



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:	Jacqueline Tobin		
Status (i.e. Owner or Occupier):	Vacant and Derelict		
Date of Request for Declaration:	19 th June 2026	Date of Inspection:	5 th March 2026 (under ref .DB26-01)
Date of Issue of Declaration:	24 th June 2026	Previous Declarations:	S57 DB26-01 (FI requested)

Address:		Location:	
Name of Building:	4	National Grid co-ordinates:	E N
Address 1:	Boyne Terrace	O.S. Map Type:	
Address 2:	Drogheda	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A92 T28P		

Protection Status: Under the Planning and development Act 2000 (as amended)	Y / N		Details:
Record of Protected Structures:	Y ✓	N	NIAH ref no: 13620013 Louth Louth RPS Ref. No. DB-019
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 ✓	

NIAH Registration No. (if applicable):

13620013

Introduction:

The applicant 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 No. 4 Boyne Terrace, Drogheda, Co. Louth A92 T28P.

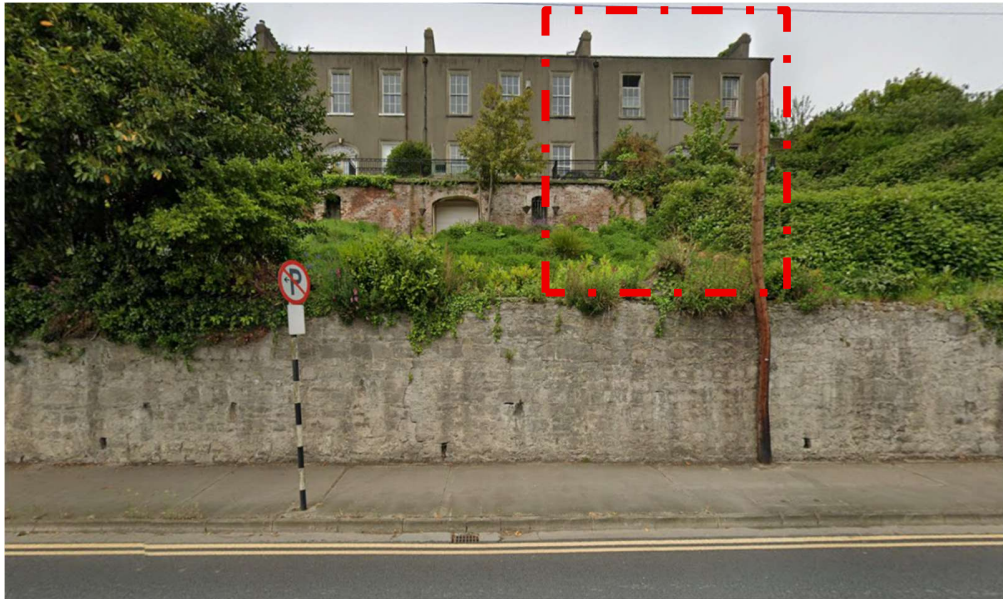


Figure 1 – Shows the structure from North Strand Road, Drogheda.



Figure 2 – Shows the structure from Boyne Terrace, Drogheda.

**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), Volume 4.

RPS ID DB-019 (NIAH No. 13620013) – “House - C. 1850 Georgian style- This house forms part of a terrace of four impressive houses overlooking the Boyne Valley viaduct.”

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

No recent or relevant planning history on record.

Enforcement:

None

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

- Section 57 Declaration Form
- Site location plan
- Methodology Statement

Description of the Structure:

The NIAH description of this regionally important property (NIAH Ref: **13620013 – 4 Boyne Terrace, North Strand, Yellowbatter, Drogheda, Louth**) is as follows:

