



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:	Grafton Group plc.		
Status (i.e. Owner or Occupier):	Owner Occupied		
Date of Request for Declaration:	5 th November 2024	Date of Inspection:	2 nd January 2025
Date of Issue of Declaration:	29 th January 2025	Previous Declarations:	None

Address:	
Name of Building:	Chadwick's Old Jail
Address 1:	Scarlet Street
Address 2:	Drogheda
Address 3:	Co. Louth
Eircode:	A92 T268

Protection Status:	Y		Details:
Under the Planning and development Act 2000 (as amended)			
Record of Protected Structures:	Y ✓	N	DB-221
Architectural Conservation Area:	Y	N ✓	
Record of Monuments and Places:	Y ✓	N	13619124
Zone of Archaeological potential:	Y ✓	N	Drogheda Town Centre
Preservation Order or Temporary P.O.:	Y	N ✓	

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 Scarlet Street, Drogheda. The applicant is seeking to remove the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site and fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.



Figure 1: Protected structure and roof in question as viewed from Scarlet Street.



Figure 2- Bird's Eye View imagery submitted by the applicant detailing the existing roof

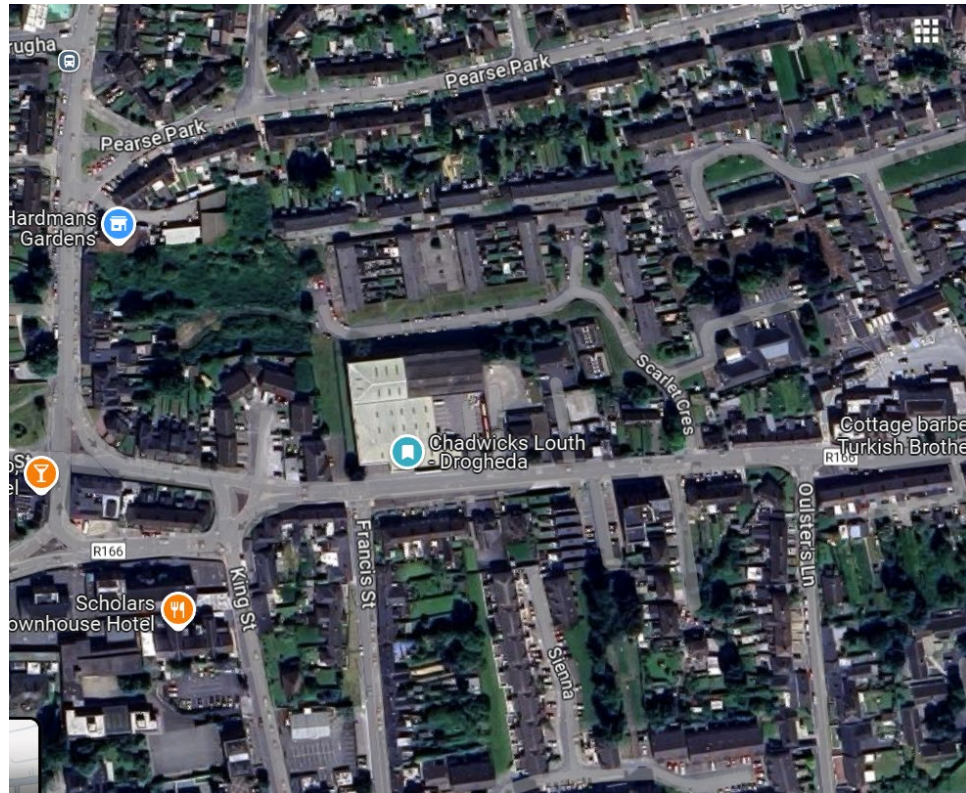


Figure 3: Location demoted by blue marker.

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. Chadwicks, Old Jail Scarlet Street, Drogheda (RPS DB 221 and NIAH 13619124) is described by the National Inventory of Architectural Heritage (NIAH) as: *'Detached multiple-bay single-storey stone former gaol, dated 1818, now in commercial use. Projection to south containing ashlar limestone breakfront. Sheet metal roof, hidden behind parapet wall. Random rubble limestone walling, ashlar limestone breakfront to projecting bay, tooled ashlar limestone quoins to projecting bay, ashlar limestone pilasters to south elevation; milestone located to west elevation. Diocletian window openings to south, set in round-headed recessed arches, wrought-iron security bars, surmounted by blind square-headed openings. Round-headed door opening to south elevation, round-headed recessed surround, painted timber sheeted door, overlight with wrought-iron security bars, stone date plaque surmounting entrance; stone plaque dedicated to "Drogheda Martyrs" to south elevation; goods entrance to east. Interior renovated, retaining segment of random rubble stone wall with round-headed arches, stone surround. Street fronted, parking to south.'*

Planning History:

Planning Ref No.	98/510081
Received Date	RENOVATE AND EXTEND EXISTING HARDWARE/BUILDERS PROVIDERS
Application Status	APPLICATION FINALISED
Application Type	PERMISSION
Application Name	EDWARD BATTERSBY
Development Description	RENOVATE AND EXTEND EXISTING HARDWARE/BUILDERS PROVIDERS.
Location	OLD GAOL SCARLET STREET DROGHEDA.
Decision	CONDITIONAL
Decision Date	21/06/1998

Referral Question:

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

The proposal relates to the removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site and fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

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.
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Assessment:

The applicant has stated that they are seeking to replace an existing roof with a replacement roof consisting of *'proprietary profiled metal insulated roof panels to match as close as possible'*. It is noted that the roof of the structure has been specifically referred to within the description of the Old Gaol within the National Inventory of Architectural Heritage (NIAH). It is considered that the proposed replacement of the roof would materially affect the structure and as such the works **require planning permission**.

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

A site location map and a Bird's Eye view of the structure has been submitted. No details on the materials or a methodology has been submitted for the proposal.

Conclusion:

It is concluded, that WHEREAS a question has arisen as to whether the proposed development detailed under subsection 10 of the Request for Section 57 Declaration as detailed as follows:

- Removal of the existing asbestos roof cladding from the existing portal frame warehouse/storage building on the site
- Fit a replacement roof covering of proprietary profiled metal insulated roof panels to match as close as possible, the profile and colour of existing adjoining profiled metal insulated roofs on the site.

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 Chadwick's, Old Jail, Scarlet Street, Drogheda, A92 T268

AND WHEREAS Grafton Group plc requested a declaration on the question from Louth County Council on the 5th November 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 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** 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 **would** 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 does **not** come within the scope of 4(1)(h) or Section 57 of the Planning and Development Act 2000 as amended and would 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, at Chadwick's, Old Jail, Scarlett Street, Drogheda, A92 T268 constitutes **development** that is **Not** exempted development.

Signed by Inspector

Signed by Planning Authority Officer



Ciarán Kelly, Assistant Planner

Date: 20th January 2025

Joanna Kelly, Senior Planner

Date: