



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:	Hallmark		
Status (i.e. Owner or Occupier):	Occupier		
Date of Request for Declaration:	24/09/2025	Date of Inspection:	14/10/2025
Date of Issue of Declaration:	10/12/2025	Previous Declarations:	S57 DB25-07

Address:		Location:	
Name of Building:	No. 2 West St.	National Grid co-ordinates:	E N
Address 1:		O.S. Map Type:	
Address 2:	Drogheda	Map Sheet:	
Address 3:	Co. Louth	Site Number:	
Eircode:	A92 FYN7		

Protection Status: Under the Planning and development Act 2000 (as amended)	Y / N	Details:
Record of Protected Structures:	Y ✓ N	DB – 276
Architectural Conservation Area:	Y N ✓	
Under the Planning and development Act 2000 (as amended)		
Record of Monuments and Places:	Y ✓ N	NMS SMR Zone of Notification
Zone of Archaeological potential:	Y ✓ N	ZAP 1 - Drogheda
Preservation Order or Temporary P.O.:	Y N ✓	

NIAH Registration No. (if applicable):

13622031

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. 2 West Street, Drogheda, Co. Louth A92 FYN7.

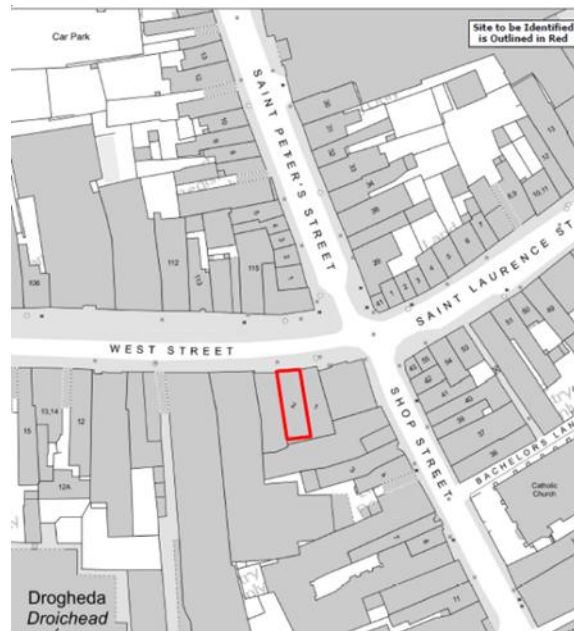


Figure 1: Site Location – No. 2 West Street, Drogheda



Figures 2: Front elevation of the existing building (northern)



Figure 3 – shows the parapet wall and brick detailing on the front elevation.

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 included within the RPS under record no. DB-276) and is described as: *“Two-bay, four-storey late 19thC red brick house with gabled façade with a flat cornice with decorative brick detailing and tall brick chimney stacks, sash windows to top floors.”*

RPS Appraisal – *“This brick building is in keeping with the various architectural styles seen on the street, however it still manages to display its own uniqueness with its unusual parapet wall and brick detailing.”*

Planning History:

The subject building is recorded within the National Built Heritage Service’s NIAH Survey data (Reg no. 13622031) which refers to the building’s name as ‘2 West Street, Moneymore, Drogheda’ and its original and current use as a ‘House’ and current use as a ‘shop/retail outlet’.

The following planning history is associated with the building:

85510026: On the 30th of April 1985 Planning Permission was GRANTED subject to conditions for a new shopfront and fascia (Applicant - Geoffrey O’Donoghue)

90510140: On the 5th of November 1990 Planning Permission was GRANTED subject to conditions for a replacement of existing shop front (Applicant - Mr. Sean O’Sheehan)

00510203: On the 19th of December 2000 Planning Permission was GRANTED subject to conditions for refurbishment of shop front and interior (Applicant - Mr. Sean O’Sheehan)

06510109: On the 19th of January 2007 Retention Planning Permission was GRANTED subject to conditions for 3. no. panel antennae each measuring H/W/D 1498x262x149mm & 1 no. dish antennae of diameter 300 mm attached to front & rear chimneys & side wall of Hallmark Building (a protected structure). (Applicant - Vodafone Ireland Ltd)

Description of the Structure:

The NIAH description of this regionally important property is as follows:

"Attached two-bay four-storey former house and shop, built c. 1880, now in use as shop and offices. Recent shopfront to ground floor, north elevation. Hipped slate roof, hidden by shouldered parapet, clay ridge and hip tiles, red brick corbelled chimneystacks, circular cast-iron downpipe, stone coping to parapet. Red brick walling laid in Flemish bond, recessed sill courses to second and third floors, chequered brick detailing to parapet wall flanked by brick piers. Segmental-headed window opening to second and third floors, stone sills, roll-moulded soffits, painted timber one-over-one sliding sash windows; large display window, c. 1950, to first floor, stone sill, painted timber top-hung casement windows. Painted timber shopfront comprising fluted pilasters flanking large display window, central entrance door to shop, uPVC double doors, plastic fascia, moulded timber cornice; square-headed door opening to west, plain-glazed overlight, painted timber panelled door. Street fronted."

