

Appendix 16.8 Local Government (Planning and Development) Act 2000

Structures of architectural, cultural, scientific, historical or archaeological interest are protected under the Planning and Development Act, 2000.

This act provides for the inclusion of protected structures into the planning authorities' development plans and sets out statutory regulations regarding works affecting such structures. Under the new legislation, no distinction is made between buildings formerly classified under development plans as List 1 and List 2. Such buildings are now all regarded as 'protected structures'.

The act defines a 'protected structure' as follows:

- (a) a structure, or
- (b) a specified part of a structure,

which is included in a record of protected structures, and, where that record so indicates, includes any specified feature which is within the attendant grounds of the structure and which would not otherwise be included in this definition.

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

Part IV of the act deals with architectural heritage, and Section 57 deals specifically with works affecting the character of protected structures or proposed protected structures.

...the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

- (a) the structure, or
- (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Section 58, subsection 4 states that:

Any person who, without lawful authority, causes damage to a protected structure or a proposed protected structure shall be guilty of an offence.

