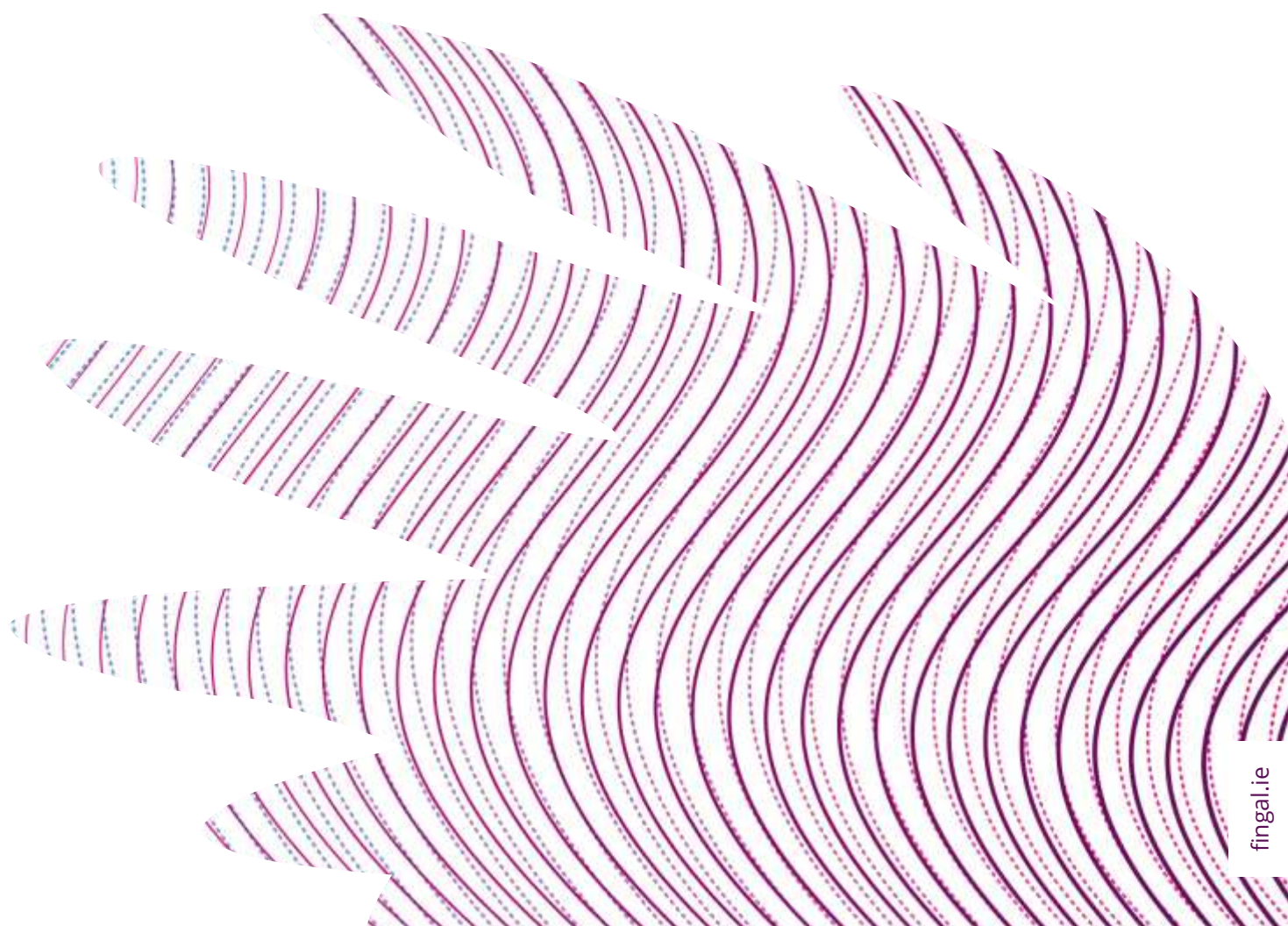




Section 57 Declarations: Guidance Note



SECTION 57 DECLARATIONS

A Declaration is a document that owners or occupiers of a Protected Structure may request under Section 57 of the 2000 Planning Act. The purpose of a section 57 declaration is for the Planning Authority to clarify in writing the kind of works that would or would not materially affect the character of that structure or any element of that structure which contributes to its special interest.

Declarations guide the owner or occupier as to what works would and would not require planning permission in the context of the protection of the Architectural Heritage. This is because the character of a Protected Structure cannot be changed without first securing planning permission.

A Section 57 Declaration must be requested in writing and will be issued within 12 weeks of the request. The written request should be sent to:

Conservation Officer,
Fingal County Council,
Architects Department,
County Hall,
Main Street,
Swords,
Co. Dublin,
K67 X8Y2

The applicant should outline within the request the address of the structure the Section 57 Declaration is being sought for and contact details for the applicant (telephone number or email) so that the Conservation Officer can arrange a site visit.

