

---

**Appendix A21.1  
Protection of the  
Architectural Heritage  
Resource**

---

## APPENDIX A21.1 – PROTECTION OF THE ARCHITECTURAL HERITAGE RESOURCE

### Legislation Protecting the Architectural Resource

The principal laws protecting the built heritage are the Architectural Heritage (National Inventory) and National Monuments (Miscellaneous Provisions) Act 1999 and the Planning and Development Act, 2000, as amended. The Architectural Heritage Act requires the Minister to establish a survey to identify, record and assess the architectural heritage of the country. The background to this legislation derives from Article 2 of the 1985 Convention for the Protection of Architectural Heritage (Granada Convention). This states that:

*For the purpose of precise identification of the monuments, groups of structures and sites to be protected, each member state will undertake to maintain inventories of that architectural heritage.*

The National Inventory of Architectural Heritage (NIAH) was established in 1990 to fulfil Ireland's obligation under the Granada Convention, through the establishment and maintenance of a central record, documenting and evaluating the architecture of Ireland (NIAH Handbook 2017). Inclusion in the inventory does not provide statutory protection, though it forms the basis for lists sent by the Minister to each planning authority of buildings in the authority's area that the Minister wishes to be added to the record of protected structures. Advice to planning authorities on the compilation of a record of protected structures is provided through the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

### Protection Under the Record of Protected Structures and County Development Plan

Part IV of the Planning and Development Act relates to architectural heritage and commences with section 51(1), which obliges a planning authority to include a record of protected structures in its development plan "for the purpose of protecting structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest". That section also carries an obligation for the planning authority to include in that record "every structure which is, in the opinion of the planning authority, of such interest within its functional area."

Where a planning authority wishes to add a structure to the record of protected structures notice must be served on the owners and occupiers of the property and once this notice has been served the structure has the status of a "proposed protected structure". A proposed protected structure has the same protections under the act as if it were already added to the record of protected structures pending its formal addition to the record following a statutory consultation process.

Under this legislation, where a structure is included in the record of protected structures the entire structure is protected, unless otherwise specified, including a structure's interior, exterior, land within the curtilage of the structure, any other structures lying within the curtilage and their interiors and all fixtures and features which form part of the interior or exterior of any protected structure or structure in its curtilage.

While "curtilage" is not defined in the act, guidance as to its meaning is provided in the Architectural Heritage Protection Guidelines for Planning Authorities. This states that "for the purposes of these guidelines [curtilage] can be taken to be the parcel of land immediately associated with that structure and which is (or was) in use for the purpose of that structure." The curtilage of a structure does not necessarily include the entirety of a property where that property is large, such as in the case of a farm holding or the demesne of a large house. In the latter case the guidelines states that "the stable buildings, coach houses, walled gardens, lawns, ha-has and the like may all be considered to form part of the curtilage of the building unless they are located at a distance from the main building." To cater for instances where there may be structures of significance at a distance from the main building the Planning and Development Act includes the concept of "attendant grounds", which is defined as including "land lying outside the curtilage of the structure". Structures within the attendant grounds are not automatically included within the protection afforded to a protected structure, though

the planning authority may specify that a structure within the attendant grounds would be included. An example of where this might occur would be a gate lodge within a demesne at a distance from the main house.

Section 57 of the act deals specifically with works affecting the character of protected structures or proposed protected structures and states that no works may be carried out that would materially affect the character of the structure or any element of the structure that contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. The act does not provide specific criteria for assigning a special interest to a structure. However, the National Inventory of Architectural Heritage (NIAH) offers guidelines to its field workers as to how to designate a building with a special interest, which are not mutually exclusive. This offers guidance by example rather than by definition:

### **Archaeological**

It is to be noted that the NIAH is biased towards post-1700 structures. Structures that have archaeological features may be recorded, providing the archaeological features are incorporated within post-1700 elements. Industrial fabric is considered to have technical significance and should only be attributed archaeological significance if the structure has pre-1700 features.

### **Architectural**

A structure may be considered of special architectural interest under the following criteria:

- A generally agreed exemplar of good quality architectural design;
- The work of a known and distinguished architect, engineer, designer, craftsman
- An exemplar of a building type, plan-form, style or styles of any period but also the harmonious interrelationship of differing styles within one structure;
- A structure which makes a positive contribution to its setting, such as a streetscape or a group of structures in an urban area, or the landscape in a rural area;
- A structure with an interior that is well designed, rich in decoration, complex or spatially pleasing.

### **Historical**

A structure may be considered of special historical interest under the following criteria:

- A structure may have historical interest as the location of an important event that occurred in, or is associated with it, or by its association with a historic personality. Some events or associations may be so important that the place retains its significance regardless of subsequent alteration. Where an otherwise unremarkable structure has historical associations, it may be more appropriate to commemorate the association with a wall-mounted plaque. Where the decision is difficult, it is helpful to discover whether other buildings connected with the personality or event still exist (and if they are protected) and to make an assessment that takes account of the value of such a group.
- A structure may have influenced, or been influenced by, a historic figure. Important people may have lived in the structure or have been otherwise associated with it – for example its patron, designer or builder. Places in which evidence of an association with a person survive, in situ, or in which the settings are substantially intact, are of greater significance than those which are much changed or in which much evidence does not survive.
- Historical interest can be attributed where light is thrown on the character of a past age by virtue of the structure's design, plan, original use, materials or location.
- A structure may be a memorial to a past event;
- A structure itself may be an example of the effects of change over time. The design and fabric of the structure may contain evidence of its former use or symbolic meaning. This may be the case with former gaols or churches that have since changed and, in so doing, illustrate a historic development.
- Some fixtures and features may survive, for example in consistory courts and courts of law, that are important evidence of former liturgical or legal practice and may have special historical interest for that reason.

- Some unusual structures may have historical or socio-historical interest, for example, early electricity substations, 'Emergency' era military pillboxes or sentry-boxes. Although not yet of popular heritage significance, such structures can nonetheless have special historical and social interest.
- Special historical interest may exist because of the rarity of a structure. Either few structures of an identifiable type were built at a particular time, or few have survived. In either case, the extant structure may be one of the few representative examples of its time that still exists in the national, regional or local area. The rarity of surviving examples of a building type can ensure that special historical interest accrues to them. A planning authority should give careful consideration to protecting any examples of rare structures in its area, bearing in mind the degree to which past interventions may have altered their character.

## Archaeological

Special archaeological interest is essentially defined by the degree to which material remains can contribute to our understanding of any period or set of social conditions in the past (usually, but not always, the study of past societies). The characteristic of archaeological interest in the context of the RPS must be related to a structure. Structures of special archaeological interest may also be protected under the National Monuments Acts.

Structures can have the characteristics of both archaeological and architectural interest as these are not mutually exclusive. For example, the party walls or basements of houses of later appearance may contain medieval fabric and reveal information of archaeological interest. The standing walls of a sixteenth-century tower house will have both characteristics of interest. Fragments of early fabric, including carved or worked stone, may have been re-used in later buildings giving these structures archaeological significance as the current context of historically significant material. A complex of industrial buildings may have archaeological interest because of

its potential to reveal artefacts and information about the evolution of industry that may be useful to archaeologists, historians and the public.

## Artistic

A structure may be considered of special artistic interest under the following criteria:

- Examples of good craftsmanship;
- Decoratively carved statuary or sculpture that is part of an architectural composition;
- Decoratively-carved timber or ceramic-tiled shopfronts;
- Ornate plasterwork ceilings;
- Decorative wrought-iron gates;
- Religious art in a place of public worship such as the Stations of the Cross or stained-glass windows;
- Fixtures and fittings such as carved fireplaces, staircases or light-fittings;
- Funerary monuments within a graveyard;
- The relationship of materials to each other and to the totality of the building in which they are situated, if these have been designed as an ensemble.

For an artistic work to be given protection under the Act, its degree of annexation to the structure should be taken into account. If the work of art is effectively fixed to the structure, it can be considered a part of the structure and therefore protected.

## Cultural

The characteristic of cultural interest permeates the architectural heritage and can, in the broadest terms, include aesthetic, historic, scientific, economic or social values of past and present generations. Special cultural interest apply to:

- Those structures to which the Granada Convention refers as 'more modest works of the past that have acquired cultural significance with the passing of time';
- Structures that have literary or cinematic associations, particularly those that have a strong recognition value;
- Other structures that illustrate the development of society, such as early schoolhouses, library buildings, swimming baths or printworks. If these associations are not related to specific aspects of the physical fabric of a structure, consideration could be given to noting them by a tourism plaque or other such device.

## Scientific

The scientific interest, or research value, of a structure will depend on the importance of the data involved and on its rarity and/or quality. Its scientific interest should also be assessed as to how well it represents the area of research in question and the degree to which the structure may contribute further objective information. For example:

- The results of scientific research may be seen in the execution of the structure;
- The materials used in the structure may have the potential to contribute to scientific research, for example extinct pollen or plant species preserved in the base layers of ancient thatch roofs;
- The structure may be associated with scientific research that has left its mark on the place, such as early Ordnance Survey benchmarks carved into stonework.

## Technical

Special technical interest in a structure relates to the art of the structural engineer in devising solutions to problems of spanning space and creating weatherproof enclosures. It may be found in structures which are important examples of virtuoso, innovative or unusual engineering design or use of materials. A structure may be of special technical interest for one or more of the following reasons:

- It displays structural or engineering innovation evidenced in its design or construction techniques such as the use of cast- or wrought-iron prefabrication or an early use of concrete;
- It is the work of a known and distinguished engineer;
- It is an exemplar of engineering design practice of its time. For example, a bridge may be a masonry arch, an iron suspension or a concrete span;
- It displays technically unusual or innovative construction or cladding materials, such as early examples of glazed curtain walling, prefabricated concrete plank cladding or Coade stone;
- Contains innovative mechanical fixtures, machinery or plant or industrial heritage artefacts that describe the character of production processes. The specifically industrial aspect of some sites like mill buildings, mill-ponds, tailings or derelict mines can often have a technical heritage value;
- Purely special technical interest can be ascribed to the innovative engineering qualities of a structure, as distinct from the building's appropriateness for use, or its appearance or form.

## Social

The characteristic of special social interest embraces those qualities for which a structure, a complex or an area has become a focus of spiritual, political, symbolic or other sentiment to any group of people. A community may have an attachment to a place because it is an essential reference point for that community's identity, whether as a meeting place or a place of tradition, ritual or ceremony. The configuration, disposition or layout of a space or group of structures, where they facilitate behaviour that would otherwise be difficult or impossible, may be of social interest. This category of special interest may sometimes not be directly related to the physical fabric of a particular structure or structures and may survive physical alteration. Care should be taken to recognise the pattern or internal relations of the parts of the structure that constitute its special interest, in order to ensure that they be conserved.

- The fixtures and features that testify to community involvement in the creation of a structure or have a spatial form or layout indicating community involvement in the use of a structure, could include such elements as memorials, statues or stained-glass panels.
- A structure may display vernacular traditions of construction and may be set in a group or area which illustrates the social organisation of the inhabitants. Most obviously this would include thatched cottages. In vernacular buildings, elements of the plan-form (for example, direct-entry, lobby-entry, doors opposite one another, bed outshots etc), as well as the roofing material of otherwise ordinary structures may be distinctive and have special social interest.
- Types of decoration may have artistic as well as social interest, such as shell houses or the local manifestation of exuberant or astylar stucco decoration where it is particular to a town or region.
- A social interest could also be attributed to structures illustrating the social philosophy of a past age, as in the case of philanthropic housing developments. Structures which illustrate a particular lifestyle or social condition, for example holy wells, are to be found in many parts of the country. Care must be taken to ensure that there is sufficient physical fabric to such places for them to be defined as 'structures'.