End-of-terrace three-bay two-storey house, built c. 1840. Rectangular-plan, single-storey over basement to north, single-storey extension to east. Pitched slate roof, clay ridge tiles, smooth rendered corbelled chimneystack, cast-iron gutters on corbelled eaves course, circular cast-iron downpipes. Smooth rendered ruled-and-lined walling, chamfered tooled limestone plinths. Square-headed window openings, tooled stone sills, moulded smooth rendered architraves to south elevation, painted timber six-over-six sliding sash windows. Segmental-headed door openings, moulded smooth rendered surround to south elevation door opening, prominent keystone, painted timber engaged Doric columns support frieze, dentil cornice and decorative petal fanlight, painted timber door with four flat panels, limestone entrance steps; door to north comprising painted timber engaged Doric columns supporting cornice and decorative petal fanlight, painted timber door with four flat panels, limestone threshold. Metal grills to north over basement area. House situated on steep slope, steep garden site with steps to north, Strand Yard to north, smooth rendered boundary wall to south accessed through painted timber vertically sheeted door.

The NIAH appraisal of this property's includes –

This house forms part of a terrace of impressive houses overlooking the Boyne Valley viaduct. Perched on a steep site this house can be accessed from North Strand or Cord Road and as a result it retains two impressive entrance doors, both with classical surrounds and decorative fanlights. Its retention of original features such as timber sliding sash windows and elegant entrances make it a house of considerable architectural interest and one which makes a positive addition to the architectural heritage of Drogheda.

Referral Question:

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

Description of Proposed Development

The works are described by the applicant as follows:

- “1. Demolition/Strip-out/Site clearance (including removal of hazardous material)*
- 2. Substructure works (including works to foundations; rising walls; beds/slabs; damp-proofing; underpinning)*
- 3. Superstructure works (including works to internal/external walls; chimneys; upper floors; stairs; roof structure; other structural timbers”*

Mullen Nextgen Construction – Methodology Statement

Prepared by Alan Mullen – Senior Consultant and Cost Consultant – Specialist detailed cost planning, structural works, renovations, and heritage building projects. The methodology statement states the following:

“The intention of the proposed works is not to alter, extended, redevelop, or materially change the architectural character of the protected structure, but rather to stabilise, repair, restore, and return the property to sustainable residential use while preserving its historic character and significance.

No extension, increase in footprint, increase in ridge height, additional floor area, or alteration to the established external massing of the building is proposed.

The proposed works will adopt a conservation-led approach based on the principles of minimum intervention, retention of historic fabric wherever reasonably practicable, repair before replacement, and the use of compatible traditional materials.

Recording and Protection of Existing Fabric

- Prior to commencement of opening of works, existing historic elements proposed to be repaired, opened, or removed shall be photographed and recorded to assist with repair, reinstatement, and retention or original detailing.*
- Temporary weatherproofing and protection measures shall be implemented during opening up works to minimise exposure and avoid unnecessary deterioration of retained historic fabric.*

Roof Works

- The existing roof covering shall be carefully dismantled and assessed.*
- Existing roof slates/tiles shall be carefully removed, sorted, salvaged, and reused wherever suitable and reasonably practicable.*
- Where replacement roof coverings become necessary due to the deterioration, breakage, or end of service life, replacement materials shall match the existing in appearance, profile, colour, texture, and character, with Bangor Blue slates proposed where replacement is required.*
- Existing roof timbers shall be inspected following opening up works. Timbers found to be structurally sounds shall be retained and repaired wherever possible.*
- Only roof elements identified as structurally compromised, decayed, unsafe, or beyond practical repair shall be replaced using matching material and traditional construction methods where appropriate.*
- The existing roof form, pitch, profile, and overall appearance shall remain unchanged.*

Chimneys

- Existing chimney structures shall be retained and repaired wherever feasible.*
- Should concealed deterioration, instability, failed masonry, or structural defects become apparent during*

opening up works, partial dismantling and reconstruction may become necessary using matching materials and traditional detailing while retaining the original appearance and proportions.

Windows and External Journey

- Existing timber sliding sash windows are proposed to be retained and reconditioned wherever feasible.
- Works may include careful removal, overhaul, repair of cords, weights, glazing, timber repairs, local replacement or deteriorated sections, repainting, draught reduction, and reinstatement.
- Where concealed deterioration or structural failure is identified and existing elements are found to be unsuitable for safe reinstatement, replacement sections or complete units may become necessary. Any replacement shall replicate the original proportions, profiles, operation, appearances, and architectural intent.
- Existing external doors and joinery shall similarly be retained and repaired where possible.

