

material as possible is to be retained, in accordance with principles of conservation.

Appropriate new timber (salvage material or Southern Yellow Pine) is to be treated with an acceptable preservative and spliced in and routed to match the original patterns of frames and glazing bars.

Glazing, either the original material, or an approved substitute, is to be re-instated, being bedded into the highest quality linseed putty or a substitute material approved for conservation works.

The conserved window and its components are to be painted, in accordance with best practice, with a paint of appropriate colour and composition prior to reinstallation.

Sashes are to be re-hung on best quality sash cord with the correct weights for upper and lower sashes, with pulleys being repaired or replaced as required.

Should the need to replace any or all windows completely become apparent during the course of the works on the structure the Local Authority should be notified immediately in order to agree an alternative.

**External Renders:**

The render is to be mixed using clean, well washed sand, crushed aggregate (if appropriate), clean animal hair (if appropriate), lime putty or hydrated lime and clean, fresh potable water to the correct strength.

It is to be allowed to cure for the correct length of time.

The render is to be applied (over a layer of lime putty where appropriate) to clean organic-free surfaces in accordance with best practice, in as many coats as required and finished to the correct nap, when weather conditions are suitable.

# Protected Structures

## Conservation Principles, Standards and Methods

## Conservation Grants



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## FOREWORD

North Tipperary County Council has prepared this booklet to provide guidance on Protected Structures to owners, occupiers, contractors and others. The booklet is divided into three main sections.

Section 1 provides an overview of Protected Structures and details how and why a structure is protected. It also provides information on the process of protecting a structure.

Section 2 provides details on conservation and restoration principles and methods. It outlines how conservation work should be approached.

Section 3 details the Conservation Grant Scheme. This section provides information on qualifying works and the process of applying for a grant.

The information contained in this booklet is not intended to be a comprehensive technical or legal guide. It is intended to provide information and assistance to those involved in Protected Structures from owners and occupiers to contractors and conservation practitioners.

Further information and advice may be sought from the Planning Department, North Tipperary County Council, Civic Offices, Limerick Rd., Nenagh, Co. Tipperary

Joints are to be sealed with the highest quality linseed oil putty or an appropriate conservation approved substitute.

If necessary, the lead lining of parapet and valley gutters is to be removed and the sub-structure examined carefully. All defects are to be made good in accordance with the principles of conservation and new lead of the highest grade and of the appropriate width is to be laid into the gutter space in accordance with best practice.

Should rainwater goods made of lead, copper or cast aluminium be identified on your structure, all work should be clarified and agreed with the Local Authority first.

### **Thatching Works:**

Careful note should be made of the type, design and style of ridge in place and the materials used.

All bad and rotten thatch, plant and moss growth is to be raked out until sound material is reached. This material is to be removed to a safe distance and burnt off.

All deep holes and fissures are to be repaired, filled and levelled.

The appropriate best quality material (reed, straw, rushes etc) is to be laid on and fixed using the highest quality scallops.

The ridge is to be set in place using appropriate material (reed, straw, rushes, sedge, heather, tarred felt, chicken wire etc) and scallops.

Ridges, eaves and verges and, where present, valleys, should be properly executed so as to prevent the ingress of water.

Where the thatch abutts a chimney, suitable flashing material may be installed where necessary.

The original roofline and character may not be deviated from.

### **Sash Window Works:**

Any glazing present is to be removed with the utmost care and salvaged for re-use, particularly where there is evidence for crown or cylinder glass.

The timber should be cleaned down of all old paint until bare wood is reached. All rot is to be cut out until sound timber is obtained, all the time bearing in mind that as much original

## **SECTION 1: PROTECTED STRUCTURES**

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A waterproof, breathable membrane is to be laid on the rafters.

Thereafter, new, treated battens are to be used and the salvaged slates laid on top in their original pattern using large-headed copper, aluminium alloy or stainless steel nails. Materials salvaged from the roof should be concentrated on the external pitches of the roof.