Section 58 of the Planning and Development Act, 2000, specifies that the owners and occupiers of protected structures have an obligation to ensure that the protected structure or proposed protected structure, including any element of it that contributes to its special character, is not endangered. The planning authority has the power to order conservation and restoration works to be undertaken by the owner of the protected structure if it considers that the works are necessary to avoid endangerment to the structure.

Where an owner or occupier wishes to carry out works to the protected structure, they may apply for planning permission to carry out the works or may apply to the planning authority for a declaration under section 5 of the act to state that the proposed works do not require planning permission.

## Conservation principles

Where direct impacts to structures of architectural heritage significance arise from the proposed works all mitigation should be undertaken in accordance with best conservation practice. Conservation principles are set down in the Architectural Heritage Protection Guidelines<sup>1</sup> and are listed below. In the present context, the reference to the use of expert conservation advice will be adhered to through the engagement of a Grade 1 conservation architect to provide guidance, including method statements, for the works, where appropriate.

### 7.2 Conservation Principles

7.2.1 Conservation is the process of caring for buildings and places and of managing change to them in such a way as to retain their character and special interest. Historic structures are a unique resource. Once lost, they cannot be replaced. If their special qualities are degraded, these can rarely be recaptured. Damage can be caused to the character of a historic structure as much by over-attention as by neglect. Over-restoration can harm the special qualities of a building with the loss of details, materials and craftsmanship which, while sometimes seeming of little significance in themselves, can contribute to the character of the building and make it special. For this reason, it is vitally important that proposals for works to protected structures, and within ACAs, be examined at a detailed level. It is intended these detailed guidance notes will draw attention to the importance of the seemingly minor details of a historic building that nonetheless play an important part in establishing its character.

7.2.2. Entry into the Record of Protected Structures does not mean that a structure is forever frozen in time. Good conservation practice allows a structure to evolve and adapt to meet changing needs while retaining its particular significance. The challenge facing owners, planning authorities and all others involved in architectural conservation is to identify how and where change can occur and to ensure that the heritage is not damaged by inappropriate intervention. Additions and other interventions should be sympathetic to the earlier

---

<sup>1</sup> Department of Arts Heritage and the Gaeltacht, 2011, *Architectural Heritage Protection Guidelines for Planning Authorities*, pp. 105-113.

structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term.

### **7.3 Keeping a Building in Use**

7.3.1 It is generally recognised that the best method of conserving a historic building is to keep it in active use. Where a structure is of great rarity or quality, every effort should be made to find a solution which will allow it to be adapted to a new use without unacceptable damage to its character and special interest. Usually the original use for which a structure was built will be the most appropriate, and to maintain that use will involve the least disruption to its character. While a degree of compromise will be required in adapting a protected structure to meet the requirements of modern living, it is important that the special interest of the structure is not unnecessarily affected. Where a change of use is approved, every effort should be made to minimise change to, and loss of, significant fabric and the special interest of the structure should not be compromised.

7.3.2 Where a protected structure is a ruin and does not have an active use, it may nonetheless be of special interest. It may be a local landmark or contribute to the character of an ACA. In such cases, it may be more appropriate to allow it to continue to stand in a ruined state and be repaired or consolidated where necessary.

### **7.4 Researching and Analysing**

7.4.1 Before formulating proposals for works to a protected structure, the developer should research its historical development and understand thoroughly the present condition of the structure. The research should encompass not only the main structure and its interior but also its curtilage and attendant grounds, where relevant, and any structures or features within them which contribute to the special interest of the protected structure. The contribution of the setting of the structure to its special interest should also be assessed, as should any other relationships which add to the appreciation of it.

7.4.2 The research should include an analysis of the physical fabric of the site, and any available documentary or other evidence. The work should only be undertaken by those with the appropriate knowledge and skill. The results of the research should be analysed in order to understand the reasons for any decay and to inform future proposals.

### **7.5 Using Expert Conservation Advice**

7.5.1 Building conservation is a specialised discipline and the method of work needs to be specified by experts with a knowledge and experience of historic buildings. Planning authorities, when discussing proposals with the owners or occupiers of protected structures, should encourage them to seek expert advice when considering undertaking works to their buildings. Where a protected structure is of particularly high quality or rarity, the use of conservation expertise by an applicant could be a condition of any grant of planning permission.

7.5.2 The input of expert advice should not be confined to the planning application process. In order to ensure that the works are competently and correctly completed, continued expert involvement may be necessary in the management and site supervision of the project, using experienced and skilled workers with proper and adequate supervision.

7.5.3 Planning authorities should ensure that they themselves have access to appropriately qualified, competent specialist advice on any development likely to impact on a protected structure. This advice might come from in-house conservation staff or from independent consultants.

### **7.6 Protecting the Special Interest**

7.6.1 The character and special interest of a protected structure can be damaged by inappropriate works. Most obviously, a structure can be demolished or partly demolished. It can also be stripped of its value and distinctiveness by neglect and decay, unsuitable alteration, uninformed repair or over-restoration. 7.6.2 The

blanket application of standard solutions to historic buildings is not appropriate, nor can old buildings be expected to perform in the same way as modern buildings in terms of structural strength, durability of materials or thermal insulation. But old buildings have qualities which modern structures may not have. For example, handmade building materials are evidence of dedication and craftsmanship perhaps no longer achievable today. Other materials, such as a particular type of stone, may no longer be obtainable. Above all, historic buildings have a patina of age which is irreplaceable and cannot be replicated.

## **7.7 Promoting Minimum Intervention**

7.7.1 The principle of promoting minimum intervention in a protected structure is best summed up by the maxim 'do as much as necessary and as little as possible'. Dramatic interventions in a protected structure are rarely appropriate. The best work in conservation terms is often that which is low key, involves the least work and can be inexpensive.

7.7.2 In granting planning permission, a planning authority should be satisfied that works are necessary, whether these be repair works to the fabric of the building or adaptations to the structure to allow it to perform a new or enhanced function. Over-restoration of historic buildings can be detrimental to their character and value. Old buildings both charm and inform for the very reason that they are old. Bulging or leaning walls, unevenness and bowing are not necessarily imperfections to be ironed out but are evidence of the building's antiquity. Such evidence of a patina of age is irreplaceable and should be preserved where possible with appropriate professional advice.

7.7.3 Conjectural restoration of a protected structure, or part of a structure, should generally only be permitted where there is sufficient physical or documentary evidence of the earlier state of the structure or element or where restoration is necessary to enhance the appreciation of other elements that contribute to the character of the structure. For example, if a Georgian house has in the past had its original roof replaced with a flat roof, the reinstatement of an appropriately designed pitched roof to the building will enhance the appearance of the façade and possibly of a whole terrace of buildings. Similarly, a case may sometimes be made to reinstate a symmetrical composition part of which has previously been lost. The practice of 'restoring' a building or structure to an appearance at some notional date in its history should generally not be permitted, nor should the practices of moving buildings or of reducing them to mere façades be permitted except in exceptional circumstances.

7.7.4 The replication of a lost feature may be appropriate in some circumstances where the essential form and detailing are still evident, so that the physical evidence can be used to re-establish the feature as an integral part of the works. For example, where a carved bracket is missing from a shopfront, the profile and material of the missing feature may be determined from a surviving bracket elsewhere on the same shopfront. A replacement feature should harmonise with its surroundings and it should be a condition that the incorporation of any replacement feature is not to the detriment of later work of quality or interest. Any reconstruction of details should be permitted on a selective rather than a systematic basis.

7.7.5 Another acceptable option to replace a lost element would be to incorporate, as a new feature, a design that is sympathetic with the remaining historical features of the building. Where this is permitted, it should be a condition that the new feature take into account the size, scale and material of the building itself, and care should be taken to avoid creating a false historical appearance.

## **7.8 Respecting Earlier Alterations of Interest**

7.8.1 Alterations and additions to a structure can themselves be an irreplaceable part of a unique history. Different periods of alteration can inform the social and architectural history of the built heritage. For example, the subsequent addition of porches, balconies, shopfronts and returns can say much about changing fashions in architectural design and social aspiration, as can alterations or embellishments such as the addition of bargeboards, window and door surrounds or dormer windows.

7.8.2 In order to appreciate the integrity of a structure, it is important to respect the contribution of different stages of its historical development. Concentration on whether or not various parts of a building are 'original' can obscure the fact that later alterations and additions may also contribute to the special interest of the structure. Of course there may be alterations or additions which have not contributed to the special interest of the building, and which may in fact have damaged it.

7.8.3 Where new alterations and additions are proposed to a protected structure, it should be remembered that these will, in their turn, become part of the structure's history and so it is important that these make their own positive contribution by being well designed and constructed.

## **7.9 Repairing Rather than Replacing**

7.9.1 It should be the aim of good conservation practice to preserve the authentic fabric which contributes to the special interest of the structure. Good repair will arrest the process of decay of a structure and prolong its life without damaging its character and special interest. Where a damaged or deteriorated feature could reasonably be repaired, its replacement should not be permitted.

7.9.2 Many historic structures date from a time when the majority of building materials were wrought by hand. These materials have a variety and vitality that cannot be matched by machine-made materials. Tooling and chisel marks on stonework, undulations in blown-glass panes, and adze marks on timber elements supply a wealth of irreplaceable information about the people and the times that produced these structures. Also, through time, a structure and its components acquire a patina of age that cannot be replicated. The unnecessary replacement of historic fabric, no matter how carefully the work is carried out, will have an adverse effect on the character of a building or monument, seriously diminish its authenticity and will significantly reduce its value as a source of historical information. Replacing original or earlier elements of a building with modern replicas only serves to falsify the historical evidence of the building.

## **7.10 Promoting Honesty of Repairs and Alterations**

7.10.1 To promote good conservation practice in line with the recommendations of international charters, repairs to a protected building or structure should generally be carried out without attempt at disguise or artificial ageing. This does not mean that the repair should be obtrusive or that inappropriate materials should be used in order to contrast with the historic fabric. A good repair, carried out with skill, leaves an interesting record of works done. Deliberately obscuring alterations confuses the historical record that is the building. New repairs should not detract from the visual integrity of the structure but should be discernible on closer inspection.

## **7.11 Using Appropriate Materials and Methods**

7.11.1 Only appropriate materials and methods should be used in works to a protected structure. In early restoration works of the past, untested materials and techniques, such as the use of cement repointing and of some surface consolidants, actually resulted in the accelerated decay of the building fabric on which they were applied as part of conservation works. The use of modern materials and techniques should only be permitted where their appropriateness is supported by firm scientific evidence or where they have proved themselves over a sufficient period and where traditional alternatives cannot be sourced.

7.11.2 When dealing with planning applications for works to a protected structure, materials, details and specifications for works should be approved by the planning authority prior to the commencement of any works.

