A Guide to Protected Structures in County Galway

The architectural heritage of Galway is a unique and special resource. Our architectural heritage consists not only of great artistic achievements of the past, but also the everyday works of craftsmanship of the past.

Structures and places have over time acquired character and special interest through their continued existence and familiarity. In a changing world, they provide an anchor. All of their parts have been tested by our climate, and those that have survived the ravages of time and of constant use or sometimes abuse, have acquired value.

If we enjoy the fruits of this inheritance, we have a duty to ensure that it is conserved and passed on to our successors. Sympathetic reuse can allow the architectural heritage to continue to be enjoyed and used into the future. New and different uses may be considered for structures that no longer meet the needs of the present day, if these structures are to survive into the future.

In relation to the built heritage, protection can be defined as a method of managing change in order to ensure that what is of special interest is retained and that its future is secured for the benefit of current and future generations.

Protection in relation to a protected structure or part of a protected structure includes conservation, preservation and improvement compatible with maintaining the character and interest of the structure.

Recent government policy encourages the consideration of the rehabilitation of an existing building as a more sustainable option than the demolition and construction of a new one. This avoids the generation of unnecessary building demolition waste, fosters construction skills that will remain an asset to the economy, and can enhance the material and developmental value of existing buildings.

Individual Structures

Individual structures in the town or countryside form part of the built heritage. These can include a wide range of structures from the large country house set within a designed landscape to the smaller scale vernacular structure placed in a traditional context. The industrial history of County Galway has resulted in a wide variety of mill structures. Transport needs of the past have given us canals and bridges of architectural heritage value. All contribute to the built environment of County Galway as the present generation has inherited it.

Protected Structures

A **Protected Structure** is a structure that Galway County Council considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view. Details of protected structures are entered by the authority in its **Record of Protected Structures (RPS)**, which forms part of a Development Plan. Each owner and occupier of a protected structure is legally obliged to ensure that the structure is preserved.

The obligation to preserve a protected structure applies to all parts of the structure, including its interior, the land around it, and any other structures on that land. The obligation also applies to all fixtures and fittings forming part of the interior of a protected structure or of any structure on land around it.

Towns & Villages

The existing character of the towns and villages throughout the county is an amalgam of the various layers of development from earliest times to the present. The preservation of the elements of our heritage, which contribute to the present is important, as is the need to maintain the qualities of the historical context or setting. The retention of the character of the historic town and village core is recognized as being a major attraction in towns and villages. This is important in maintaining local distinctiveness for the inhabitant and visitor alike. A building such as a convent, for example, while being a home for those who lived in it, was possibly also a focus for the broader community who perhaps attended Mass there, or were educated in an adjacent school. Such a building serves as a landmark in an area.

Architectural Conservation Area (ACA)

An **Architectural Conservation Area (ACA)** is a place, area, group of structures or townscape which is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or contributes to the appreciation of protected structures. This could include, for example, a terrace of houses, buildings surrounding a square, or any group of buildings which together give a special character to an area. An Architectural Conservation Area may or may not include Protected Structures. Planning permission must be obtained before significant works can be carried out to the exterior of a structure in an Architectural Conservation Area.(ACA)

How does a structure become a Protected Structure?

Galway County Council and Ballinasloe Town Council must follow certain procedures if they propose to deem a structure to be a Protected Structure. These include notifying the owners and occupiers of the structure, the Minister for Arts, Heritage, Gaeltacht and the Islands, and other prescribed bodies. An owner or occupier is entitled to make comments on such a proposal to the authority. These comments are taken into account before the authority's elected members decide whether or not the structure should become a Protected Structure.

Old structures can perform as well and sometimes better than new ones in terms of structural strength, durability of materials or flexibility in use. Older buildings may function differently from modern structures. Specifications for interventions in a Protected Structure should be aesthetically and technically compatible with the existing construction

Protected Structures and The Planning System

Under **the planning system,** many minor works to structures do not normally require planning permission. These works are known as exempted development. However, for a Protected Structure, such works can be carried out without planning permission only if the works would not affect the character of the structure or any element of the structure that contributes to its special interest. Owners and occupiers should consult with the Conservation Officer to clarify issues arising.

An owner or occupier of a protected structure may request the local authority to issue a **Declaration** indicating the types of works that could be carried out without affecting the character of the structure or any element of the structure which contributes to its special interest. These works would not require planning permission.

A **planning application** involving a protected structure is generally made in the same way as any other application. However, to ensure that any interventions to Protected Structures or Proposed Protected Structures are undertaken in accordance with best conservation practice, there are some requirements that are different.

Notice of works concerning a Protected Structure or Proposed Protected Structure must state that it is protected, and be accompanied by details as outlined in *"Architectural Survey and Assessment Best Practice Guide"*. (Available on request from Galway County Council).

The planning authority must also have regard to the Conservation Guidelines issued by the Department of the Environment and Local Government and the Architectural Heritage Protection Guidelines for local authorities issued by the Minister for Arts, Heritage, Gaeltacht and the Islands and Dúchas-The Heritage Service

More information on applying for planning permission is contained in the leaflets issued by the Department of the Environment and Local Government. These are also available at www.galway.ie or at the public counter in the Planning Department.

Scheme of Grants

A **scheme of grants** is funded by the Department of Environment and Local Government and administered by Galway County Council and Ballinasloe Town Council, to assist the owner or occupier of a protected structure to undertake necessary works to secure its conservation. Applications are prioritised according to the nature, condition and importance of the structure concerned, the nature and necessity of the proposed works, the cost of the proposed works, the amount of other public funding which has been paid or applied for in relation to the works concerned, and the ability of the applicant to meet the costs of the works.

The grant is normally 50% of the approved cost of works. The grant goes towards undertaking necessary works to secure the conservation of the structure. It is not intended to be used to assist in carrying out routine maintenance, alterations or improvements. The fees for professional expertise may be included as an element of the overall cost.
Full details of the scheme and advice and details concerning other grant awarding bodies are available from the Conservation Officer.

Powers to Ensure Protection.

Local authorities have special powers in relation to protected structures in order to ensure their continued protection.

Each owner and occupier must ensure that a protected structure or any element of a protected structure is not endangered through harm, decay or damage, whether over a short or long period, through neglect or through direct or indirect means.

A local authority may require an owner or an occupier of a protected structure to carry out works if it considers that the structure is or may become endangered;

It may require an owner or an occupier of a protected structure to carry out works if it considers that character of the structure ought to be restored;

It may acquire, by agreement or compulsorily, a protected structure if it considers that this is desirable or necessary in relation to the protection of the structure.

Where a local authority requires works to be carried out to prevent a protected structure from becoming or continuing to be endangered, the owner or occupier concerned may be eligible for a grant under the scheme of grants for the conservation of protected structures.