

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:	Darragh Cleary		
Status (i.e. Owner or Occupier):	Owner Occupied		
Date of Request for Declaration:	2 nd January 2026	Date of Inspection:	29 th July 2025 (for D25-03)
Date of Issue of Declaration:	3 rd March 2026	Previous Declarations:	D25-03 not determined

Address:

Name of Building:

Apartment 5, Old Library

Address 1:

Chapel Street

Address 2:

Dundalk

Address 3:

Co. Louth

Eircode:

A91XV32

Location:

National Grid co-ordinates:

E N

O.S. Map Type:

Map Sheet:

Site Number:

Protection Status:Y / N**Details:**

Under the Planning and development Act 2000
(as amended)

Record of Protected Structures:

Y x

N

NIAH ref no: 13705116. Louth
RPS D095

Architectural Conservation
Area:

Y x

N

Dundalk ACA (No. 19)

Under the Planning and development Act 2000
(as amended)

Record of Monuments and Places:

Y

N x

Zone of Archaeological
potential:

Y x

N

Preservation Order or
Temporary P.O.:

Y

N x

NIAH Registration No. (if applicable):

13705116

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 the Old Library, Chapel St, Dundalk, Co. Louth (shown below).



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 Former Library, Chapel St (RPS: D95) (NIAH: 13705116) is described as: Detached three-bay two-storey school, dated 1906. Bounded by granite wall, railings and gates.

Planning History:**Planning history on the subject site:**

96/520022 – permission granted for change of use of municipal building to 12 apartments

97520041- permission granted for internal revisions to 12no. apartments granted under 96/520022

Enforcement:

None

Description of the Structure:

The **NIAH** description of this regionally important property (NIAH Ref: 13705116 – **Viscount Limerick Grammer School**) is as follows:

Detached multiple-bay two-storey with attic former school, dated 1725, later used as library, now apartments. Pedimented central three-bay breakfront and flat-roofed porch to west, full-height projecting gable-fronted addition to south of west elevation, projecting three-bay three-storey over basement gable-fronted addition to north, three-storey return to east. Pitched slate roofs, clay ridge tiles, terracotta finials to projecting gables, red brick corbelled chimneystacks with stone caps, painted timber bargeboards, cast-iron and uPVC gutters on moulded render eaves course to west elevation and on rendered fascia to other elevations, circular cast-iron and uPVC downpipes. Painted smooth rendered walling, plinth course, channelled quoins to gable-fronted bays and breakfront; painted moulded stone raking and horizontal cornices to pediment, oculus to tympanum; carved stone shield to projecting south gable, carved stone date plaque "1725" to north gable of west elevation, modern plaque to south elevation "Site of St Leonard's Hospital and Priory established circa 1185." Square-headed window openings, painted stone and granite sills, painted timber one-over-one and six-over-six sliding sash windows, casement windows. Projecting central entrance porch, round-headed door opening, flanked by painted fluted pilasters supporting moulded arch with decorative keystone, flanked by channelled pilasters, paterae to frieze, egg-and-dart moulding to cornice, painted timber double doors each with three raised-and-fielded panels and plain-glazed fanlight, accessed by granite and rendered steps; segmental-headed door opening to north, moulded stone surround with keystone, painted timber panelled door with three moulded bottom panels and glazed top panels, quadripartite overlight, accessed by flight of granite steps with painted rendered flanking walls. Building set back from road, bounded by random rubble wall surmounted by wrought-iron railings, accessed through rock-faced square-profile gate piers with wrought-iron gates.

The **NIAH** appraisal of this property's includes –

Formerly known as the Viscount Limerick Grammar School, which was founded in 1725, it was remodelled as a library by Sir Thomas Manly Deane in 1902, this building is now used as apartments. The structure stands in the grounds of St Leonard's Abbey, an archaeologically significant site. The building also with its fine entrance within a pedimented breakfront is an attractive and significant structure and one of importance to the built heritage of Dundalk.

Referral Question:

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

This request, as detailed in Section 10 of the S57 request form, pertains to:

Description of Proposed Development

Seeking a declaration for the replacement of all 11 windows in the property, as well as the replacement of the front door. The works are as follows:

- **Windows:** to replace nine casement windows and two fixed hallway windows (currently non-opening) with double-glazed, black uPVC windows featuring a timber effect finish. These new windows will closely match the appearance, dimensions, and visual profile of the existing windows, in consultation with Munster Joinery. All current windows are single-glazed, and the bathroom window is obscured glass. The new windows will improve energy efficiency, sound insulation, and comply with fire safety regulations, particularly for habitable rooms above ground level. Bathroom and kitchen windows should open to the inside, as the grille prevents opening to the outside.