## **7.12 Ensuring Reversibility of Alterations**

7.12.1 The use of processes which are reversible, or substantially reversible, when undertaking works to a protected structure is always preferable as this allows for the future correction of unforeseen problems, should the need arise, without lasting damage being caused to the architectural heritage. For example, filling structural

voids with concrete would be an irreversible process while a loose fill could easily be removed at a later stage. Similarly, scribing new partitions around an existing cornice or skirting allows for the earlier work to remain intact, possibly to be re-exposed at a future time.

7.12.2 Not all works can be made reversible and a judgement will have to be made by the planning authority where irreversible works are proposed. Ideally, permitted works which affect the character and special interest of a protected structure should be reversible and such works considered temporary, to be reversed when circumstances allow. Such works might include the subdivision of important rooms or spaces within the interior of a protected structure.

7.12.3 The reversibility of proposals is an important conservation principle but should not be used to justify inappropriate interventions.

### **7.13 Avoiding Incremental Damage**

7.13.1 Thought must be given by the planning authority to the potential cumulative impact of minor works to the character of protected structures and of ACAs. The quality and character of both can be damaged by incremental alterations. In the case of protected structures this applies to both internal and external works.

7.13.2 In an ACA, this principle can apply to a street or area where a precedent becomes established for the removal of architectural features or the addition of extensions. For example, the proposed alteration of the external railings of an individual house and the conversion of its front garden to accommodate car parking may at first appear minor and acceptable. However, the planning authority must consider the effect on the character of an ACA and the setting of other protected structures should substantial numbers of properties also alter historic railings and lose their gardens. Similarly, proposals to demolish existing returns to replace them with larger extensions should be treated with caution.

7.13.3 It can sometimes be difficult to refuse permission for minor works, but a point may be reached when the combined impact of all the small alterations will be considerable and detract substantially from the architectural quality and character of the building or of an area.

### **7.14 Discouraging the Use of Architectural Salvage from Other Buildings**

7.14.1 In granting planning permission for works to historic buildings, including all protected structures, the planning authority should not encourage the use of architectural salvage from other buildings for two reasons. Firstly, the re-use of architectural features from elsewhere can confuse the understanding and appreciation of a building, casting doubt on the authenticity of even the untouched parts of the fabric. Secondly, creating a market for salvaged building materials promotes the dismantling of other old buildings, for example the removal of slates or cut-stone elements from a building for reuse elsewhere.

7.14.2 The planning authority could use the planning process to discourage the use of architectural salvage from other buildings. Promoting the use of newly produced materials such as stone or wrought iron could help to keep them in production or encourage the revival of the craftsmanship associated with these materials. There may be occasions where suitable traditional materials are no longer in production and their production cannot be revived. In such cases, the use of salvaged materials may be appropriate after their provenance has been ascertained.

### **7.15 Complying with the Building Regulations**

7.15.1 The Building Regulations are designed to secure the health and safety of people in and around buildings. The Regulations are set out in twelve parts (Parts A - M, excluding I). They are expressed in performance terms and are backed up by relevant Technical Guidance Documents (TGDs) which give guidance regarding compliance. Apart from a limited number of exemptions, they apply to all works involving new construction, extensions to buildings, material alterations to existing buildings and material change of use of such buildings.

7.15.2 Works carried out in accordance with the guidance in the TGDs will, prima facie, indicate compliance. However, the adoption of an approach other than that outlined in the guidance is not precluded, provided the relevant requirements of the Regulations are complied with. Parts of the Building Regulations which are particularly relevant to works in relation to historic buildings include Part A (Structure), Part B (Fire Safety), Part L (Conservation of Fuel and Energy) and Part M (Access for People with Disabilities). However, some parts of the Regulations do not apply to a material change of use, for example the requirement in Part A dealing with disproportionate collapse or the requirements of Part K dealing with stairways, ladders, ramps and guards.

7.15.3 Alterations, extensions and material changes of use affecting historic buildings may present particular problems, and approaches other than those contained in the TGDs may be appropriate in order to ensure compliance while protecting the character of the building. The difficulties that may arise in the application of the Building Regulations to existing buildings is acknowledged in the preamble to each TGD, where it is stated:

In the case of material alterations or changes of use to existing buildings, the adoption without modification of the guidance in this document may not, in all circumstances, be appropriate. In particular, the adherence to guidance, including codes, standards or technical specifications, intended for application to new work may be unduly restrictive or impracticable. Buildings of architectural or historical interest are especially likely to give rise to such circumstances. In these situations, alternative approaches based on the principles contained in the document may be more relevant and should be considered.

7.15.4 In the interest of conserving the character of buildings of outstanding architectural and historical importance, the enhanced thermal performance requirements introduced in the 2002 amendment to the Building Regulations do not apply to works (including extensions) to existing buildings which are protected structures or proposed protected structures under the Planning and Development Act 2000. In that amendment it is also acknowledged that the application of this part may pose particular difficulties for habitable buildings which, although not protected structures or proposed protected structures may be of architectural or historical interest, and the following guidance is included in the TGD:

Works such as the replacement of doors, windows and rooflights, the provision of insulated dry-lining and damp-proofing to walls and basements, insulation to the underside of slating and provision of roof vents and ducting of pipework could all affect the character of the structure. In general, the type of works described above should be carefully assessed for their material and visual impact on the structure. Historic windows and doors should be repaired rather than replaced, and dry-lining and damp proofing should not disrupt or damage historic plasterwork or flagstones and should not introduce further moisture into the structure. Roof insulation should be achieved without damage to slating (either during the works or from erosion due to condensation) and obtrusive vents should not affect the character of the roof. In specific cases, relaxation of the values proposed may be acceptable if it can be shown to be necessary in order to preserve the architectural integrity of the particular building.

7.15.5 Specific issues in relation to Parts B and M of the Regulations are dealt with respectively in other chapters of these guidelines. Provision is also made in the Building Control Act for the granting of a dispensation or relaxation in relation to specific works or materials by a Building Control Authority where the case for such dispensation or relaxation is accepted by the authority

## Dublin City Development Plan 2016–2022

It is the Policy of Dublin City Council:

**CHC1:** To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.

**CHC2:** To ensure that the special interest of protected structures is protected. Development will conserve and enhance protected structures and their curtilage and will:

- (a) Protect or, where appropriate, restore form, features and fabric which contribute to the special interest

- (b) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances
- (c) Be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials
- (d) Not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure
- (e) Protect architectural items of interest from damage or theft while buildings are empty or during course of works
- (f) Have regard to ecological considerations for example, protection of species such as bats. Changes of use of protected structures, which will have no detrimental impact on the special interest and are compatible with their future long-term conservation, will be promoted.

**CHC3:** To identify and protect exceptional buildings of the late twentieth century; to categorise, prioritise and, where appropriate, add to the RPS. Dublin City Council will produce guidelines and offer advice for protection and appropriate refurbishment.

**CHC4:** To protect the special interest and character of all Dublin's conservation areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting
2. Re-instatement of missing architectural detail or other important features
3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns
4. Contemporary architecture of exceptional design quality, which is in harmony with the conservation area
5. The repair and retention of shop- and pub-fronts of architectural interest.

Development will not:

1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the conservation area
2. Involve the loss of traditional, historic or important building forms, features, and detailing including roofscapes, shopfronts, doors, windows and other decorative detail
3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors
4. Harm the setting of a conservation area
5. Constitute a visually obtrusive or dominant form.

Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of conservation areas and their settings. The council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

It is an Objective of Dublin City Council:

**CHCO1:** To undertake a survey and review of the record of protected structures (RPS) within the identified phase 1 priority areas (as set out in Section 11.1.4: The Strategic Approach) of special historic and architectural interest, as part of the ongoing strategic management of the RPS.

**CHCO2:** To designate further architectural conservation areas within the identified phase 1 priority areas (as set out in Section 11.1.4: The Strategic Approach) of special historic and architectural interest. Phase 2 of the

survey and review, based on the rationale set out in subsection 11.1.4 (bullet point 1), will include: areas adjacent to phase 1 priority areas, extension of the Thomas St ACA, Pembroke/Rathmines Lower and Upper/Belgrave Square, Stoneybatter/Oxmantown/Arbour Hill, Ranelagh Village.

**CHCO3:** To review and consider the recommendations of the National Inventory of Architectural Heritage as part of the conservation strategy to review the record of protected structures and to designate architectural conservation areas within the identified phase 1 priority areas (as set out in Section 11.1.4: The Strategic Approach) of special historic and architectural interest. Consideration will also be given to the inclusion of industrial heritage structures of special interest.

**CHCO4:** To review the zoning objectives and the redlined hatched conservation designations as part of the conservation strategy to review the record of protected structures and to designate architectural conservation areas within the identified phase 1 priority areas (as set out in Section 11.1.4: The Strategic Approach) of special historic and architectural interest. Consideration will also be given to the inclusion of industrial heritage structures of special interest.

**CHCO5:** To continue the compilation of the database of the record of protected structures and architectural conservation areas.

**CHCO6:** To provide guidance for owners of protected structures or historic buildings on upgrading for energy efficiency and to promote the principles of sustainable building design in conservation.

**CHCO7:** To maintain a register of buildings at risk in which protected structures at risk from neglect or wilful damage will be entered and actions may be taken to ensure their survival.

**CHCO8:** To prepare schemes for areas of special planning control, where deemed desirable and appropriate, having regard to statutory needs of the city.

#### **11.1.5.7 Demolition of Protected Structures and Buildings in Architectural Conservation Areas**

It is the Policy of Dublin City Council:

**CHC5:** To protect protected structures and preserve the character and the setting of architectural conservation areas. The city council will resist the total or substantial loss of:

- Protected structures in all but exceptional circumstances (and will require the strongest justification, including professional input with specialist knowledge so that all options receive serious consideration).
- Non-protected structures which are considered to make a positive contribution to the character and appearance of an architectural conservation area, unless it can be demonstrated that the public benefits of the proposals outweigh the case for retention of the building.

Demolition behind retained facades may be considered on non-protected structures, depending on the significance of the structures, where it will secure the retention of façades which make a significant contribution to local townscape, where it will maintain the scale of original rooms behind principal façades and where the demolition is considered otherwise acceptable having regard to the above policy considerations. Where an existing structure is considered to make a neutral or negative contribution to an architectural conservation area, the city council will encourage:

1. Its demolition and replacement with a high-quality building with enhanced environmental performance, or
2. Where appropriate, its improvement, re-cladding or refurbishment to improve both its appearance and environmental performance.

In all cases, demolition will only be permitted where:

1. Any replacement building will be of exceptional design quality and deliver an enhancement to the area and improvement in environmental performance on-site, taking into account whole life-cycle energy costs.
2. Firm and appropriately detailed proposals for the future re-development of the site have been approved and their implementation assured by planning condition or agreement.

## Draft Dublin City Development Plan 2022-2028

It is the policy of Dublin City Council:

### **BHA1 Record of Protected Structures**

- (a) To include those structures that are considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the record of protected structures, and to remove those structures where protection is no longer warranted.
- (b) To maintain and review the RPS whilst having regard to recommendations for additions to the RPS made by the Minister under Section 53 of the Planning and Development Act, 2000 (as amended)

**BHA2 Development of Protected Structures** That development will conserve and enhance protected structures and their curtilage and will:

- (a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' 2011 published by the Department of Culture, Heritage and the Gaeltacht.
- (b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- (c) Ensure that works are carried out under supervision of a suitably qualified person with expertise in architectural conservation.
- (d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.
- (e) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.
- (f) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.
- (g) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.
- (h) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.
- (i) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.
- (j) Have regard to ecological considerations for example, protection of species such as bats.

