



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:	Darver National School		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	4 th March 2025	Date of Inspection:	1 st May 2025
Date of Issue of Declaration:	10 th March 2025	Previous Declarations:	Section 5 granted for replacement of PVC windows with timber sash windows.

Address:		Location:	
Name of Building:	Darver National School	National Grid:	E N
Address 1:	Readypenny	O.S. Map Type:	
Address 2:	Dundalk	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A91 DR12		

Protection Status: Under the Planning and development Act 2000 (as amended)	<u>Y</u> / N		Details:
Record of Protected Structures:	Y x	N	LHS012-043
Architectural Conservation Area:	Y	N x	
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):

13901207

Introduction:

The referrer has sought a Section 57 Declaration as per the Planning and Development Act 2000 (as amended) in respect of the installation of 14 no. solar PV panels on a flat roof outbuilding which is within the curtilage of a protected structure.

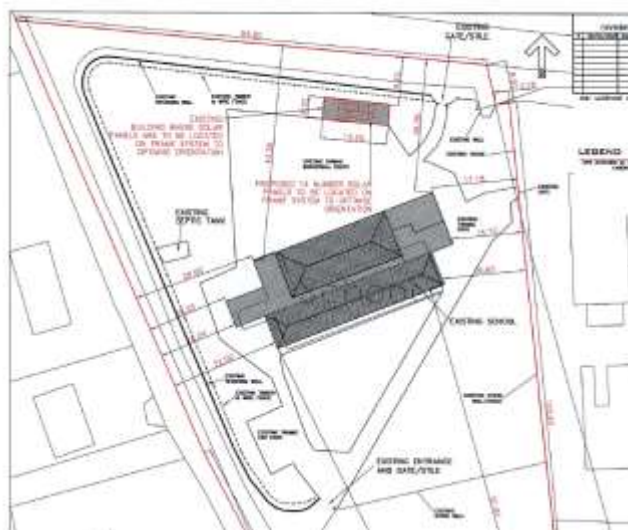


Figure 1 –Subject site detailing proposed location of solar panels.



Figure 2- 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 is located within the curtilage of a protected structure under record LHS012-043 as is described as: *Detached six-bay single-storey school, built c. 1940. Rectangular-plan.*

Planning History:

Planning history on the subject site:

Year	Number	Status	Decision	Received Date	Name	Development Address	Description
00	1981	Application Finalised	Conditional	14/12/2000	Fr Patrick McEnroe	Darver RLS, Darver Dundalk	extension and alterations to school
00	1981	Application Finalised	Conditional	14/12/2000	Fr Patrick McEnroe	Darver RLS, Darver Dundalk	extension and alterations to school
99	768	Application Finalised	Conditional	13/07/1999	FR PATRICK MCENROE	SCHOOL DARVER READYPENNY DUNDALK	PREFAB CLASSROOM
99	768	Application Finalised	Conditional	13/07/1999	FR PATRICK MCENROE	SCHOOL DARVER READYPENNY DUNDALK	PREFAB CLASSROOM

Enforcement:

None

Description of the Structure:

The **NIAH** description of this regionally important property (NIAH Ref: 13901207)– is as follows:

Detached six-bay single-storey school, built c. 1940. Rectangular-plan, flat-roofed three-bay entrance blocks to east and west, extension currently under construction to north. Hipped slate roof, clay ridge tiles, red brick stone corbelled chimneystack, moulded cast-iron gutters on rendered corbelled eaves course, circular cast-iron downpipes some with decorative hoppers. Rock-faced squared-and-snecked granite walling, red brick quoins, smooth rendered plinth. Tripartite square-headed window openings, red brick reveals, tooled granite lintels and sills, uPVC windows. Square-headed door openings, red brick reveals, tooled granite lintel, painted timber and glazed vertically-sheeted door, tooled granite threshold, concrete step. School set in own grounds, surrounded by hard and soft landscaping, bounded by dry-stone wall and wire fence, ashlar granite piers, pyramidal caps, plaques to piers "Merces Nostra Scientia Darver - 1940", wrought-iron gates, kissing-gate to south-west; brick piers, wrought-iron gate accessed church yard to east.

The **NIAH** appraisal of this property's further states:

This attractive school building displays fine craftsmanship in the execution of its stonework, with the use of red brick to the dressings forming an aesthetically-pleasing contrast. Its elevated site befits its central position within the rural landscape and it forms a socially important group with the church to its east.

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:

"For the installation for 14 number PV panels to the roof of the existing building, refer to accompanying drawings."



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 proposed works relate to work to a structure which is within the curtilage of a 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, drawings indicating the location of the PV solar panels and a table containing data on Darver National School's energy consumption.

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.*

Having regard to the profile and nature of the subject outbuilding, and the proposed installation of 14 no. solar panels on this roof elevation, it is considered that these would not materially impact upon the external appearance of the structure. Notwithstanding this, the building is largely sheltered from public view by virtue of existing vegetation which would further shelter the panels from public view.

On balance, having considered that the flat roof nature of the roof, the small number of panels proposed and the location and setting of the structure, it is considered that the proposed installation of solar panels will not materially impact the external appearance of the structure nor any protected structures within the curtilage of the site and adjoining sites.

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

- Declaration form.
- Maps indicating position of PV panels
- Images of subject site submitted
- Table detailing SEAI Energy Consumption Data.

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 Darver National School, Reeadypenny, Dundalk, Co. Louth

AND WHEREAS Darver National School requested a declaration on the question from Louth County Council on the 10th March 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 14 solar panels to be installed on a flat roof *outbuilding* would materially affect the character of the protected structure and require planning permission.

AND WHEREAS Louth County Council has concluded that –

- (i) the stated works to the structure comprise of works and are, therefore, 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 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 stated works would consist of the carrying out of works for the maintenance, improvement and alteration of this structure which would 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.

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 to Darver National School, Drogheda Road, Darver, Co. Louth as detailed above, **constitutes development that is exempted development.**



Signed by Inspector

Signed by Planning Authority Officer

Ciarán Kelly, Assistant Planner

Turlough King, A/ Senior Planner

Date

Date

16th May 2025

16th May 2025