



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:	The Sisters of St. Louis		
Status (i.e. Owner or Occupier):	Owner		
Date of Request for Declaration:	8 th January 2024	Date of Inspection:	N/A
Date of Issue of Declaration:	28 th March 2024	Previous Declarations:	None on record

Address:

Name of Building:

Bellew's Castle

Location:

National Grid co-ordinates:

E N

Address 1:

Castletown

O.S. Map Type:

Address 2:

Dundalk

Map Sheet:

Address 3:

Co. Louth

Site Number:

Eircode:

Protection Status:

Y / N

Details:

Under the Planning and development Act 2000 (as amended)

Record of Protected Structures:

Y ✓

N

D091 (Tower House)

Architectural Conservation Area:

Y

N ✓

Under the Planning and development Act 2000 (as amended)

Record of Monuments and Places:

Y ✓

N

LH007-118001

Zone of Archaeological potential:

Y

N ✓

Preservation Order or Temporary P.O.:

Y

N ✓

NIAH Registration No. (if applicable):

None

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 Bellew's Castle.

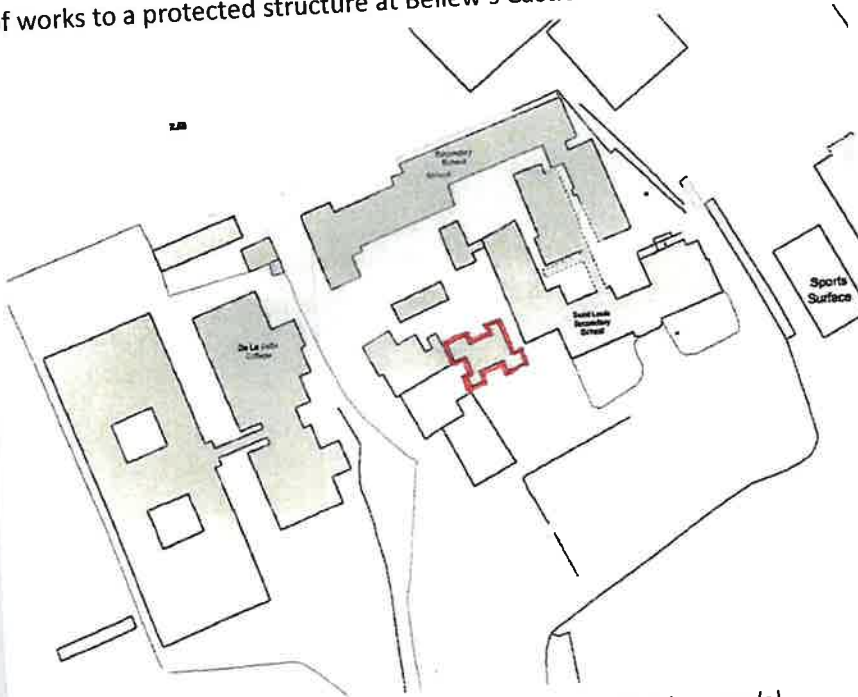


Figure 1: Site Location (within St. Louis Secondary School grounds)



Figure 2: Views of castle tower (flat hidden roof to be repaired)

**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. This building is identified in the RPS under Ref: D091.

Planning History:

22/325 – Permission to replace the windows in the main school building with new windows in a similar style and all ancillary works associated with same. St Louis Secondary School is a Protected Structure - ID numbers D090 Convent Building (NIAH 13900737); D091 Bellew's Castle and D092 Grotescue Sculpture – Granted.

19/223 – Retention permission for a number of minor alterations to the property to upgrade the fire safety status of same. (1) Installation of 4 no. new external escape doors. (2) Installation of 4 no. Automatic Opening Vents. (3) Minor alterations to Assembly Hall layout and general floor plans. (4) Installation of new fire alarm system. (5) Removal of fire destroyed buildings and forming amenity courtyard. (6) Restoration / replacement of damaged stained glass windows, timber windows and upvc windows. (7) Installation of fire hydrants around school site. (8) All ancillary works associated with the above. St Louis Secondary School is a protected structure , ID No.s D090 Convent Building - NIAH ID No. 13900737, D091 Bellew's Castle, D092 Grotescue Sculpture – Granted.