**BHA3 Loss of Protected Structures** That the city council will resist the total or substantial loss of protected structures in all but exceptional circumstances.

*BHA4 Ministerial Recommendations* To have regard to the National Inventory of Architectural Heritage (NIAH) rating of a structure and any associated ministerial recommendation in the assessment of planning applications.

**BHA5 Demolition of Regional Rated Building on NIAH** That there is a presumption against the demolition or substantial loss of any building or other structure assigned a 'Regional' rating or higher by the National Inventory of Architectural Heritage (NIAH), unless it is clearly justified in a written conservation assessment that the building has no special interest and is not suitable for addition to the city council's record of protected

structures (RPS); having regard to the provisions of Section 51, Part IV of the Planning and Development Act, 2000 (as amended) and the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

**BHA6 Buildings on Historic Maps** That there will be a presumption against the demolition or substantial loss of any building or other structure which appears on historic maps up to and including the Ordnance Survey of Dublin City, 1847. A conservation report shall be submitted with the application and there will be a presumption against the demolition or substantial loss of the building or structure, unless demonstrated in the submitted conservation report this it has little or no special interest or merit having regard to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities (2011).

It is an Objective of Dublin City Council:

**BHA01 Buildings-at-Risk Register** To continue to maintain and proactively manage the Buildings-at-Risk Register of Protected Structures that are considered to be endangered or have the potential to become endangered through neglect, decay, damage and harm

### 11.5.2 Architectural Conservation Areas

#### BHA7 Architectural Conservation Areas

- (a) To protect the special interest and character of all areas which have been designated as an architectural conservation area (ACA). Development within or affecting an ACA must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting wherever possible. Development shall not harm buildings, spaces, original street patterns, archaeological sites, historic boundaries or features, which contribute positively to the ACA. Please refer to Appendix 6 for a full list of ACAs in Dublin City.
- (b) Ensure that all development proposals within an ACA contribute positively to the character and distinctiveness of the area and have full regard to the guidance set out in the Character Appraisals and Framework for each ACA.
- (c) Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA is complementary and/or sympathetic to their context, sensitively designed and appropriate in terms of scale, height, mass, density, building lines and materials and that it protects and enhances the ACA. Contemporary design which is in harmony with the area will be encouraged.
- (d) Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.
- (e) Promote sensitive hard and soft landscaping works that contribute to the character and quality of the ACA.
- (f) Promote best conservation practice and encourage the use of appropriately qualified professional advisors, tradesmen and craftsmen, with recognised conservation expertise, for works to buildings of historic significance within architectural conservation areas.

All trees which contribute to the character and appearance of an architectural conservation area, in the public realm, will be safeguarded, except where the tree is a threat to public safety, prevents universal access or requires removal to protect other specimens from disease.

**BHA8 Demolition in an ACA** There is a presumption against the demolition or substantial loss of a structure that positively contributes to the character of the ACA except in exceptional circumstances where such loss would also contribute to a significant public benefit.

It is an Objective of Dublin City Council:

**BHA02 Designation of ACAs** To identify and designate further architectural conservation areas (ACAs), within the identified priority areas in accordance with the Architectural Heritage Protection Guidelines, (2011).

**BHA03 Areas of Special Planning Control** To prepare schemes for areas of special planning control, where deemed desirable and appropriate, having regard to the statutory needs of the city.

### 11.5.3 Built Heritage Assets of the City

**BHA9 Conservation Areas** To protect the special interest and character of all Dublin's conservation areas – identified under Z8, Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.
2. Re-instatement of missing architectural detail or important features.
3. Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns.
4. Contemporary architecture of exceptional design quality, which is in harmony with the conservation area.
5. The repair and retention of shop and pub fronts of architectural interest.
6. Retention of buildings and features that contribute to the overall character and integrity of the conservation area.

Changes of use will be acceptable where in compliance with the zoning objectives and where they make a positive contribution to the character, function and appearance of the conservation areas and its setting. The council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

**BHA10 Demolition in a Conservation Area** There is a presumption against the demolition or substantial loss of a structure that positively contributes to the character of a conservation area, except in exceptional circumstances where such loss would also contribute to a significant public benefit

### Buildings of Heritage Interest Including Mews and Vernacular Buildings

**BHA05 Mews** To prepare a best practice design guide regarding appropriate mews development in the city including for the north and south Georgian cores

### Twentieth Century Buildings and Structures

It is the Policy of Dublin City Council:

#### *BHA15 Twentieth Century Buildings and Structures*

- (a) To encourage the appropriate development of exemplar twentieth century buildings and structures to ensure their character is not compromised.
- (b) To encourage the retention and reinstatement of internal and external features that contribute to the character of exemplar twentieth century buildings, such as roofscapes, boundary treatments, fenestration pattern, materials, and other features, fixtures and fittings (including furniture and artwork) considered worthy of retention.

It is an Objective of Dublin City Council:

**BHA06 Twentieth Century Buildings and Structures and the RPS** To identify and protect exemplar buildings of the twentieth century; to categorise, prioritise, and, where appropriate, add to the record of protected structures (RPS); to produce guidelines and offer advice for protection and appropriate refurbishment of such structures.

### Industrial Heritage

It is the Policy of Dublin City Council:

**BHA16 Industrial Heritage** To have regard to the city's industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of local area plans and the assessment of planning applications. To review the DCHIR in accordance with Ministerial recommendations arising from the National Inventory of Architectural Heritage (NIAH) survey of Dublin city.

**BHA17 Industrial Heritage of Waterways, Canals and Rivers** To support and promote a strategy for the protection and restoration of the industrial heritage of the city's waterways, canals and rivers, including retaining features such as walls, weirs and millraces.

It is an Objective of Dublin City Council:

**BHA08 Industrial Heritage and the RPS** To identify and protect further sites of industrial heritage; to categorise, prioritise and where, appropriate, add to the RPS.

### **Protection of Historic Ground Surfaces, Street Furniture and Public Realm**

It is the Policy of Dublin City Council:

#### ***BHA18 Historic Ground Surfaces, Street Furniture and Public Realm***

- (a) To protect, conserve and retain in situ historic elements of significance in the public realm including milestones, jostle stones, city ward stones, bollards, coal hole covers, gratings, boot scrapers, cast iron basement lights, street skylights and prisms, water troughs, street furniture, post boxes, lampposts, railings and historic ground surfaces including stone kerbs, pavement flags and setts and to promote conservation best practice and high standards for design, materials and workmanship in public realm improvements within areas of historic character, having regard to the national advice series on 'Paving: The Conservation of Historic Ground Surfaces' (2015).
- (b) To maintain schedules of stone setts, historic kerbing and historic pavers/flags, and associated features in the public realm, to be protected, conserved or reintroduced (Appendix 6) and to update and review these schedules during the period of this development plan.

**BHA19 Historic Street Furniture and the RPS** To maintain a schedule of features in the public realm identified for protection in Appendix 6 whilst also having regard to recommendations for additions to the RPS made by the Minister for such structures under Section 53 of the Planning and Development Act, 2000 (as amended).

**BHA20 Ghost Heritage Signs** To seek the retention and maintenance of heritage signs and advertising through the city, where appropriate.

### **11.5.4 Retrofitting, Sustainability Measures and Addressing Climate Change**

It is the Policy of Dublin City Council:

**BHA21 Retrofitting Sustainability Measures** To have regard to the Department of Environment, Heritage and Local Government's publication on 'Energy Efficiency in Traditional Buildings' (2010) and the Irish Standard IS EN 16883:2017 'Conservation of Cultural Heritage- Guidelines for Improving the Energy Performance of Historic Buildings' (2017) and any future updates or advisory documents in assessing proposed works on heritage buildings.

**BHA22 Upgrading Environmental Performance** To ensure a sustainable future for historic and other buildings subject to heritage protection, the City Council will encourage, and support works to upgrade the environmental performance of the existing building stock that incorporates good standards of design and appearance. Where these works involve historic buildings subject to protection (this includes buildings referenced on the record of protected structures and non-protected structures in an architectural conservation area), the works shall not adversely affect the special interest of the structure and thus a sensitive approach will be required, taking into account:

- The significance of the structure, and
- The extent of intervention, including impact on historic fabric, the technical requirements of a traditionally constructed building, visibility, siting and design.

The installation of renewable energy measures and equipment will be acceptable where sited and designed to minimise the visual impact and does not result in any significant loss of historic fabric or otherwise affect the significance of the structure.

**BHA23 Climate Action** To co-operate with other agencies in the investigation of climate change on the fabric of historic buildings and to enhance adaptive capacity, strengthen resilience and reduce the vulnerability of heritage in line with the National Climate Change Sectoral Adaptation Plan for Built and Archaeological Heritage. (2020)

It is an Objective of Dublin City Council:

**BHA09 Community Monuments Fund** To support the implementation of the Community Monuments Fund in order to ensure the monitoring and adaptation of archaeological monuments and mitigate against damage caused by climate change.

### Reuse and Refurbishment of Historic Buildings

It is the Policy of Dublin City Council:

**BHA24 Reuse and Refurbishment of Historic Buildings** Dublin City Council will positively encourage and facilitate the careful refurbishment of the historic built environment for sustainable and economically viable uses and support the implementation of the National Policy on Architecture as it relates to historic buildings, streetscapes, towns and villages, by ensuring the delivery of high quality architecture and quality place-making and by demonstrating best practice in the care and maintenance of historic properties in public ownership

### Separate Access to the Upper Floors of Buildings

It is the Policy of Dublin City Council

**BHA25 Loss of Upper Floor Access** There will be a presumption against the loss of upper floor access to buildings from street frontages, and the City Council will seek reinstatement of upper floor access points wherever possible from the street.

## Fingal County Development Plan 2017-2023

### 10.3 Architectural Heritage

**Objective CH19** Review the record of protected structures on an on-going basis and add structures of special interest as appropriate, including significant elements of industrial, maritime or vernacular heritage and any twentieth century structures of merit.

**Objective CH20** Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, is compatible with the special character, and is appropriate in terms of the proposed scale, mass, height, density, layout, materials, impact on architectural or historic features, and junction with the existing protected structure.

**Objective CH21** Seek that the form and structural integrity of the protected structure is retained in any redevelopment and that the relationship between the protected structure and any complex of adjoining buildings, designed landscape features, or designed views or vistas from or to the structure is conserved.

**Objective CH22** Encourage the sympathetic and appropriate reuse, rehabilitation and retention of protected structures and their grounds including public access seeking that the protected structure is conserved to a high

standard, and the special interest, character and setting of the building preserved. In certain cases, the relaxation of site zoning restrictions may be considered in order to secure the preservation and conservation of the protected structure where the use proposed is compatible with the existing structure and this will only be permitted where the development is consistent with conservation policies and the proper planning and sustainable development of the area.

**Objective CH25** Ensure that proposals for large scale developments and infrastructure projects consider the impacts on the architectural heritage and seek to avoid them. The extent, route, services and signage for such projects should be sited at a distance from Protected Structures, outside the boundaries of historic designed landscapes, and not interrupt specifically designed vistas. Where this is not possible the visual impact must be minimised through appropriate mitigation measures such as high-quality design and/or use of screen planting.