The NIAH appraisal of this property states:

"This brick building is in keeping with the various architectural styles seen on the street, however it still manages to display its own uniqueness with its unusual parapet wall and brick detailing. It is important to the street's character adding to the architectural interest of the area."

Referral Question:

The submitted information as set out in Question 10 of the S57 declaration request form states:

Internal Works:

Renovation to all rooms from 1st floor up to 3rd floor above shop floor.

- Make good all damage caused by damp and water ingress on external walls using modern methods
- Make good damage to existing lathe and plaster ceiling using modern methods
- Remove all sockets and existing light fittings across 3 floors
- Replace all sockets with NEW faces and light fittings with NEW energy saver lamps
- Replace existing lower kitchen cupboards with NEW cupboards
- Repair INTERNALLY and EXTERNALLY existing sash windows – 11 total – 4 to front elevation and 7 to rear elevation
- Replace EXISTING storage heaters with NEW 2kW electric panel heaters
- Paint all rooms to standard finish
- Small repairs to existing staircase, banister and balustrade (no replacement necessary)
- Repair and re-tile of existing bathroom
- Full carpet and floor coverings to all three floors
- Replacement of 1 existing unopenable window light with new double glazed glass unit no frame (NOTE: this can be adjusted where necessary for compliance with conservation – plan was to block this in but if we need to just put a new pane of glass in to keep the look for conservation we can)

External Works:

- Carry out repairs to slate roof and lead gulleys re-using existing slate in places where available and using new slate where we are unable to reclaim. (Existing roof has a makeup of both old and new slate)
- Carry out removal of vegetation from gutters and brickwork to front façade
- Repairs of existing gutters where necessary
- Removal of vegetation in chimney stacks – point and repair where possible

- Take down and rebuild chimney stack in existing makeup using new methods but retaining existing materials where possible
- External making good and painting of sash windows
- Repair INTERNALLY and EXTERNALLY existing sash windows – 11 total – 4 to front elevation and 7 to rear elevation.”

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 subject property, No. 2 West Street, Drogheda, is a Protected Structure (RPS Ref. DB-276; NIAH Ref. 13622031) and is located within the West Street and surrounding streets forming Drogheda's Shopping Core Architectural Conservation Area (ACA). The structure retains significant elements of its late-19th century red-brick architectural character, including original sash windows, decorative parapet detailing and historic internal features.

Further Information was requested by the Planning Authority in relation to the proposed works at No. 2 West Street, Drogheda (RPS Ref. DB-276; NIAH Ref. 13622031). Specifically, the applicant was requested to provide a Conservation Methodology Statement and a Heritage Impact Assessment (HIA) in order to demonstrate that the proposed works would not materially affect the character of the structure or its setting.

In response, the applicant submitted a combined Heritage Impact Assessment and Conservation Methodology Statement Report, prepared by Wherity Chartered Surveyors Ltd (dated 15th September 2025).

The Conservation Methodology submitted considers the conservation principles as espoused by the Architectural Heritage Protection for planning authorities, in particular sections 7.11, 7.12 and 7.13. The report provides:

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

- A schedule of proposed works, including repairs to original features such as the sash windows, roof, chimney, plaster ceilings, and minor internal refurbishments.
- A conservation methodology based on minimal intervention, repair over replacement, and the use of traditional materials (lime mortars, seasoned timber, natural slate, cast iron rainwater goods).
- Confirmation that modern interventions will be reversible.
- Assurance that works will be overseen by a suitably qualified Conservation Consultant, with heritage-experienced tradespersons engaged.

Under Section 3 of the Planning and Development Act 2000 (as amended), these works 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 including the Heritage Impact Assessment Report/Conservation 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 No. 2 West Street, Drogheda constitutes development within the meaning of Section 3 of the Planning and Development Act 2000 (as amended), but constitutes exempted development under Section 4(1)(h), as qualified by Section 57(1), as they will not materially affect the character of the Protected Structure (RPS Ref. DB-276).

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. 2 West Street, Drogheda.

AND WHEREAS Hallmark requested a declaration on the question from Louth County Council on the 24th September 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
- g) The nature and extent of works set out in the referral question.

AND WHEREAS Louth County Council has concluded that –

- (i) The stated works to the protected structure comprise of “works” as defined in Section 2 of the Planning and Development Act 2000 (as amended);
- (ii) 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,



- (iii) 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 as specified by the applicant as they relate to Building Control Standards to the property at no. 2 West St, Drogheda, Co. Louth as detailed above, **constitutes development that is exempted development.**

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

- Site Location
- Declaration Form
- Heritage Impact Assessment Report/Conservation Methodology Statement

Signed by Inspector

Signed by Planning Authority Officer

Katie Conlon, Assistant Planner

Turlough King, A/Senior Planner

Date

Date

15th October 2025

20th October 2025