



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:	Fr John Conlon		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	22 nd May 2023	Date of Inspection:	15 th June 2023
Date of Issue of Declaration:	23 rd June 2023	Previous Declarations:	None

Address:

Name of Building:

St Mary's Church

Address 1:

James Street

Address 2:

Drogheda

Address 3:

Co. Louth

Eircode:

A92 X096

Location:

National Grid co-ordinates:

E N

O.S. Map Type:

Map Sheet:

Site Number:

Protection Status:

Y

Details:Under the Planning and development Act 2000
(as amended)

Record of Protected Structures:

Y ✓

N

DB 105

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

Preservation Order or
Temporary P.O.:

Y

N ✓

Drogheda Town Centre

NIAH Registration No. (if applicable):

13619126

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 James Street, Drogheda.



Figure 1 & 2: Front Façade – St Mary's, James Street

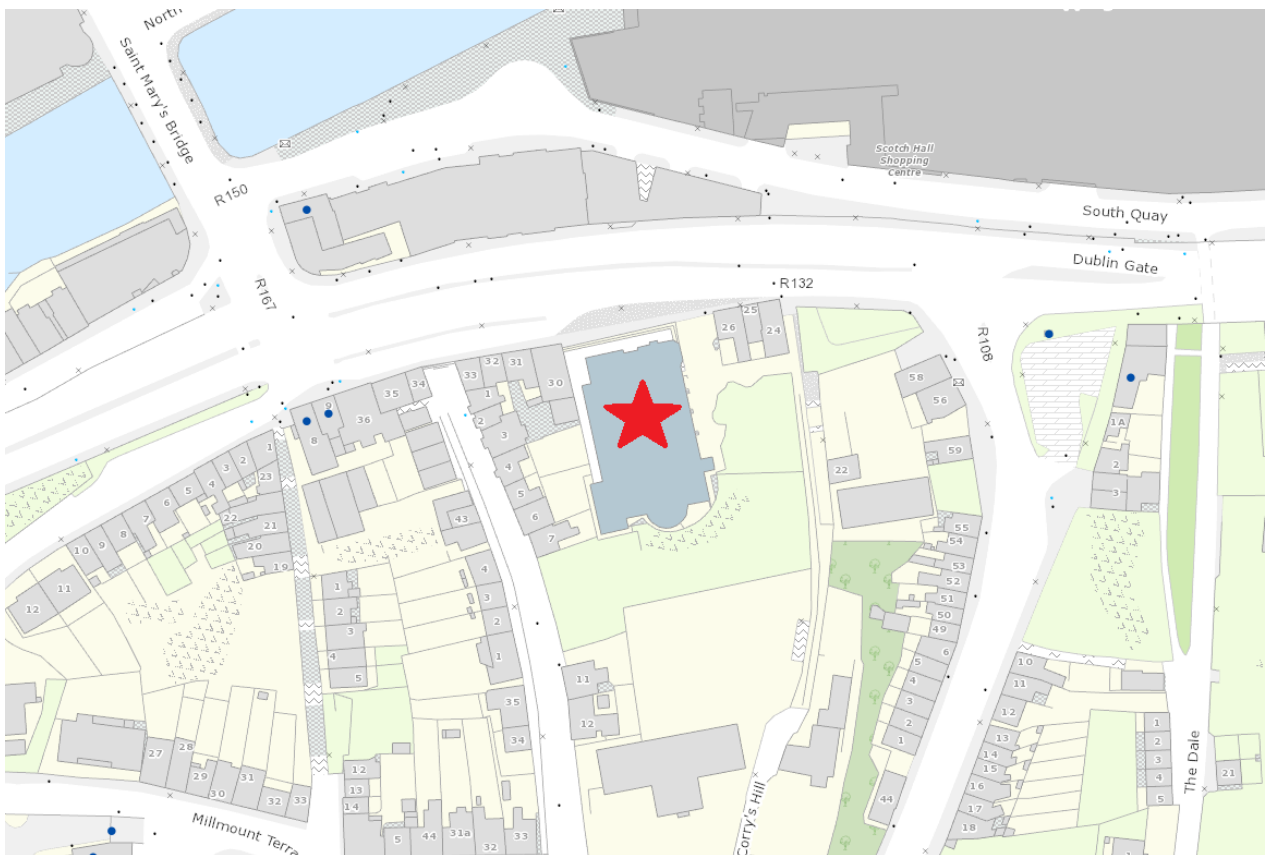


Figure 3: Location demoted by red star

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. St Mary's Church, James Scarlet Street, Drogheda (RPS DB 105) is described by the National Inventory of Architectural Heritage (NIAH) as: *'Freestanding French Gothic Roman Catholic church, dated 1881-89, designed by architect P. J. Dodd. Basilica plan, five-bay two-storey nave elevation flanked by single-storey lean-to aisles, semi-circular apse and square-plan side chapels to south, internal narthex, slightly projecting to east; square-plan four-stage bell tower with octagonal steeple to north-west corner, gable-fronted entrance porch to south-east, lean-to blessed sacrament chapel to north. Pitched slate roofs, cast-iron ridge comb, limestone ashlar fractables, limestone corbels to eaves, cast-iron rainwater goods. Rock-faced ashlar limestone walling, flat buttressing, ashlar limestone dressings, surrounds and pinnacles, elaborate carved limestone tracery diaper work panelling and blind arcading to north façade and to tower. Pointed arch window openings throughout twin-light to clerestory, tripe-light to nave and single-light to apse, chamfered ashlar limestone reveals, limestone tracery, variety of leaded stained-glass windows; elaborate pointed arch window opening to north, rose window comprising twelve-leaf trefoil tracery to spandrels, set above pointed arch cusped blind arcade, the whole set within carved limestone surround with engaged colonettes in two recessed orders; pointed arch openings to tower. Three pointed arch door openings with gable-fronted hoods to north, ashlar limestone coping, cusped foliate finials to hoods, carved limestone surrounds to door openings flanked by engaged pink granite colonettes supporting moulded archivolts, carved