**Objective CH26** Prevent the demolition or inappropriate alteration of Protected Structures.

**Objective CH27** Demonstrate best practice in relation to the management, care and maintenance of protected structures by continuing the programme of commissioning conservation plans for the principal heritage properties in the council's ownership and implementing the policies and actions of these conservation plans where they already exist.

**Objective CH28** Carry out an audit and assess the condition of all protected structures within the council's ownership and devise a management/maintenance plan for these structures.

**Objective CH29** Ensure that measures to up-grade the energy efficiency of protected structures and historic buildings are sensitive to traditional construction methods and materials and do not have a detrimental physical, aesthetic or visual impact on the structure. They should follow the principles and direction given in the Department of Arts, Heritage and the Gaeltacht's publication Energy Efficiency in Traditional Buildings.

### **Architectural Conservation Areas (ACA)**

**Objective CH30** Identify any potential new architectural conservation areas and evaluate and modify existing architectural conservation areas where necessary during the lifetime of the plan.

**Objective CH31** Produce, and review where necessary, detailed guidance for each architectural conservation area in the form of statements of character that identify the specific special character of each area and give direction on works that would impact on this.

**Objective CH32** Avoid the removal of structures and distinctive elements (such as boundary treatments, street furniture, paving and landscaping) that positively contribute to the character of an architectural conservation area.

### **Historic Building Stock and Vernacular Heritage**

**Objective CH33** Promote the sympathetic maintenance, adaptation and re-use of the historic building stock and encourage the retention of the original fabric such as windows, doors, wall renders, roof coverings, shopfronts, pub fronts and other significant features of historic buildings, whether protected or not.

**Objective CH34** Seek the retention of surviving historic plot sizes and street patterns in the villages and towns of Fingal and incorporate ancient boundaries or layouts, such as burgage plots and townland boundaries, into redevelopments.

**Objective CH35** Require that proposed infrastructural and public utility works within Fingal do not remove historic street furniture such as limestone or granite kerbs, cobblestones, cast-iron post boxes, water pumps, milestones and street lighting, except where an exceptional need has been clearly established.

**Objective CH36** Sensitively design, locate and rationalise modern street furniture and elements such as utility boxes, cables, posts, antenna and signage.

**Objective CH37** Seek the retention, appreciation and appropriate revitalisation of the historic building stock and vernacular heritage of Fingal in both the towns and rural areas of the county by deterring the replacement of good quality older buildings with modern structures and by protecting (through the use of architectural conservation areas and the record of public structures and in the normal course of development management) these buildings where they contribute to the character of an area or town and/or where they are rare examples of a structure type.

**Objective CH38** Require that the size, scale, design, form, layout and materials of extensions to vernacular dwellings or conversions of historic outbuildings take direction from the historic building stock of Fingal and are in keeping and sympathetic with the existing structure.

**Objective CH39** Commission a study on the thatched buildings of Fingal to examine how to ensure their continued survival.

### **Industrial Heritage**

**Objective CH41** Protect where appropriate industrial heritage structures or elements of significance identified in the Fingal Industrial Heritage Survey by adding them to the record of protected structures during the lifetime of the development plan.

**Objective CH42** Utilise the information provided within the Fingal Industrial Heritage Survey when assessing development proposals for surviving industrial heritage sites.

**Objective CH43** Protect and enhance the built and natural heritage of the Royal Canal and ensure that development within its vicinity is sensitively designed and does not have a detrimental effect on the character of the Canal, its built elements and its natural heritage values and that it adheres to the Waterways Ireland's Heritage Plan 2016-2020.

**Objective CH44** Seek the retention and appropriate repair/maintenance of the historic bridges and harbours of the county whether protected structures or not.

### **Designed Landscapes – Historic Gardens, Demesnes & Country Estates**

**Objective CH45** Utilise existing surveys to identify and evaluate the surviving historic designed landscapes in Fingal and promote the conservation of their essential character, both built and natural.

**Objective CH46** Require that proposals for development within historic designed landscapes include an appraisal of the designed landscape (including an ecological assessment) prior to the initial design of any development, in order for this evaluation to inform the design which must be sensitive to and respect the built heritage elements and green space values of the site.

**Objective CH47** Ensure that development within Fingal along the perimeter of the Phoenix Park adheres to the Office of Public Works' (OPW), Phoenix Park Conservation Management Plan, does not have a detrimental impact on the park, does not damage any of the built elements along its boundary, or interrupt any important vistas into or out of it.

### **Awareness of and Access to the Architectural Resource**

**Objective CH49** Promote and enhance the understanding of the archaeological and architectural heritage of Fingal through the development of cultural tourism products, talks, exhibitions and publications.

**Objective CH50** Provide universal access to archaeological and architectural heritage sites where appropriate. Ensure the archaeological and architectural heritage significance of the site is taken into account when providing such access.

**Objective CH51** Endeavour to accommodate and improve universal access to council-owned archaeological and architectural heritage sites open to the general public through the dissemination of information on the Council website outlining the accessibility of these sites and, where appropriate, after an evaluation has been carried out that the significance of the site will not be damaged, establishing a programme of works to improve physical access to council-owned property following best conservation principles.

## Meath County Development Plan 2021-2027

### 8.7 Architectural Heritage

**HER POL 14** To protect and conserve the architectural heritage of the county and seek to prevent the demolition or inappropriate alteration of protected structures.

**HER POL 15** To encourage the conservation of protected structures, and where appropriate, the adaptive re-use of existing buildings and sites in a manner compatible with their character and significance. In certain cases, land use zoning restrictions may be relaxed in order to secure the conservation of the protected structure.

**HER POL 16** To protect the setting of protected structures and to refuse permission for development within the curtilage or adjacent to a protected structure which would adversely impact on the character and special interest of the structure, where appropriate.

**HER POL 17** To require that all planning applications relating to protected structures contain the appropriate accompanying documentation in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (2011) or any variation thereof, to enable the proper assessment of the proposed works.

**HER POL 18** To require that in the event of permission being granted for development within the curtilage of a protected structure, any works necessary for the survival of the structure and its re-use should be prioritised in the first phase of development.

It is the objective of the Council:

**HER OBJ 15** To review and update the record of protected structures on an on-going basis and to make additions and deletions as appropriate.

**HER OBJ 16** To identify and retain good examples of historic street furniture, e.g. cast-iron post boxes, water pumps, light fixtures and signage, as appropriate.

**HER OBJ 17** To promote best conservation practice and encourage the use of appropriately qualified professional advisors, tradesmen and craftsmen, with recognised conservation expertise, for works to protected structures or historic buildings in an architectural conservation area.

**HER OBJ 18** To provide detailed guidance notes and continue to develop the council's advisory/educational role with regard to heritage matters and to promote awareness, understanding and appreciation of the architectural heritage of the county.

**HER OBJ 19** To commission a study over the lifetime of the plan to assess the significance of the mass rocks and holy wells throughout County Meath.

#### 8.7.2 Architectural Conservation Areas

It is the Policy of the Council:

**HER POL 19** To protect the character of architectural conservation areas in Meath.

**HER POL 20** To require that all development proposals within or contiguous to an ACA be sympathetic to the character of the area, that the design is appropriate in terms of height, scale, plot density, layout, materials and finishes and are appropriately sited and designed with regard to the advice given in the statements of character for each area, where available.

It is the objective of the Council:

**HER OBJ 20** To identify places of special character, with a view to their designation as architectural conservation areas and to modify existing ACAs, where necessary.

**HER OBJ 21** To prepare and review, where necessary, detailed character statements and planning guidance for each ACA.

**HER OBJ 22** To avoid the demolition of structures and the removal of features and street furniture which contribute to the character of an ACA. The council will require that any planning application for demolition or alteration within an ACA be accompanied by a measured and photographic survey, condition report and architectural heritage assessment.

### **8.7.3 Historic Building Stock and Vernacular Architecture**

It is the policy of the Council:

**HER POL 21** To encourage the retention, sympathetic maintenance and sustainable re-use of historic buildings, including vernacular dwellings or farm buildings and the retention of historic streetscape character, fabric, detail and features.

**HER POL 22** Seek the retention of surviving historic plot sizes and street patterns in the villages and towns of Meath and incorporate ancient boundaries or layouts, such as burgage plots and townland boundaries, into re-developments.

**HER POL 23** To actively promote the retention and restoration of thatched dwellings as a key component of the built heritage of the County.

It is the objective of the Council:

**HER OBJ 23** To ensure that conversions or extensions of traditional buildings or the provision of new adjoining buildings, are sensitively designed and do not detract from the character of the historic building.

**HER OBJ 24** To update the survey of surviving thatched structures in the county and to promote available grant schemes to assist owners with their retention and repair.

**HER OBJ 25** To carry out a survey of Land Commission dwellings over the life of the development plan, to acknowledge their contribution to the building stock of the county, as appropriate.

### **8.7.4 Industrial Heritage**

It is the policy of the Council:

**HER POL 24** To encourage appropriate change of use and reuse of industrial heritage structures provided such a change does not seriously impact on the intrinsic character of the structure and that all works are carried out in accordance with best conservation practice, subject to compliance with normal planning criteria.

**HER POL 25** To protect and enhance the built and natural heritage of the Royal Canal and Boyne Navigation and associated structures and to ensure, in as far as practically possible, that development which may impact

on these structures and their setting be sensitively designed with regard to their character and setting. Development of the project will be subject to the outcome of the appropriate assessment process.

It is the objective of the Council:

**HER OBJ 26** To require an architectural / archaeological assessment, as appropriate, which references the Meath Industrial Heritage Survey and other relevant sources, for all proposed developments on industrial heritage structures or sites.

**HER OBJ 27** To carry out Phase 2 of the Industrial Heritage Survey which will comprise a field survey and assessment of surviving structures and sites and consider (if appropriate) proposing them for addition to the record of protected structures.

### 8.7.5 Designed Landscapes, Gardens and Demesnes

It is the policy of the Council:

**HER POL 26** To encourage the protection and enhancement of heritage gardens and demesne landscapes, and to support, in consultation with the owners, the provision of public access to these sites as appropriate.

It is the objective of the Council:

**HER OBJ 28** To discourage development that would adversely affect the character, the principal components of, or the setting of historic parks, gardens and demesnes of heritage significance.

**HER OBJ 29** To require that proposals for development in designated landscapes and demesnes include an appraisal of the landscape, designed views and vistas, including a tree survey, where relevant, in order to inform site appropriate design proposals.

## Kildare County Development Plan 2017-2023

### 12.4.1 Policies: Protected Structures

It is the policy of the Council to:

**PS 1** Conserve and protect buildings, structures and sites contained on the record of protected structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

**PS 2** Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development within the curtilage or attendant grounds of a protected structure which would adversely impact on the special character of the protected structure including cause loss of or damage to the special character of the protected structure and loss of or damage to, any structures of architectural heritage value within the curtilage of the protected structure. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.

**PS 3** Require that new works will not obscure views of principal elevations of protected structures.

**PS 6** Maintain the views to and from Carton House and within Carton Demesne.

**PS 7** Promote best practice and the use of skilled specialist practitioners in the conservation of, and any works to, protected structures. Method statements should make reference to the DAHG Advice Series on how best to repair and maintain historic buildings. As outlined in the Architectural Heritage Protection Guidelines, DAHG, a method statement is a useful tool to explain the rationale for the phasing of works. The statement could summarise the principal impacts on the character and special interest of the structure or site and describe how

it is proposed to minimise these impacts. It may also describe how the works have been designed or specified to have regard to the character of the architectural heritage.