Glass/material:

4PilkOW/20/4PilkKS Tbar Black Argon Gas

All windows feature black grain timber look externally / smooth white grain timber look internally (per current living room appearance)

Sample of the material for all windows which looks like wood from any distance.



Window type overview:

5x uPVC double-glazed casement windows - side hung with egress hinge for fire safety

2x uPVC double-glazed casement windows - top hung

4x uPVC double-glazed tilt & turn windows

- **Front Door:**

Replace the existing front door with a new door in a style and finish consistent with the proposed windows. The current door is not original to the building and is not visible from Chapel Street or Sea Town streets.

These proposed changes are external in nature and are intended to maintain the character of the property while addressing ongoing maintenance challenges, improving safety, and enhancing the comfort and wellbeing of occupants.

Relevant Details Provided by Munster Joinery

€7,600 including VAT: 11 windows all double glazed futureproof uPVC with 90mm insulated frames (u-value 1.2).

BUILDING REGULATIONS:

As a result of this, the following will apply to the site:

- Part B – Fire: All bedroom windows will include a 0.33m² clear opening with a minimum dimension not less than 450mm for means of escape from fire. These windows will also be supplied with non-locking handles. Restrictors will also be supplied for these windows if required.

- Part F – Ventilation: Unless external wall vents are being used, there will have to be ventilation used in the windows of habitable, kitchen and utility rooms. This ventilation must be equal or greater than 6500mm².
- Part M – Disabled Access: Munster Joinery will provide all entrance doors as disabled accessible. The front door unit of the house will always be presumed to be the entrance door unless stated by the builder that this is not the case.
- Part L – Conservation of Fuel & Energy: Unless instructed not to do so, Munster Joinery will have included for the use of low emissivity glass in all windows and doors.

Seeking a declaration for adding a vent to the ground floor bathroom.

Currently there is one window that opens roughly an inch, restricted by a grille to the outside and there are **no passive vents in the entire 88m² townhouse apartment**.

Get a professional to drill a hole and install a small rectangular vent, to be painted over when the building is painted, like vents in other sections of the building.

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.

Section 68 of the Act stipulates that the carrying out of any works specified in a notice under section 59 (1) or 60 (2) shall be exempted development.

Assessment:

Having regard to Section 2 of the Planning and Development Act 2024 as amended, it is considered that the proposed works, as described, is “development” within the meaning of the Act.

Development can be exempt from the requirement for planning permission by either Section 4 of the Planning and Development Act 2000 as amended, or by Article 6 of the Planning and Development Regulations 2001 as amended. However, under Section 57 of the Planning and Development Act, 2000 (as amended), the carrying out of works to a Protected Structure is only exempt if the 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.

I have reviewed the RPS and NIAH in respect of this property. I have also inspected the property and reviewed the planning history drawings as granted under planning reference 97/520041. Apartment number 5 is an added 2-storey extension granted under 97/520041 and so the existing timber painted black casement outward opening windows are

original to the extension only. The remaining building has undergone significant internal modifications to the original building carried out under planning ref. 97/520041. This includes the installation of a mezzanine floor, a staircase, and the sub-division of existing rooms.

Assessment of proposed elements

1. 11 window replacements

Assessment

The apartment is an add-on and not part of the original building. The windows are therefore of the time of the construction of the extension granted under 97/520041. They are timber black painted casement outward opening windows and single glazed. Due to the external grills on the ground floor windows, there is only very minimal room to open these windows. I would consider the proposed double-glazed, black uPVC windows featuring a timber effect finish, would not materially affect the character of the protected structure to which the extension was built onto or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.





2. Install wall vent to ground floor bathroom

Assessment

This work is to the extension granted under 97/520041 and is minor and will 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.

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

- Declaration form.
- Ground floor plan
- Photos of the windows
- Photos of proposed uPVC windows

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 the former *Viscount Limerick Grammar School*, Apartment 5, Old Library, Chapel Street, Dundalk, Co. Louth.

AND WHEREAS Darragh Cleary requested a declaration on the question from Louth County Council on the 2nd January 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 “Viscount Limerick Grammar School” 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,
- h) 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 replacement of doors and windows and the installation of a bathroom wall vent.

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 “Viscount Limerick Grammar School” 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 Inspector



David Hall, A/Senior Executive Planner

Date

3rd March 2026

Signed by Planning Authority Officer



Turlough King, A/Senior Planner

Date

3rd March 2026