Render and External Finishes

- Existing render and finishes shall be assessed and retained where sound.
- Repairs shall utilise breathable lime-based materials and compatible traditional construction methods.
- No impermeable modern render systems are proposed.
- All repair techniques shall seek to maintain breathability of the building fabric and avoid trapping moisture within traditional construction.

Internal Works

- Internal works are intended to preserve original character and shall focus on repair and conservation of the existing fabric.
- Where internal structural repairs become necessary following opening up. Interventions shall be limited to the minimum extent required to stabilise and preserve the structure.
- Any replacement materials introduced internally shall, where reasonably practicable and technically suitable, seek compatibility with the original construction while ensuring the building can achieve appropriate structural performance, durability, safety, and long-term functionality.,
- Existing historic fabric shall be retained wherever feasible, and any intervention shall seek to minimise unnecessary removal of original materials while supporting the continued sustainable use of the building.
- Where concealed defects become apparent during opening up works, repair methodologies may require adjustment to respond appropriately to site conditions while maintaining the overall conservation principles outlined within this methodology statement

General Conservation Methodology

- Due to the age and the historic nature of the building, concealed defects may only become apparent during opening up works.
- Where existing materials, finishes, windows, roof coverings, structural timbers, or historical elements are found to be unsuitable for safe reinstatement following assessment, replacement may become necessary; however, the guiding principle throughout shall remain repair before replacement and retention of original fabric wherever reasonably practicable.
- Any unforeseen conditions identified during opening up shall be documented and reviewed before additional remedial works proceed.
- The proposed works are intended to respect and preserve the special architectural, historical, archaeological, artistic, and cultural interest of the protected structure and its setting. “

Legislative Provision:

Planning and Development Act 2024

Louth County Council note that the following provisions of the Planning Act 2024 commenced in December 2024 and came into operation:

- (a) sections 1 to 5;
- (b) Part 26.

Part 1 Section 2 – includes the definition of a Protected Structure and states:

“protected structure” means a structure, or part of a structure, specified in a record of protected structures, and includes—

- (a) the interior of the structure,
- (b) the land lying within the curtilage of the structure,
- (c) any other structure, and their interiors, lying within that curtilage, and
- (d) any feature of the structure that—
 - (i) is within the attendant grounds of the structure, and
 - (ii) is specified in a record of protected structures; “protection” includes, in relation to a structure or part of a structure, conservation, preservation and improvement compatible with maintaining the character and interest of the structure or part.

Part 1 Section 2 – includes the definition of a Works and states:

“works” includes an act or operation— (a) of construction, excavation, demolition, extension, alteration, repair or renewal (including in relation to a protected structure, a proposed protected structure or a structure situated in an architectural conservation area), on, in, over or under land or a maritime site,

- (b) consisting of the application of plaster, paint, wallpaper, tiles or other material to the surface of a protected structure or proposed protected structure or the removal of plaster, paint, wallpaper, tiles or other material from such surface, and
- (c) consisting of the application of plaster, paint, wallpaper, tiles or other material to the exterior of a structure situated in an architectural conservation area or the removal of plaster, paint, wallpaper, tiles or other material from such exterior.

Planning and Development Act 2000 (as amended)

In the absence of the remaining sections of the 2024 Act commencing the relevant Sections of the Planning and Development Act 2000 (as amended) are applicable

Part 1 Section 4 - Exempted Developments

4. (1) The following shall be exempted developments for the purposes of this Act—
- (h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or 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;

Section 57

57.— (1) *Notwithstanding section 4 (1)(h), the carrying out of works to a protected structure, or a 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.*

(2) An owner or occupier of a protected structure may make a written request to the planning authority, within whose functional area that structure is situated, to issue a declaration as to the type of works which it considers would or would not materially affect the character of the structure or of any element, referred to in subsection (1)(b), of that structure.

(4) 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*

(8) Any person to whom a declaration under subsection (3), or a declaration reviewed under subsection (7) has been issued, may, on payment to the Board of such fee as may be prescribed, refer the declaration for review by the Board within 4 weeks from the date of the issuing of the declaration, or the declaration as reviewed, as the case may be.