**PS 8** Encourage high quality design in relation to planning applications that are made for the construction of extensions or new buildings affecting protected structures or older buildings of architectural merit not included in the RPS.

**PS 9** Favourably consider the change of use of any structure included on the record of protected structures provided such a change of use does not adversely impact on its intrinsic character.

**PS 10** Actively encourage uses that are compatible with the character of protected structures. In certain cases, the planning authority may relax site zoning restrictions / development standards in order to secure the preservation and restoration of the structure.

**PS 11** Promote the maintenance and appropriate re-use of buildings of architectural, cultural, historic and aesthetic merit which make a positive contribution to the character, appearance and quality of the streetscape or landscape and the sustainable development of the county. Any necessary works should be carried out in accordance with best conservation practice.

**PS 12** Promote the retention of original or early building fabric including timber sash windows, stonework, brickwork, joinery, render and slate. Likewise, the Council will encourage the re-instatement of historically correct traditional features.

**PS 13** Retain where practicable a protected structure which has been damaged by fire, and to retain those elements of that structure that have survived (either in whole or in part) and that contribute to its special interest.

**PS 14** Refuse planning permission for the demolition of any protected structure unless the council is satisfied that exceptional circumstances exist. The demolition of a protected structure with the retention of its façade will likewise not generally be permitted.

**PS 15** Require an architectural heritage assessment report, as described in Appendix B of the Architectural Heritage Protection, Guidelines for Planning Authorities, DAHG (2011), to accompany all applications involving a protected structure.

**PS 16** Protect and retain important elements of the built heritage including historic gardens, stone walls, landscapes and demesnes, and curtilage features.

**PS 17** Encourage appropriate change of use and reuse of industrial buildings, provided such a change does not seriously impact on the intrinsic character of the structure and that all works are carried out in accordance with best conservation practice.

**PS 18** Require where appropriate that a conservation plan is prepared in accordance with DAHG Guidelines and conservation best practice to inform proposed visual or physical impacts on a protected structure, its curtilage, demesne and setting.

**PS 19** Have regard where appropriate to DAHG Guidelines and conservation best practice in assessing the significance and conservation of a protected structure, its curtilage, demesne and setting.

**PS 20** Have regard where appropriate to DAHG Guidelines and conservation best practice in assessing the impact of development on a protected structure, its curtilage, demesne and setting.

#### **12.4.2 Objectives: Protected Structures**

It is an objective of the Council to:

**PSO 1** Review and amend on an ongoing basis the record of protected structures and make additions, deletions and corrections as appropriate over the period of this plan.

**PSO 2** Prepare a buildings at risk register to prevent the endangerment of protected structures, historic or vernacular buildings.

**PSO 5** Preserve the views to and from Carton House within the Demesne walls, as outlined in Map 12.12.

**PSO 6** Ensure that in the event of a planning application being granted for development within the curtilage of a protected structure, the proposed works to the protected structure should occur in the first phase of the development to prevent endangerment, abandonment and dereliction of the structure.

**PSO 8** Carry out an audit and assess the condition of all protected structures within the council's ownership and devise a management plan for these structures.

### **12.4.3 Objectives: Architectural Conservation**

It is an objective of the Council to:

**ACO 1** Carry out field surveys of industrial architectural and archaeological types in the county and make recommendations for their protection.

**ACO 2** Co-operate with Waterways Ireland in the management, maintenance and enhancement of the Royal Canal and Grand Canal and associated structures/features.

**ACO 3** Carry out an audit of all historic rail and road bridges and disused railway lines in Kildare and liaise with Iarnród Éireann and the Transport Infrastructure Ireland regarding same.

**ACO 4** Carry out a pilot study on the sympathetic re-use of a protected structures/ or groups of buildings in an architectural conservation area (ACA) to address high quality residential reuse in historic urban cores of towns and villages.

## **12.5 Country Houses and Demesnes**

### **12.5.1 Policies: Country Houses and Demesnes**

It is the policy of the Council to:

**CH 1** Promote appreciation of the landscape and historical importance of traditional and historic gardens, demesnes and parks within Kildare in general and particularly where they constitute an important setting to a protected structure.

**CH 2** Preserve and protect the historic gardens and designed landscapes identified in the National Inventory of Architectural Heritage.

**CH 3** Encourage conservation, renewal and improvement which enhances the character and the setting of parks, gardens, and demesnes of historic interest within the county

**CH 4** Co-operate with owners in the protection, promotion and enhancement of heritage gardens and parks in the county, to support public awareness, enjoyment of and access to these sites and to seek the cooperation and assistance of other interested parties, including government departments and state agencies, in this regard.

**CH 5** Have regard to "Guidance Notes for the Appraisal of Historic Gardens, Demesnes, Estates and their Settings" published by Cork County Council 2006, in the appraisal and description of historic designed landscapes, demesnes and gardens.

**CH 6** Designate architectural conservation areas where considered appropriate, to preserve the character of a designed landscape.

**CH 7** Preserve, protect and where necessary encourage the use of, heritage/ traditional varieties of plants and trees that form part of the local/ regional biodiversity resource and that contribute to local identity. **CH 8** Require where appropriate that a conservation plan is prepared in accordance with DAHG Guidelines and conservation best practice to inform proposed visual or physical impacts on a demesne, designed landscape or a park.

**CH 9** Require that planning applications take into consideration the impacts of the development on their landscapes and demonstrate that the development proposal has been designed to take account of the heritage resource of the landscape.

#### **12.5.2 Objectives: Country House and Demesnes**

It is an objective of the Council to:

**CHO 1** Assess the demesnes and historic designed landscapes within Kildare and promote the conservation of their essential character, both built and natural, while allowing for appropriate re-use.

**CHO 2** Carry out a pilot study to protect and enhance the amenity value of significant demesnes in the county.

#### **12.6.1 Policies: Vernacular Architecture**

It is the policy of the Council to:

**VA 1** Encourage the protection, retention, appreciation and appropriate revitalisation of the vernacular heritage of the county.

**VA 2** Resist the demolition of vernacular architecture, in particular thatched cottages and farmhouses and to encourage their sensitive reuse having regard to the intrinsic character of the structure.

**VA 3** Have regard to guidance in “The Thatched Houses of Kildare” and “Reusing Farm Buildings, A Kildare Perspective” published by Kildare County Council in assessing planning applications relating to thatched cottages and traditional farm buildings.

**VA 4** Preserve the character and setting (e.g. gates, gate piers, courtyards etc.) of vernacular buildings where deemed appropriate by the planning authority.

**VA 5** Protect (through the use of ACAs, the RPS and in the normal course of development management) vernacular buildings where they contribute to the character of areas and/or where they are rare examples of a structure type.

**VA 6** Ensure that both new build, and extensions to vernacular buildings are of an appropriate design and do not detract from the buildings character.

**VA 7** Seek the repair and retention of traditional timber and/or rendered shop fronts and pub fronts, including those that may not be protected structures.

**VA 8** Have regard, where appropriate, to guidance in the DAHG Guidelines and conservation best practice in assessing proposed interventions and planning applications relating to vernacular structures, traditional farmhouses, their curtilage, out buildings and settings.

It is the objective of the council:

**VAO 1** Identify and retain good examples of historic street furniture in situ e.g. cast-iron post boxes, water pumps, signage, street lighting, kerbing and traditional road and street surface coverings.

**VAO 2** Develop and publish guidelines on the conservation and appropriate reuse of local authority cottages and similar vernacular structures.

### **12.7.1 Policies: Architectural Conservation Areas**

It is the policy of the Council to

**ACA 1** Investigate the designation of further ACAs at appropriate locations throughout the county including Celbridge, Johnstown, Ballymore Eustace, Kilcullen, Brannockstown, Rathmore, Clane and Newbridge.

**ACA 2** Ensure that any development, modifications, alterations, or extensions within an ACA are sited and designed appropriately and are not detrimental to the character of the structure or to its setting or the general character of the ACA and are in keeping with any architectural conservation area statement of character guidance documents prepared for the relevant ACA.

**ACA 3** Have regard to DAHG Guidelines and conservation best practice in assessing the significance of a historic town or urban area and the formulation of an ACA or in assessing development proposals relating to an ACA.

**ACA 4** Require where appropriate that a conservation plan is prepared in accordance with DAHG guidelines and conservation best practice to inform proposed visual or physical impacts on an ACA.

**ACA 5** Have regard to “Guidelines for the Management and Development of Architectural Conservation Areas” published by Cork County Council (2006) for development within ACAs.

### **12.7.2 Objectives: Architectural Conservation Areas**

It is an objective of the Council to:

**ACAO 1** Prepare “Guidelines for the Management and Development of ACAs” identified in this plan.

**ACAO 2** Prepare a character statement appraisal and area specific policy for each ACA to include Athy, Ballitore, Kilcock, Leixlip, Maynooth, Monasterevin, Moone, Naas, Prosperous, Rathangan, Celbridge, Johnstown, Ballymore Eustace, Kilcullen, Brannockstown, Rathmore, Clane and Newbridge and to preserve, protect and enhance the character of these areas.

**ACAO 3** Carry out a pilot study on developing a proactive and dynamic framework for ACAs for the physical and economic enhancement of the built heritage character of a town/village.

## **Draft Kildare County Development Plan 2023-2029**

### **11.14 Architectural Heritage**

#### **11.14.1 Background**

The urban and rural areas of County Kildare contain a wealth of architectural and archaeological heritage. This includes country houses and demesnes, planned towns, vernacular structures, industrial and ecclesiastical architecture, and a wide variety of smaller features of interest such as stone walls, water pumps, and street furniture. Each stage of growth within the county has left a unique imprint on its built form and heritage. During the eighteenth century, landlords planned urban settlements while concurrently building fine country houses, such as Castletown and Carton. The commencement of the Grand Canal in 1756 and the Royal Canal in 1789 accelerated urban and industrial growth in eighteenth century Kildare. From this time, industrial heritage plays a very important role in the county with canals, distilleries and forges making a strong contribution to the character and evolution of the towns and villages throughout the county.

The nineteenth century was a period of great change, which has left a lasting legacy on the built heritage of the county. The advent of the railways added to the county's architectural heritage including examples of innovative engineering design, such as the Barrow Bridge viaduct at Monasterevin (c.1847). Many fine church buildings were constructed by the Church of Ireland and the Roman Catholic Church. The campus of buildings at St. Patrick's College Maynooth, founded in 1795, includes some of the finest Gothic Revival buildings in Britain and Ireland. The military camp on the Curragh also involved extensive architectural development. In parallel with these landmark structures, smaller vernacular buildings, including thatched cottages, farmhouses, and outbuildings, reflect how the majority of the population lived throughout the nineteenth century. These relatively simple structures form an integral part of the architectural character of the county.

Fine examples of Edwardian architecture survive from the beginning of the twentieth century. These were followed by high quality buildings and developments completed by Bord na Mona and Kildare County Council in the mid-twentieth century. Technically innovative buildings from the second half of the century, such as the former Dominican Church in Athy (now a library), are now regarded as an important and integral part of Kildare's diverse architectural heritage.