limestone tympana, timber panelled double doors, flight of limestone steps to entrance level; four-centred arched door opening to entrance porch to south-east, chamfered ashlar limestone surround, timber panelled door; four-centred arched opening to chapel to west, timber vertically-sheeted double doors. Interior having triple-aisled nave, pointed arch nave arcade on pink granite columns, carved limestone foliate capitals, figurative limestone corbels; timber choir balcony supported on pink granite columns to north; timber panelled roof; hand-painted and stencilled polychrome decorative motifs to all internal wall and roof surfaces, moulded rendered hood moulds to nave and clerestory windows; encaustic tiled floor; timber pews and railings and church organ; marble altar furnishings. Church set back from street facing onto busy main road, narrow site with some enclosed grounds to east and south'.*

Planning History:

Planning Ref No.	07510282
Received Date	November 1, 2007
Application Status	APPLICATION FINALISED
Application Type	PERMISSION
Application Name	St. Mary's Parish Finance Committee
Development Description	Construction of new car parking area between the eastern side of St. Mary's Church & Corry's Hill, with access from James St, together with all associated site works.
Location	James Street, Drogheda.,
Decision	CONDITIONAL
Decision Date	July 1, 2008
Planning Ref No.	09510024
Received Date	February 27, 2009
Application Status	APPLICATION FINALISED
Application Type	PERMISSION
Application Name	St. Mary's Parish Finance Committee
Development Description	Development to East side of Church. 1. New Toilet facility adjacent to existing porch. 2. Reconstruction of Our Lady of Lourdes Grotto adjacent to existing porch. 3. Installation of new gates & traffic control barrier at James St vehicular entrance

Location	St. Mary's Church, James Street, Drogheda
Decision	CONDITIONAL
Decision Date	April 21, 2009

Description of the Structure:

The NIAH appraisal of this property states:

Saint Mary's Roman Catholic Church, built by architect P. J. Dodd, closely resembles the design of Saint Peter's Parish Church across the river to its north-west. It is a fine example of a late-Victorian interpretation of the French Gothic style. Elaborate carved detailing and an imposing rose window create an impressive and eye-catching north façade and the church is a focal point within an area composed largely of small residential structures. Fine detailing, tiling, painted decoration and stained glass by Lobin and Mayer add artistic interest.

Referral Question:

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

Repair works to the roof of St Mary's Church, Drogheda.

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.