Should further slates be required they are to be salvaged locally or a matching neutral slate may be used. These should be placed on the internal angles of the roof.

At all times the patterns utilised originally are to be replicated.

The replacement of the structural timbers of the roof is to be kept to the absolute minimum in accordance with the Principles of Conservation and must only be contemplated following discussions with the Local Authority.

The use of battens and shims laid along the rafters to even out sagging timbers is to be kept to the absolute minimum as too much intervention of this nature can damage the character acquired by the roof over the years.

If necessary, the lead lining of parapet and secret gutters, as well as that lining the valleys, is to be removed and the sub-structure examined carefully. All defects are to be made good in accordance with the principles of conservation and new lead of the highest grade and of the appropriate thickness and width is to be laid into the gutter space in accordance with best practice.

### **Servicing Rainwater Goods:**

All external cast-iron gutters, hoppers and downpipes are to be removed, cleaned with wire brushed and examined for leaks and blockages (in the case of downpipes).

Those sections which have failed are to be replaced with either salvaged material or new replica material which is identical in size and pattern to the original.

The interiors of gutters are to be painted with bituminous paint and all the exteriors are to be painted in accordance with best practice, with a paint of appropriate colour and composition prior to re-installation.

A protected structure is a structure that a local authority 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 (R.P.S.), which is part of the Development Plan. Each owner and occupier of a protected structure is legally obliged to ensure that the structure is preserved.

The legislation to introduce the concept of protected structures was the Local Government (Planning and Development) Act 1999, replacing the previous system for protecting structures by listing them in Development Plans. All the Local Government (Planning and Development) Acts from 1963 to 1999 have now been consolidated in the Planning and Development Act, 2000. Part IV of the 2000 Act deals with architectural heritage and incorporates the provisions of the Local Government (Planning and Development) Act, 1999.

Structures that are of special interest from an architectural, archaeological, artistic, cultural, scientific, social or technical point of view are proposed for inclusion in the R.P.S. If immediately before the 1<sup>st</sup> of January 2000 a structure was listed for preservation or protection in a development plan, that structure automatically became a protected structure on that date.

Anyone can recommend a structure for protection but the decision to include structures in the R.P.S. can only be made by the elected members of the planning authority. The

planning authority must follow certain procedures if it proposes to deem a structure to be a protected structure. These involve notifying the owners and occupiers of the structure, the Minister for Arts, Heritage, Gaeltacht and the Islands, and other bodies of the proposal. An owner or occupier is entitled to make comments on such a proposal to the authority. These comments must be taken into account before the authority's elected members decide whether or not the structure should become a protected structure. While a structure is a proposed protected structure it has the same protection as a protected structure with regard to the duties and responsibilities of the owners and occupiers.

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. The obligation to preserve a protected structure applies to all parts of the structure, including its interior, all 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. Owners and occupiers are liable to penalties if they fail to meet their obligations in relation to protected structures or structures in an architectural conservation area. These penalties can be imposed on an owner or an occupier for -

- ✦ endangering a protected structure, or
- ✦ failing to carry out works, ordered by a local authority, to a protected structure or a structure in an architectural conservation area.

**Works on Foundations, Walls, Parapets and Chimneys:**

An appropriate intervention using the expertise of specialist advisors and contractors to stabilise the foundations should be devised and agreed with the Local Authority before works commence.

If partial dismantling of a wall or chimney is necessary in order to stabilise it, then samples of the bedding mortar should be taken in advance in order to have it analysed so that the correct mix can be replicated for use in the reconstruction.

All material from the dismantling operation must be salvaged, cleaned and stored for re-use.

In re-building, an appropriate lime mortar, based upon the results of the analysis required above, must be used for bedding the building material down.

Salvage brick or stone, obtained locally, may be used where original material has failed.

An appropriate lime mixed render should be used to weatherproof the wall/parapet/ chimney, if appropriate to the building.