The county also has a rich heritage of gardens and designed landscapes associated with demesnes. There was a great flourishing of garden design in the eighteenth and nineteenth centuries. Early 'geometric' layouts were replaced by more natural layouts of the late-eighteenth and early-nineteenth centuries. This was also the period when many of our town squares and public gardens were developed.

#### **11.14.2 The Strategy for the Architectural and Archaeological Heritage of the County**

Architectural and archaeological heritage is an intrinsic part of our history and provides society with an opportunity to learn about the past, reinforce our sense of place and to act as guardians for future generations.

It is the explicit intention of this plan to;

- Protect and conserve buildings, structures and sites of special architectural, historic, archaeological, artistic, cultural, scientific, social or technical interest.
- Protect and conserve the archaeological heritage of the county. The Council will favour the preservation in situ of all sites, monuments and features of significant historical or archaeological interest in accordance with the recommendations of the Framework and Principles for the Protection of Archaeological Heritage (1999) or any superseding national policy.
- Protect and conserve areas that have particular environmental qualities that derive from their overall layout, design and character.
- Protect and conserve historic milestones, street furniture, stone rubble walls and other significant features of interest in towns, villages, and rural settings, wherever feasible.
- Encourage the rehabilitation, renovation and reuse of existing older buildings where appropriate and promote best conservation practice in the maintenance and refurbishment of our built heritage, in line with national guidelines.
- Provide support to the owners and custodians of buildings and sites of heritage significance through pre-planning guidance, statutory declarations, and the national conservation grant schemes, wherever feasible.

#### **11.14.3 National Policy**

The unprecedented level of development over recent years has brought many changes to the built environment. This has placed significant new pressures on our architectural and archaeological heritage. As a result, architectural and archaeological conservation has become an increasingly important element of land use planning in Ireland.

#### **11.14.4 Architectural Heritage**

The Convention for the Protection of the Architectural Heritage of Europe (The Granada Convention) was ratified by Ireland in 1997. Comprehensive and systematic legislative provisions for the protection of architectural heritage were introduced by the Planning and Development Act, 2000. It is a mandatory requirement for the Development Plan to include a Record of Protected Structures (RPS). The National Inventory of Architectural Heritage (NIAH) record for County Kildare contains a representative sample of significant structures across the county, many of which are also included on the RPS.

The Department of Housing, Local Government, and Heritage (DHLGH), through its Architectural Heritage Advisory Service (AHAS), has published Architectural Heritage Protection, Guidelines for Planning Authorities (2011), which contains important policy and advice for the protection of architectural heritage. The DHLGH is publishing on an ongoing basis 'The Advice Series', illustrated booklets that are designed to guide those responsible for historic buildings on how best to repair and maintain their properties. The publications offer practical advice to the owners and managers of historic and traditionally built buildings and are free to download from the Department's website. The NIAH has completed a separate 'Garden and Demesne Survey of Historic Designed Landscapes', with the objective of beginning a process of understanding the extent of Ireland's historic gardens and designed landscapes.

The International Council on Monuments and Sites (ICOMOS) is a non-governmental organisation working to promote the application of theory, methodology and scientific techniques to the conservation of architectural and archaeological heritage. The charters and guidance from ICOMOS2 will inform the protection of built heritage of the county. These charters are reviewed and updated by ICOMOS.

#### **11.15 Protected Structures**

County Kildare has a wealth of structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. Many of these structures are contained in the Record of Protected Structures (RPS).

When a building or structure is included on the RPS, legal protection extends to the exterior and interior (where applicable) of the structure, all man-made features within its curtilage, and any man-made features within its identified attendant grounds. The RPS is a live register and additions to and deletions from it can be made as a result of the review of the County Development Plan under Section 12 and outside it under Section 55 of the Planning and Development Act 2000 (as amended). The RPS for County Kildare is set out in Appendix 6 of this Plan. A number of additions and deletions to the RPS are proposed which are listed at the end of Appendix 6. Proposed protected structures are subject to the same legal protection as buildings and structures that are already included on the RPS.

The placing of a structure on the RPS seeks to ensure that the character of the structure is maintained and any changes or alterations to it are carried out in such a way as to retain and enhance this character. The usual provisions for exempted development do not apply to protected structures and proposed protected structures. Works to a protected structure, that would materially affect the character of the structure, will always require planning permission. Owners/occupiers are encouraged to engage experienced conservation advice and seek an early pre-planning consultation with the planning department when planning to undertake works to a protected structure that are likely to require planning permission.

It is important to note that not all works to a Protected Structure will constitute material alterations. Under Section 57 of the Planning and Development Act, 2000 (as amended), owners/occupiers may request a declaration from the Planning Authority as to the type of works, which it considers, would or would not materially affect the character of the structure. A Section 57 Declaration is a very useful document, which can give the owners/occupiers clear guidance that is particular to their building on a range of works that can be carried out as exempted development. This might include conservation works to historic windows, redecoration and roof repairs, where carried out in accordance with good conservation practice.

## Policy

It is the policy of the Council to:

**AH P6** To protect, conserve and manage the archaeological and architectural heritage of the county and to encourage sensitive sustainable development in order to ensure its survival, protection and maintenance for future generations.

## Objectives

It is an objective of the Council to:

**AH O18** Conserve and protect buildings, structures and sites contained on the Record of Protected Structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. **AH O19** Protect the curtilage of protected structures or proposed protected structures and to refuse planning permission for inappropriate development that would adversely impact on the setting, curtilage, or attendant grounds of a protected structure, cause loss of or damage to the special character of the protected structure and/or any structures of architectural heritage value within its curtilage. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire built heritage complex and contributes positively to that aim.

**AH O20** Refuse planning permission for the demolition of any protected structure unless the Council is satisfied that exceptional circumstances exist. The demolition of a protected structure with the retention of its façade will likewise not generally be permitted. **AH O21** Require an Architectural Heritage Assessment Report, as described in Appendix B of the Architectural Heritage Protection, Guidelines for Planning Authorities (2011), to accompany all applications with potential for visual or physical impacts on a Protected Structure, its curtilage, demesne and setting. This report should be prepared by a person with conservation expertise that is appropriate to the significance of the historic building or site and the complexity of the proposed works.

**AH O22** - Safeguard the amenities of Castletown House including the main avenue, Donaghcumper, St Wolstans and the River Liffey environs as shown on Map11.14.

- Safeguard the amenities of The Wonderful Barn including the adjacent buildings.

**AH O23** Maintain the views from Castletown House to the River Liffey and to protect the integrity of the designed landscape at Castletown Demesne, including the pathways, avenues, and the following views:

- Axial views between the Castletown House and Conolly's Folly
- Views between Castletown House and the Wonderful Barn
- Views from the House to the river and across the back parterre
- Views across the river and to the linked demesnes of Donaghcumper and St. Wolstans.
- Views from the main avenue to the river towards Castletown, and up and down the river to Celbridge and New Bridges.

**AH O24** Maintain the views to and from Carton House and protect the character of the historic designed landscape within Carton Demesne, as outlined in Map 11.13.

**AH O25** Support the re-development of Clongowes Wood College to ensure the continued and enhanced educational use of this protected structure. Any proposed development within the curtilage and/or attendant grounds must demonstrate that it is part of an overall strategy for the future conservation of the entire complex including the structures, demesne and/or attendant grounds.

**AH O26** Preserve and protect the historic, architectural, and military heritage of The Curragh Camp. Ensure that proposed development within the curtilage and/or attendant grounds demonstrates that it is part of an overall strategy to protect the heritage significance of the entire Curragh Camp.

**AH O27** Ensure that, in the event of planning permission being granted for development within the curtilage and attendant grounds of a protected structure, a sustainable use and appropriate maintenance plan is in place for the structure and any associated buildings or structures of heritage interest. The proposed works to the protected structure should occur in the first phase of the development to prevent endangerment, abandonment and dereliction of the structure.

**AH O28** Protect the designed landscapes associated with protected structures and retain important elements of the built heritage including historic gardens, stone walls, pathways, and avenues within the curtilage and attendant grounds of protected structures.

**AH O29** Ensure that new development will not adversely impact on the setting of a protected structure or obscure established views of its principal elevations.

**AH O30** Promote best practice and the use of skilled specialist practitioners in the conservation of, and any works to, protected structures. Architectural Heritage Impact Assessment reports should make reference to the DHLGH Advice Series on how best to repair and maintain historic buildings. The AHIA report should summarise the principal impacts on the character and special interest of the structure or site and describe how it is proposed to minimise these impacts. It may also describe how the works have been designed or specified to have regard to the character of the architectural heritage.

**AH O31** Encourage high quality design in relation to planning applications that are made for the construction of extensions or new buildings affecting protected structures or older buildings of architectural merit not included in the RPS. The Council will have regard for the visual impacts on the setting and character of protected structures and/or buildings of architectural merit not included on the RPS, when considering applications on neighbouring sites.

**AH O32** Favourably consider the change of use of any structure included on the Record of Protected Structures, where such a change of use does not adversely impact on its intrinsic character or special interest and where such a use may otherwise not conform to the zoning matrix associated with any Local Area Plan.

**AH O33** Actively encourage uses that are compatible with the character of protected structures. In certain cases, the Planning Authority may relax site restrictions / development standards in order to secure the preservation and restoration of a protected structure or building of architectural merit that is not included on the RPS.

**AH O34** Promote the use of energy upgrade materials and technologies that follow good conservation practice and are compatible with the character and vapour permeable construction of traditionally built structures.

**AH O35** Promote the maintenance and appropriate re-use of buildings of architectural, cultural, historic and aesthetic merit which make a positive contribution to the character, appearance and quality of the streetscape or landscape and the sustainable development of the county. Any works associated with the re-use of such buildings should be carried out in accordance with best conservation practice.

**AH O36** Encourage appropriate change of use and reuse of industrial buildings of heritage interest, provided such a change does not seriously impact on the intrinsic character of the structure and that all works are carried out in accordance with best conservation practice.

**AH O37** Promote the retention of original or early building fabric including timber sash windows, stonework, brickwork, joinery, render and slate. Likewise, the Council will encourage the re-instatement of historically correct traditional features.

**AH O38** Retain where practicable a protected structure which has been damaged by fire, and to retain those elements of that structure that have survived (either in whole or in part) and that contribute to its special interest.

**AH O39** Ensure that national guidelines and the principles of conservation best practice are followed in assessing the significance of a Protected Structure and in considering the impact of proposed development on the character and special interest of the structure, its curtilage, demesne and setting.

**AH O40** Co-operate with Waterways Ireland in the management, maintenance and enhancement of the Royal Canal and Grand Canal and associated structures/features.

### **Actions**

It is an action of the Council to:

**AH A8** Review and amend on an ongoing basis the Record of Protected Structures and make additions, deletions and corrections as appropriate over the period of this Plan.

**AH A9** Prepare a Buildings at Risk Register to prevent the endangerment of Protected Structures, historic or vernacular buildings.

**AH A10** Carry out an audit and assess the condition of all protected structures within the Council's ownership and devise a management plan including a range of proposed uses for these structures, which may include community uses.

**AH A11** Carry out field surveys of industrial heritage in the county and make recommendations for its protection.

**AH A12** Carry out an audit of all historic rail and road bridges and disused railway lines in Kildare and liaise with Iarnród Éireann and Transport Infrastructure Ireland regarding the management, maintenance and enhancement of same.

