plinth. Camber-headed window openings, roll-moulded soffits and reveals, gauged brick lintels, granite keystones and sills, painted timber one-over-one sliding sash windows. Camber-headed door opening, roll-moulded soffit and reveals, roll-moulded soffit and reveals, granite keystone, painted timber four-panel door, plain-glazed overlight, tiled entrance and threshold. Street fronted, built as a pair with neighbour to west."

Appraisal

This is a handsome example of a late nineteenth-century house, whose neat proportions and simple classical detailing gives the house its charm and appeal. Of particular architectural interest are the decorative red brick surrounds to windows and door, the moulded eaves course and stone keystones. The retention of sash windows adds further interest.



Above: Google Streetview July 2023

Above: 15th July 2026

Above: hallway and staircase

Referral Question:

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

The submitted question as set out in Question 10 of the S57 declaration is as follows:

1. Dig out floors and remove off site
2. Electric DPC
3. New floor with 150mm insulation
4. removal of kitchen and refitting
5. drylining €3200.00
6. demolish back porch and removal off site
7. Plumbing works
8. New warm deck flat roofs and insulation of attic
9. New gutters and down pipes front and back
10. New skirting stud wall and doorways
11. New bathroom
12. New internal painting
13. New kitchen units

This declaration is to be read in conjunction with declaration D26-03 submitted by the application. Further information was sought by the applicant through that declaration. The applicant, in response the FI request under D26-03 has confirmed through email on 17th July 2026 that he is no longer proposing changes to the windows and doors and by email of 14th September 2026 that gutters are to be replaced with heritage cast aluminium gutter in black to match the damaged and rusted gutter with the existing downpipe to remain in-situ.

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 repair works to a Protected Structure of Regional importance (architectural being the category of special interest). The submitted details indicate that the property has undergone internal alterations in the past and is currently undergoing works. The assessment of this application is based on a site inspection and the supporting documentation received, which includes:

- Section 57 declaration form.
- Site Location Plan.
- Emails and documentation received 17th July and 14th September 2026.

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 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.

Having regard to the existing condition of the building and the proposed works as indicated below, the following assessment comments are noted:

1. Dig out floors and remove off site
2. Electric DPC
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4. removal of kitchen and refitting
5. drylining €3200.00
6. demolish back porch and removal off site
7. Plumbing works
8. New warm deck flat roofs and insulation of attic
9. New gutters and down pipes front and back
10. New skirting stud wall and doorways
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Comment

The Planning Authority is satisfied that having regard to the planning history and works already carried out to the property following permission for the reconstruction and extension to 17 Barrack Street granted under planning reference no. 55/522084 and those more recently including newly plastered internal walls, new door frames to lounge and ground floor bedroom, removal of bathroom fittings, partial removal of kitchen, new flooring, that the works listed above items no. 1-8 and 10-13 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, and would not have caused unacceptable damage to the character of the protected structure or undue loss of historic fabric.

With regard to the proposed Alumasc Heritage Cast Aluminium (moulded) black guttering (item 9) to be used in place of the existing rusted and damaged gutter and which is to tie into the existing moulded red brick corbelled eaves course, it is considered, in this instance, that it too would not material 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, and would not have caused unacceptable damage to the

character of the protected structure or undue loss of historic fabric.

The lean-to rear sunroom with Perspex roof and white uPVC windows and front door are later additions and their removal would not result in the loss of historic fabric.

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

- Email response and confirmation of works in response to D26-03 FI request
- Web link to Proposed black Alumasc Heritage Cast Aluminium (moulded) guttering

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 17 Barrack Street, Dundalk, Co. Louth.

AND WHEREAS Mark McConnell requested a declaration on the question from Louth County Council on the 14th of September 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 “17 Barrack Street” 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,

The special interest pertaining to the protected structure in question and the nature and extent of works set out in the referral question which seeks the

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3. New floor with 150mm insulation
4. removal of kitchen and refitting
5. drylining €3200.00
6. demolish back porch and removal off site
7. Plumbing works
8. New warm deck flat roofs and insulation of attic
9. New gutters and down pipes front and back (black moulded Alumasc Heritage Cast Aluminium)
10. New skirting stud wall and doorways
11. New bathroom
12. New internal painting
13. New kitchen units

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 “17 Barrack Street, 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 Planning Authority Officer

Lisa Grant, Assistant Planner

Date

17/09/2026

Signed by Planning Authority Officer

David Hall, A/Senior Executive Planner

Date

18/09/2026