**Roofing Works:**

Careful note is to be made of any pattern in the slates such as scalloping, contrasting colours, random laid slates etc. These should be photographed in detail and planned or sketched as necessary. Only then is the roof to be stripped completely with as many as possible of the original, natural slate and ceramic ridge tiles being salvaged for re-use.

If required, the slates should be numbered to match their courses to assist in reinstating them once the underlying structural framework has been conserved.

Existing battens are to be removed. The roof space is to be cleaned of failed torching, slate fragments, animal and bird detritus.

Damaged rafters are to have dozed material cut out and new timber spliced in. Should pesticides be used on existing or new timbers, chemicals not harmful to bats are to be used.

discretion, accept and application after the relevant date.

- ✦ The issue of a Certificate of provisional Approval or the payment of a grant under this scheme does not imply any warranty on the part of the local authority concerned or the Minister for the Environment, Heritage and Local Government in relation to the suitability or safety of the works concerned or the state of repair or condition of all or any part of the structure concerned or its fitness for use.
- ✦ The engagement of professional advisors in relation to the works carried out under the scheme is strongly encouraged.

Protected structure status does not preclude development and alterations to that structure from occurring. 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. Depending on the nature of the structure, planning permission could, for example, be required for interior decorating such as plastering or painting. It is advised that the owner/occupier of a structure consults with the planning authority prior to the commencement of any works or development. This may be done through pre-planning discussions or through a declaration.

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 local authority will, in general, issue such a declaration within three months of receiving a request.

A planning application involving a protected structure is generally made in the same way as any other planning application. However, additional information must be submitted with the application and the relevant newspaper and site notices must indicate that the application relates to a protected structure. The local authority will consult other bodies, including the Minister for Arts, Heritage, Gaeltacht and the

Islands, the Heritage Council and An Taisce, before making a decision on the application.

Local authorities have been afforded special powers in relation to protected structures. This means that in certain circumstances 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;
- ✦ 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;
- ✦ 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.

In order to assist owners and occupiers of protected structures to undertake necessary works to secure its conservation a scheme of grants is operated by county councils and county borough corporations. Each local authority will prioritise applications on the basis of its Scheme of Priorities. The standard amount of grant is 50% of the approved cost of works, up to a maximum of €12,700. A local authority may, at its discretion, vary this amount downwards or, in exceptional circumstances, upwards, subject to a maximum allowable grant of 75% of the approved cost of works, or €25,400, whichever is the lesser. Any grant greater than €12,700

Where a local authority is of the opinion that the works have not been carried out satisfactorily, the authority may, at its discretion

- (a) determine a revised approved cost and amount of grant,
- (b) withhold payment until the applicant carries out such alterations to the existing works or such additional works as may be decided by the authority or
- (c) cancel the Certificate of provisional approval and refuse to pay the grant.

Where a local authority considers that the actual cost of the qualifying works was less than the approved cost, a revised approved cost and amount of grant will be determined.

#### **Miscellaneous:**

- ✦ This scheme comes into operation with effect from 26 May 1999 and will continue on a yearly basis until further notice.
- ✦ The scheme will be administered by each County Council and County Borough Corporation (referred to in this explanatory memorandum as a local authority). All issues relating to the day-to-day operation of the scheme, including dealing with enquiries, applications and payments, determining the amounts of grant and prioritising, are matters for the relevant local authority. A decision by a local authority on any of these matters is final.
- ✦ An application for a grant must be received by the relevant local authority not later than the date advertised on that year, in exceptional circumstances e.g. where there is an immediate risk to the safety or survival of a building, a local authority may, at its

scheme. All statutory requirements relating to the proposed works, including those arising under the Planning Acts, the Building Control Act and the National Monuments Acts must be complied with in the normal way.

**Carrying Out of Works:** After receipt of a Certificate of Provisional Approval, and where all other statutory requirements have been met, and applicant may begin the approved works, Where the works are carried out by contract, the contractor must be registered for VAT and hold a current form C2 or tax clearance certificate from the Revenue Commissioners.