**AH A13** Carry out a pilot study on the sympathetic re-use of a Protected Structure/ or groups of buildings in an Architectural Conservation Area (ACA) to address high quality residential reuse in historic urban cores of towns and villages.

### **11.16 Country Houses and Demesnes**

County Kildare has a large number of country houses and demesnes where the grounds and settings constitute an intrinsic element of their character. County Kildare includes the two most notable country houses in Ireland, Castletown House in Celbridge and Carton House in Maynooth, both of which have demesnes that are accessible to the public. There are many other country houses, with important designed landscapes and substantially intact demesnes that contribute the architectural and landscape heritage of County Kildare.

Piecemeal development of demesnes can be detrimental to the historical and architectural importance of the demesne and country house. It is an objective of the Council to prohibit development in gardens or landscapes which are deemed to be an important part of the setting of a protected structure or where they contribute to the character of an Architectural Conservation Area.

### **Policies**

It is the policy of the Council to:

**AH P7** Promote appreciation of the landscape and historical importance of traditional and historic gardens, demesnes and parks within County Kildare and particularly where they constitute an important and intrinsic value to the setting of a protected structure.

**AH P8** Preserve and protect the historic gardens and designed landscapes identified in the National Inventory of Architectural Heritage Survey of Historic Gardens and Designed Landscapes.

## Objectives

It is an objective of the Council to:

**AH O41** Encourage conservation, renewal and improvement which enhances the character and the setting of parks, gardens, and demesnes of historic interest within the county.

**AH O42** Assess the demesnes and historic designed landscapes within Kildare and promote the conservation of their essential character, both built and natural, while allowing for appropriate re-use.

**AH O43** Co-operate with owners in the protection, promotion and enhancement of heritage gardens and parks in the county, to support public awareness, enjoyment of and access to these sites and to seek the co-operation and assistance of other interested parties, including Government Departments and state agencies, in this regard.

**AH O44** Preserve, protect and where necessary encourage the use of heritage/traditional varieties of plants and trees that form part of the local/ regional biodiversity resource and that contribute to local identity.

**AH O45** Require where appropriate that an Architectural Heritage Impact Assessment report is prepared in accordance with DHLGH Guidelines and conservation best practice to inform visual or physical impacts of a proposed development on a demesne, designed landscape, or park, that is associated with a protected structure or located within an Architectural Conservation Area.

**AH O46** Require that planning applications take into consideration the impacts of the development on their landscapes and demonstrate that the development proposal has been designed to take account of the heritage resource of the landscape.

**AH O47** To designate and protect historic landscape areas including demesnes and ensure that new development enhances the special character and visual setting of these historic landscapes and to prevent development that would have a negative impact on the character of the lands within these historic landscape areas.

## Actions

It is an action of the Council to:

**AH A14** Designate Architectural Conservation Areas, through the local area plan process, and where considered appropriate, to preserve the character of a historic designed landscape.

**AH A15** Carry out a pilot study to protect and enhance the amenity value of significant demesnes in the county, in cooperation with the property owner/s.

## 11.17 Vernacular Architecture

Vernacular architecture is generally classified as the homes and workplaces of the general population built by local people using local materials. This is in contrast to formal architecture, such as the grand estate houses of the gentry, churches and public buildings, which were often designed by architects or engineers. The majority of vernacular buildings are domestic dwellings. Examples of other structures that may fall into this category include shops, outbuildings, mills, limekilns, farmsteads, forges, gates and gate piers.

This architecture was once commonplace but is vulnerable and has become increasingly rare. The loss of thatched cottages in the county is increasing and every effort will be made by the Council to encourage and facilitate the survival of the remaining examples. The Council through its Heritage Plan carried out a survey of thatched cottages in 2005. The survey revealed that the number of thatched cottages decreased from 92 in 1987 to 55 in 2005.

The traditional farm complexes and historic agricultural buildings of Kildare are also under increasing threat as they are seen to be no longer economically viable as part of the modern farm. Often these farm buildings are located on the site of an inhabited main house or active farm but have become redundant and become derelict.

Generally, these structures are of mud-wall or rubble stone construction with external lime renders. In some cases, agricultural outbuildings belong to large estates and are of fine cut stone, with excellent detailing of features. The Council will encourage the appropriate re-use of these structures rather than their replacement or dereliction. Reference in this regard should be made to Reusing Farm Buildings, A Kildare Perspective (2007) published by Kildare County Council.

Other types of vernacular architecture under increasing pressure for demolition and inappropriate alteration are historic shop and pub fronts. The loss of vernacular architecture is seen not only in the loss of entire buildings but also in the gradual attrition of details such as the replacement of roof coverings and windows with modern materials, removal of external render, inappropriate re-pointing and the addition of inappropriate extensions. Alterations to individual buildings can have a significant and cumulative effect on streetscapes and landscapes. By the very nature of vernacular architectural heritage, it is normally the case that they are the most sustainable forms of construction, built with local materials in a style responding to local conditions, with a low energy use. Many of our surviving examples of vernacular architecture are homes and places of work, which by definition need to evolve with a changing society to facilitate ongoing occupancy and survival. Any such changes need to be sympathetic to the special features and character of the building.

## Policy

It is the policy of the Council to:

**AH P9** Promote the protection, retention, appreciation and appropriate revitalisation of the vernacular heritage of the county.

## Objectives

It is an objective of the Council to:

**AH O48** Ensure that an assessment of the existing buildings on site is undertaken through an analysis of historic maps and an appraisal of the historic fabric and features. Development proposals should retain and incorporate existing buildings of merit and any elements that contribute to their distinctive character.

**AH O49** Have regard to guidance in the DHLGH Guidelines and conservation best practice in assessing proposed interventions to vernacular structures, traditional farmhouses, their curtilage, out buildings and settings.

**AH O50** Resist the demolition of vernacular architecture, in particular thatched cottages and farmhouses, and to encourage their sensitive reuse having regard to the intrinsic character of the structure and the potential to prolong the life cycle of the embodied carbon contained within the structure.

**AH O51** Require that a sustainable use and appropriate maintenance plan is in place for earlier dwellings of heritage interest on farms or rural sites, where planning permission is sought for a new dwelling.

**AH O52** Require the submission of a written report from a suitably qualified professional where it is proposed to redevelop a derelict property or one that has been unoccupied for a long period of time. The report must demonstrate that any proposal will not structurally compromise the subject building and shall outline the measures to be taken in order to protect the building from collapse, both prior to and during construction works.

**AH O53** Have regard to guidance in The Thatched Houses of Kildare (2005) and Reusing Farm Buildings, A Kildare Perspective (2007) published by Kildare County Council and A Living Tradition – A Strategy to Enhance the Understanding, Minding and Handling of our Built Heritage (2021) published by the Department of Housing,

Local Government and Heritage in assessing planning applications relating to vernacular buildings, thatched cottages, and traditional farm buildings.

**AH O54** Respect the setting, form, scale and materials of existing vernacular structures and to only permit changes to these structures where they are sympathetic to their special features and character.

**AH O55** Preserve the character, including original building features or materials should be retained including windows, doors, roof coverings and setting (e.g. gates, gate piers, boundary treatments, courtyards etc) of vernacular buildings, where deemed appropriate by the planning authority. Proposals for extensions to historic or vernacular buildings should not erode the setting and design qualities of the original structure and should be in proportion or subservient to the existing building.

**AH O56** Require the use of appropriate materials and methods when undertaking repairs to the historic fabric.

**AH O57** Protect (through the use of ACAs, the RPS and in the normal course of development management) vernacular buildings where they contribute to the character of areas and/or where they are rare examples of a structure type.

**AH O58** Ensure that new buildings adjacent to vernacular structures and extensions to vernacular buildings are of an appropriate design and do not detract from the character of these structures.

**AH O59** Seek the repair and retention of traditional timber and/or rendered shop fronts and pub fronts, including those that may not be protected structures.

## Actions

It is an action of the Council to:

**AH A16** Identify and retain good examples of historic street furniture in situ e.g. cast-iron post-boxes, water pumps, signage, street lighting, kerbing and traditional road and street surface coverings.

**AH A17** Develop and publish guidelines on the conservation and appropriate re-use of Local Authority cottages and similar vernacular structures.

## 11.18 Architectural Conservation Areas

The Planning and Development Act 2000 (as amended) provides that all development plans must now include objectives for preserving the character of Architectural Conservation Areas (ACAs).

An ACA is a place, area, groups of structures or townscape of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, or which contribute to the appreciation of protected structures, and whose character it is an objective of a development plan to conserve. In these areas, the protection of the architectural heritage is best achieved by controlling and guiding change on a wider scale than the individual structure, in order to retain the overall architectural or historic character of an area. Kildare Town has a defined boundary, an Urban Character Statement and policies to protect the character of the ACA (Maps 11.6). Boundaries for Architectural Conservation Areas have been defined for Athy, Ballitore, Celbridge, Kilcock, Leixlip, Maynooth, Monasterevin, Naas, Prosperous and Rathangan (Maps 11.1 – 11.12 refer). Statements of Character have also been prepared for Athy and Naas Architectural Conservation Areas. Further Statements of Character will be prepared through the roll out of local area plans, as resources allow.

New development within these areas will be permitted if it can be demonstrated, to the satisfaction of the planning authority, that it will not negatively impact the character or appearance of the area. ACAs provide an opportunity to build upon an existing character by establishing a high standard of urban design. A distinctive sense of place can be achieved through the selection of appropriate street lighting, street furniture, paving, signage, and by encouraging best conservation practice in the repair and maintenance of historic buildings, and also by insisting on high design standards for new developments.

## Objectives

It is an objective of the Council to:

**AH O60** Ensure that any development, modifications, alterations, or extensions within an ACA are sited and designed appropriately and are not detrimental to the character of the structure or to its setting or the general character of the ACA and are in keeping with any Architectural Conservation Area Statement of Character Guidance Documents prepared for the relevant ACA.

**AH O61** Ensure that all planning applications for new developments within or immediately contiguous to an ACA include an Architectural Heritage Impact Assessment and Design Rationale addressing design considerations such as urban structure and grain, density and mix, scale, height, materials, landscape, views and landmarks and historic development.

## Actions

It is an action of the Council to:

**AH A18** Investigate the designation of further ACAs at appropriate locations throughout the county including The Curragh Camp, Johnstown, Ballymore Eustace, Kilcullen, Brannockstown, Rathmore, Clane, Newbridge and Castledermot.

**AH A19** (a) Prepare "Guidelines for the Management and Development of ACAs" identified in this plan.

(b) Carry out a pilot study on developing a pro-active and dynamic framework for ACAs for the physical and economic enhancement of the built heritage character of a town/village.

**AH A20** Have regard to DHLGH Guidelines and conservation best practice in assessing the character and significance of a historic town or urban area and the formulation of an ACA or in assessing development proposals relating to an ACA.

**AH A21** Require where appropriate that an Architectural Heritage Impact Assessment report is prepared in accordance with DHLGH Guidelines and conservation best practice to inform the visual or physical impacts of a proposed development on an ACA.

**AH A22** Prepare a character statement appraisal and area specific policy for each ACA within the county and to preserve, protect and enhance the character of these areas.