(10) (a) For the avoidance of doubt, it is hereby declared that a planning authority or the Board on appeal—

- (i) in considering any application for permission in relation to a protected structure, shall have regard to the protected status of the structure, or*
 - (ii) in considering any application for permission in relation to a proposed protected structure, shall have regard to the fact that it is proposed to add the structure to a record of protected structures.*
- (b) A planning authority, or the Board on appeal, shall not grant permission for the demolition of a protected structure or proposed protected structure, save in exceptional circumstances.*

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 a Protected Structure of regional importance. Under consideration of planning reference DB26-01, further information was requested by the Planning Authority in relation to the proposed works at No. 4 Boyne Terrace, Drogheda (RPS Ref. DB-019; NIAH Ref. 13620013) Specifically, the applicant was requested to provide a Conservation Methodology Statement in order to demonstrate that the proposed works would not materially affect the character of the structure or its setting.

In response, the applicant has submitted a Methodology Statement by prepared by Alan Mullen of Mullen Nextgen, a specialist in detailed cost planning, structural work, renovations, and heritage building projects (dated 15th June 2026).

- (i) An appraisal of the protected status and architectural significance of the building.

Under Section 2 of the Planning and Development Act 2024 (as amended), the works proposed constitute “development”.

Section 4(1)(h) provides exemption for works of maintenance, improvement or other alteration which affect only the interior, or which do not materially affect the external appearance. Section 57(1) specifies that in the case of protected structures, exemption only applies where the works would not materially affect the character of the structure or any element thereof.

Having visited the property and reviewed the submitted plans and following the submission of the methodology statement, the Planning Authority is satisfied that the works carried out are acceptable, are repair and reinstatement in nature and will be carried out in a fashion that does not significantly or materially affect the character of the protected structure. The works will address defects caused by damp, neglect and water ingress, thereby improving the building's condition and ensuring its sustainable use.

Conclusion:

Accordingly, it is considered that the proposed works to 4 Boyne Terrace, Drogheda (A92 T28P) constitutes development within the meaning of Section 2 of the Planning and Development Act 2024 (as amended), but constitutes exempted development under Section 4(1)(h) of the Planning and Development Act 2000 (as amended, as qualified by Section 57(1), as they will not materially affect the character of the Protected Structure (RPS Ref. DB-019).

Recommendation:

I hereby recommend that a Declaration of Exemption be issued for the development described above, for the reason(s) set out here under:

WHEREAS the question has arisen as to whether the works 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. 4 Boyne Terrace, Drogheda (A92 T28P)

AND WHEREAS Jacqueline Tobin requested a declaration on the question from Louth County Council on the 19th June 2026.

AND WHEREAS Louth County Council in considering this referral, had regard particularly to –

- (ii) Section 2 of the Planning and Development Act 2024, as amended,
- (iii) Section 4 (1)(h) of the Planning and Development Act 2000, as amended,
- (iv) Section 57 of the Planning and Development Act, 2000 as amended,
- (v) The Architectural Heritage Protection Guidelines for Planning Authorities,
- (vi) The special interest pertaining to the protected structure in question and
- (vii) The nature and extent of works set out in the referral question and methodology statement.

AND WHEREAS Louth County Council has concluded that –

- (viii) The stated works to the Protected Structure comprise of “development” as defined in Section 2 of the Planning and Development Act 2024, (as amended);
- (ix) The stated works do 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,
- (x) The development, therefore, comes within the scope of section 4(1)(h) and Section 57(1) of the Planning and Development Act 2000 (as amended).

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 outlined at no. 4 Boyne Terrace, Drogheda (A92 T28P) as detailed above, **constitutes development that is exempted development.**

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

- Site Location
- Declaration Form
- Methodology Statement

Signed by Inspector

Signed by Planning Authority Officer





		
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Niamh Boyle, Assistant Planner	Turlough King, A/Senior Planner
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Date	Date
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24 th June 2026	24 th June 2026
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