In addition to much older repair works, the following works were previously carried out to this protected structure in recent years (as per the report submitted):

2019-2022

In 2019 the Sisters of St Louis engaged John Deaton to prepare a Conservation Plan for Castletown House, Bellew's Castle and associated grounds. The plan was prepared following the guidelines of James Semple Kerr's Guide to Conservation Plans and the UK Heritage Lottery Fund's Conservation Plans for Historic Places (1996). The Plan assessed the significance of the place and identified its vulnerabilities. It then set out policies for its conservation.

The Sisters of St Louis is actively implementing the policies set out in the Plan as part of its ownership and management strategy for Castletown.

Actions undertaken to date:

2019 – Preparation of Conservation Plan

2019 – Repair of roof and parapet of stairs turret (SW)

2020 - Repair of roof and parapet of stairs turret (NW). Accessibility study.

2021 – Repair of roof and parapet of stairs turret (SE). Removal of creepers and embedded iron from facades. Bolton report on façade mortars and renders.

2022 - Repair of roof and parapet of stairs turret (NE). Removal from façade of the derelict iron escape stairs

Description of the Structure:

The Record of Protected Structures (RPS) in the current Louth CDP 2021-2027, as varied, describes this property as follows:

"c. 1475 by Richard Bellew, a four stage tower with four corner turrets".

I note that there is no appraisal in the RPS. The structure is not included in the NIAH.

**Referral Question:**

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

Presently rainwater is penetrating the walls in the corner turret and is then pooling on the internal spiral stairs. The proposed works would entail the removal of inappropriate Portland cement rendered areas and cement pointing, and then repointing in lime and lime rendering, whilst retaining the dressed stone surrounds to windows and doors. I am satisfied that these relatively minor works do not materially affect the character of the protected structure. W

I note that Brendan McSherry is also satisfied that the above works are appropriate, as per his email to Turlough King (SEP) dated 20th December 2023.

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:

On the Cover Letter and on Page 24 of the report titled "**Request for Declaration under Section 57 of the Planning Act 2000 (as amended)**", relevant proposed works are described as follows:

- Remove all cement render from masonry (internally and externally)
- Rake out mortar joints and remove all cement pointing. Do not rake out any sound lime based mortar joints. All to be in accordance with a detailed method statement.
- Repoint using lime mortar in accordance with specified mix and a detailed method statement.
- Scud, undercoat and finish coat in lime-based harling with specified mix and a detailed method statement.

I consider that the works detailed above will not materially affect the character of the protected structure, and would not require planning permission.

Please note that the works to "*repair and repaint windows*" as indicated on Page 24 has not been considered, as this has not been indicated in the Cover Letter, the Declaration Request Form or any other documents submitted and no details of these works to the windows have been submitted, apart from a short note on the elevational drawings submitted.

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

- Declaration application form.
- Drawings/ map submitted.
- Report titled "Request for Declaration under Section 57 of the Planning Act 2000 (as amended)".

**Conclusion:**

I conclude, that WHEREAS a question has arisen as to whether the proposed development works detailed in the Request for Section 57 Declaration –

- Remove all cement render from masonry (internally and externally)
- Rake out mortar joints and remove all cement pointing. Do not rake out any sound lime based mortar joints. All to be in accordance with a detailed method statement.
- Repoint using lime mortar in accordance with specified mix and a detailed method statement.
- Scud, undercoat and finish coat in lime-based harling with specified mix and a detailed method statement.

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 Bellew's Castle

AND WHEREAS Bellew's Castle requested a declaration on the question from Louth County Council on the 8th January 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 68 of the Planning and Development Act, 2000 as amended,
- (d) Section 77(1) 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 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 consist of the carrying out of works for the maintenance, improvement and alteration of this structure 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.

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, to Bellew's Castle, Castletown, Dundalk, Co. Louth as detailed by the Request for Section 57 Declaration and submitted information and details, **constitutes development** that is **exempted development**.



Signed by Inspector

Signed by Planning Authority Officer

Terence Loane, Executive Planner

Joanna Kelly, Senior Planner

Date

Date

26th March 2024

28th March 2024