Assessment:

Under Question 10 of the Request form, works that are proposed are described as the repairs relating to the roof of St Mary's Church Drogheda. It is detailed that the roof is 130 years old and the slates are original. A number of the slates are slipping (due to nail sickness) and due to exposure to driving wind and rain. It is also stated that clay finials along the ridge are damaged in places, this was evident upon site inspection these are to be repaired and or replaced. It is stated that dampness has occurred internally at high levels of the walls. It is also proposed to install internal roof insulation at the same time of the proposed works. Broken or damaged finials located along the ridge of the church are to be replaced; intact finials are to be used as templates to carve new finials. It is anticipated that 30% to 50% of existing slates will be re-salvaged with replacements matching the original as closely as possible in terms of size, colour and texture. New slates are to be sourced from the Blue Bangor company, existing slates are Blue Bangor and are heather blue in colour.

The applicant has provided a Method Statement with this declaration. The methodology statement details the extent of the proposed works and sets out stages of the repairs. These include preparation works which involves the erection of scaffolding / hoarding to allow for access to the roof, the roof is to be fully photographed and noted prior to commencement and upon completion of works. This will identify all aspects of the roof identified in the appraisal and the condition of each part.

The dismantling phase will involve the removal and storage of rainwater goods where necessary. Where slates are to be required to be removed these will be stripped and numbered with the condition of each slate assessed, sound slates will be stored to avoid damage. The supplier of new slates has been identified as the Blue Bangor company.

Lime parging is to be removed from slates. Where new slates are required these will be replaced, new slates are to match the existing in terms of thickness etc. Repair works are to be based on the minimal level of disturbance / intervention with the use of traditional techniques where feasible. All organic growth is to be removed from downpipes / gutter etc.

Pressure treated timber slating battens will be fixed to the roof rafters with cut ends treated with preservatives. New insulation will be placed beneath. New and or reinstalled flashing and leadwork will occur where necessary; this is to match the existing in every detail.

It is noted that the slate used in the original is no longer quarried. Proposed replacement slates are to be sourced from an Argentinian Riverstone which have a similar aesthetic to the original Bangor Blue slates. Slates to be re-used are to be redressed and used in the lower sections of the roof. Nails to be used are to be copper and fixing points are to be the same as existing.

Ridge finials have shown extensive signs of damage. Intact finials are to be removed and used as templates to carve new finials for the ridge.

Rainwater guttering is to be removed, organic growth removed, shot blasted back to bare metal and repaired, re-primed and re-painted before re-assembly. Rainwater goods will only be replaced where repair is not viable.

Works will be supervised by the contractor with McKeivitt King Architects (Accredited Conservation Architects Grade 3) monitoring the works.

Having reviewed the details and methodology presented, I consider that the repair works proposed to the roof would not materially affect the character of this protected structure; or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and as such are works which do not to require planning permission.

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

Maps and elevations have been provided with this declaration and details of St Patrick's Church, Monkstown where similar work was undertaken using same slates. Extensive photographs have been provided.

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 – Repairs to St Mary's Church, James Street, Drogheda including:

- Replacement of defective slates with Argentinian Riverstone slates sourced from Blue Bangor Slate company
 - The redressing and repositioning of existing non defective slates in the lower sections of the roof
 - Use of copper nails to fit nails at fixing points similar to existing
 - The fixing of pressure treated timber slating battens to the roof rafters
 - Provision of insulation to inside of Church roof
 - Repair and or replacement of broken and damaged finials along the ridge of St Mary's Church
 - New and / or reinstallation of flashing and lead work where necessary
 - Removal of organic growth from downpipes / gutter etc.
 - Rainwater goods shot blasted back to bare metal and repaired, re-primed and re-painted before re-assembly with goods will only be replaced where repair is not viable.
-

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 St Mary's Church, James Street, Drogheda

AND WHEREAS Fr John Conlon requested a declaration on the question from Louth County Council on the 22nd May 2023,

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 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 that are 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, and
- (iv) the proposed works would comprise development which comes within the meaning of 4(1)(h) and Section 57 of the Planning and Development Act 2000 as amended and would not therefore require planning permission.

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 St Mary's Church, James Street Drogheda as detailed by the Request for Section 57 Declaration and Method Statement 'Proposed Works at St Mary's Church, James Street, Drogheda' Prepared by McKeivitt King Architects dated May 2023 **constitutes development that is exempted development.**

Signed by Inspector



James King, Assistant Planner

Date

23rd June 2023

Signed by Planning Authority Officer



Patricia Hughes, Senior Executive Planner

Date

23rd June 2023