



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:	Olive Coulter		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	26th June 2025	Date of Inspection:	01 st Sept 2025
Date of Issue of Declaration:	5 th Sept 2025	Previous Declarations:	None

Address:		Location:	
Name of Building:	No. 2 Market Square	National Grid:	E N
Address 1:	Collon	O.S. Map Type:	
Address 2:	Co. Louth	Map Sheet:	
Address 3:		Site Number:	
Eircode:			

Protection Status: Under the Planning and development Act 2000 (as amended)	<u>Y</u> / N		Details:
Record of Protected Structures:	Y x	N	LHS020-008
Architectural Conservation Area:	Y x	N	
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):

Not listed

Introduction:

The referrer has sought a Section 57 Declaration as per the Planning and Development Act 2000 (as amended) in respect of works carried out to Protected Structure LHS020-008



Figure 1- Subject 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 (protected structure) under record LHS020-008 is described as: House, 1830, three-bay, two-storey, recently re-furbished.

Planning History:

Planning history on the subject site:

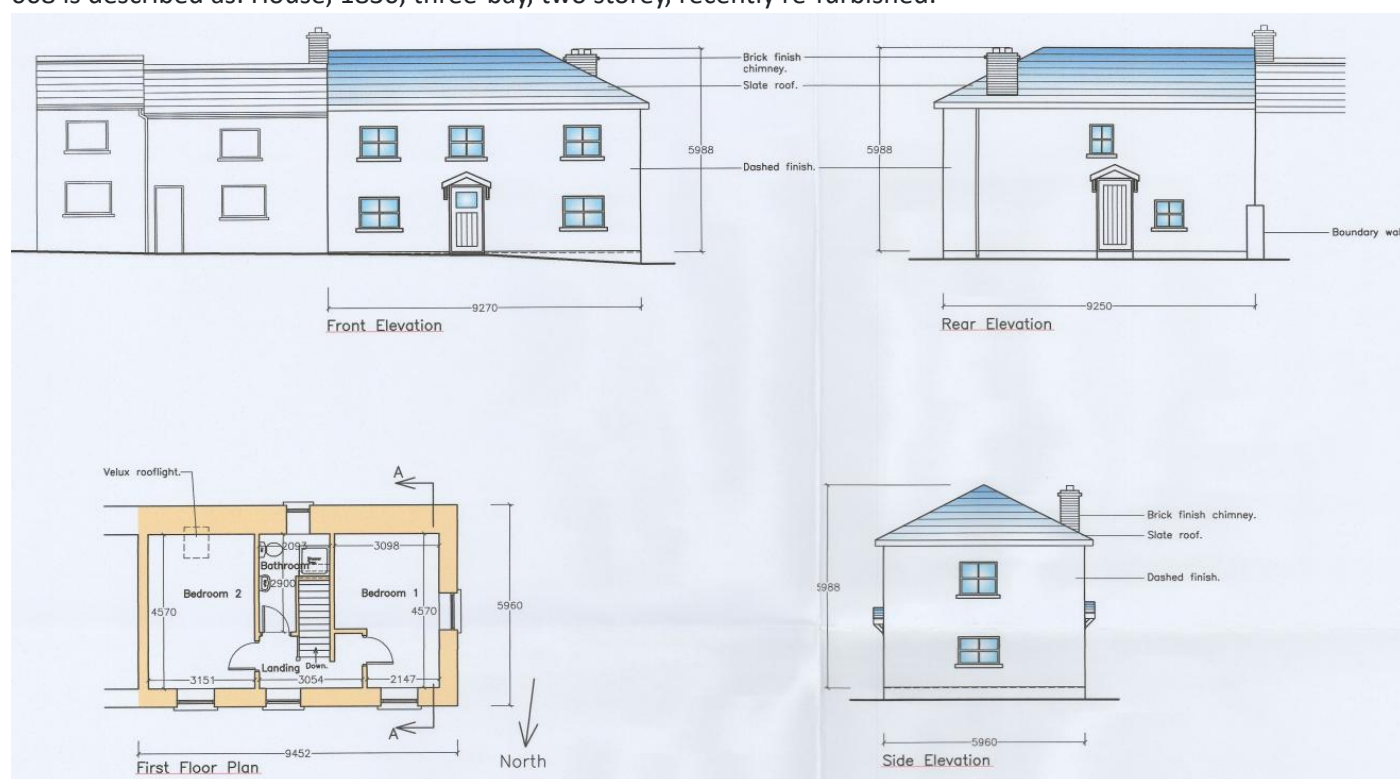
011280 – Alterations and renovations to dwelling.

Enforcement:

None

Description of the Structure:

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 (protected structure) under record LHS020-008 is described as: House, 1830, three-bay, two storey, recently re-furbished.



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:

- Whether the internal works as carried out which vary from that permitted under planning ref no: 01/1280 are exempted development.

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 works relate to the Protected Structure.

The assessment of this application is based on the supporting documentation received, which includes the Section 57 declaration form, images of the subject building and drawings of the elevations and internal layout.

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.*

The works carried out which vary from the permission granted under ref no: 01/1280 comprise of:

- raised ridge height to 5.9m (0.3m above that permitted).
- Installation of a window at ground floor level on the side/southern elevation.
- Internal layout. Reorientation of staircase and minor internal modifications.

The applicant's agent has stated that the works were agreed with the Conservation Office (Jill Chadwick) prior to the grant of permission under ref no: 01/1280.

Having visited the site and considered these minor amendments, I am satisfied that they do not materially impact the external or interior appearance of the structure nor any protected structures on adjoining sites.

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

- Declaration form.
- Cover letter from applicant's agent.
- Plans of the elevations and internal layout

**Conclusion:**

WHEREAS a question has arisen as to whether the works specified 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 No 2, Market Square, Collon Co. Louth.

AND WHEREAS Ms Olive Coulter requested a declaration on the question from Louth County Council on the 26th of June 2025.

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 the nature and extent of works set out in the referral question which seeks whether the works as carried as displayed on the submitted plans materially affect the character of the protected structure and require planning permission.

AND WHEREAS Louth County Council has concluded that –

- (i) the works to the structure comprise of works and are, therefore, development, and
- (ii) the works do 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 works do not materially affect the character of any adjoining structures, or any element of the structures which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest,
- (iv) the works consist of the carrying out of works for the maintenance, improvement and alteration of this structure which do not materially affect the external or internal appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

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 works to No. 2 Market Square, Collon, 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, A/ Senior Planner

Date

3rd September 2025

Date

4th September 2025