In order to draw up the Declaration the Local authority must inspect and record the structure.

A Declaration once issued must be attached to the Planning Register.

This publicly accessible record will include information relating to the special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and character of the building. However, in the interests of respecting the privacy and security of a building occupant, it will be necessary to hold much of the information collected in the course of the declaration inspection in a reserved part of the file on the protected structure. Any photographs or information of a sensitive nature relating to the interior of a building obtained in the course of the inspection will not be made available to the public.

Some or all of the phrases below are used in drawing up declarations. The use of a phrase in a declaration should be construed to refer to all the works detailed under that heading unless exceptions are made.

This should not be seen as an exhaustive list, and the circumstances of each protected structure may require reference to specific types of works that are not included in this list.

WORKS THAT MIGHT REQUIRE PLANNING PERMISSION (DEPENDING ON THE INDIVIDUAL CIRCUMSTANCES):

Changes to the exterior appearance of walls, roofs or openings

Any works which alter the exterior appearance of the building including the following:

Walls: Comprehensive (as opposed to localised) re-pointing, removal of render, re-facing in an applied layer of masonry, brick, wood, plaster or paint, cleaning, damp-proofing, to any wall surface, front, sides or back, cleaning of masonry, removal or relocation of decorative stone, metal or plaster plaques, painting of any previously unpainted surface, removal of ivy or other growth.

Roof: Works that would result in damage to or removal of the original or early surviving) chimneys, natural slate roof covering. Replacement of existing structural elements, rainwater goods, coping stones, gable or eaves parapets. Removal or reconstruction of bell cotes, crenellations, finials or any other feature of the roofscape.

Openings: Alterations of structural openings, replacement of doors or windows, repair of windows, renovation, removal or replacement of fanlights, letterboxes, bell pulls or other door ironmongery, paintings of any previously unpainted surface

Changes to the internal layout

Alterations to the internal layout, including those required for fire safety purposes, that would affect the original (or early surviving) plan or section, insertion of any fixed partitions, breaking out of new openings between rooms or spaces, insertion of new doors or screens, formation of ramps and the provision of universal access, alteration of floor levels; insertion of suspended ceilings, alterations to the layout or form of stairwells.

Changes to the internal surfaces, finishes or linings

Alterations, including those required for fire safety purposes, that would involve the loss of, removal of or damage to original or old internal joinery items (like windows or windowcases, staircases, doors or doorcases, skirting boards, dado rails, panelling shutters and architraves, decorative plasterwork), replacement of integral floor coverings or structure, any works to plasterwork ceilings including any work that has an effect on cornices or other associated details; removal of fireplaces or chimneypieces including mantel shelves, hearthstones or chimney breasts, alteration or removal of staircases and all associated joinery masonry or plaster elements; alteration or removal of important fixtures or fixed furniture, such as built-in seating, counter-tops or cupboards; the removal of paint or wallpaper .

Installation or repair of internal mechanical services

Re-wiring, re-plumbing, insertion of fire detection or security systems, equipment or fixtures, fixing of panelling, insertion of 'dumb waiters'.

Extensions

The building of any extension to a premises which affects an existing opening or requires the breaking out of a new opening.

Changes within the curtilage of the building

Any breaking out of new openings in, or rendering or re-pointing of, existing walls within, or forming the boundary of, the curtilage; the erection of structures for agricultural purposes, not withstanding exemption in the 2001 regulations; taking down of features such as statuary; removal of other 'hard' landscaping features such as paving, terracing, railings, fencing, etc. Changes to the garden layout, including the cutting and replanting of trees and shrubs where these may disturb the land form. Any alterations to ground levels in the curtilage of the building other than temporary licensed archaeological trenching.

WORKS THAT MIGHT NOT REQUIRE PLANNING PERMISSION (DEPENDING ON THE INDIVIDUAL CIRCUMSTANCES):

Redecoration

The application, but not removal, of paint or wallpaper, where plasterwork features or underlying coatings or underlays are not compromised, and the repair of damaged plasterwork in compatible materials to match existing.

Routine maintenance

Regular annual or biennial maintenance to keep a building weather-tight, securing of existing elements of windows and doors (but not replacement), the clearance of gutters and downpipes, gardening activities which do not disturb the subsoil, re-fixing loose slates, repainting previously-painted surfaces. Repair and maintenance works are to be carried out in accordance with the Department of the Environment and Local Government website 'Conservation Guidelines'. Minor alterations to the services (but excluding the installation of the major services such as lifts and air conditioning).

Restoration of character

Replacement of uPVC or aluminium windows with historically correct timber sash windows; re-covering the roof with natural slate, where measures are taken to retain any re-usable existing natural slates in situ.

Demolition or Alteration of a modern extension

Where this is defined graphically on a drawing or plan or otherwise specified.