Local Authorities are allocated resources on an annual basis to operate the scheme. It is of the utmost importance, therefore, that approved works are carried out within the time specified in the Certificate of Provisional Approval. Where works are not proceeding in accordance with the Certificate, an authority may, at its discretion, postpone payment of the grant to another year or cancel the Certificate of Provisional Approval and refuse to pay the grant.

**Payment of Grant:** On completion of the works, the applicant may claim payment of the grant by signing the declaration incorporated in the Certificate of Provisional Approval and returning it, together with the appropriate documents, to the relevant local authority. Following receipt of a claim for payment, a local authority will carry out an inspection of the structure concerned to establish that the works have been carried out satisfactorily and in accordance with the Certificate of provisional Approval. When the authority is satisfied in this regard, it will authorise payment of the grant.

requires the prior approval of the Department of the Environment and Local Government.

**Architectural Conservation Areas:**

An architectural conservation area 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. It is also noteworthy that structures in the architectural conservation area which may not be protected structures, may or may not avail of exempted development. An owner or occupier of a structure in an architectural conservation area should seek the advice of the Local Authority prior to carryout any works which would normally be 'exempted development'.

## SECTION 2: PRINCIPLES OF CONSERVATION

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Work is often undertaken on old buildings with the best of intentions which through the lack of information or the employment of inappropriate methods has resulted in substantial damage to the structure. Examples of this include:

- ✦ Hermetically sealed uPVC/aluminium windows and cementations renders prevent old buildings from breathing which can be very damaging to their fabric.
- ✦ Old buildings need to retain their natural movement. This allows it adapt to seasonal changes. The introduction of rigid elements to 'strengthen' a structure, such as ring beams, can result in structural faults developing at a later stage in the buildings life and may have catastrophic results at times.
- ✦ The use of cement based bedding mortars and concrete blocks in repairs to portions of walls, has resulted in serious repercussions in later years.

Any works undertaken on a Protected Structure should be done so with the principles of conservation in mind. Heritage buildings need to be cared for through the use of materials that were available when the building was originally constructed as modern materials can cause damage and should only be used when they are compatible with the structures original fabric.

The main conservation principles are:

1. **Retention or restoration of historical significance.** The aim of conservation is to retain, recover or reveal as much of the features of significance as is possible.

the approved cost not covered by a grant under this scheme.

**Planning Authority Notices:** Where a planning authority serves a notice on an owner or an occupier of a protected structure requiring such person to carry out specified works to prevent the structure from becoming or continuing to be endangered, the authority May, at its discretion, whether or not such person has applied for a grant under this scheme, approve a grant to such person in respect of any or all of the works concerned.

**Certificate of Provisional Approval:** Having determined an amount of grant, a local authority will issue a Certificate of Provisional approval. A Certificate of Provisional Approval will state the proposed works to which the certificate relates, the amount of the grant, which has been determined, and the terms and conditions under which provisional approval is being given. Terms and conditions may relate to such matters as;

- (a) the manner in which the proposed works must be carried out, including the standard of materials and workmanship which must be used
- (b) the time within which the proposed works must be carried out
- (c) the supervision which must be undertaken in relation to the proposed works
- (d) the notification of a local authority as different elements of the proposed works are completed.

A person shall not be entitled to carry out any works solely by reason of having received a Certificate of Provisional approval under this

professional advisors, essential supporting works and services, and insurance, will be reckonable in this regard.

A local authority may at its discretion, determine an amount of grant lower or, in exceptional circumstances, greater than that standard amount. In making such a determination, the authority will have regard to; (a) the nature, condition and importance (in terms of conservation) of the structure concerned, (b) the nature and necessity (in terms of conservation) of the proposed works, (c) the cost of the proposed works, (d) the amount of any other public funding which has already been paid or is being paid or is being applied for in respect of the works concerned, and (e) the ability of the applicant to meet the cost of the works.

However, before determining an amount of grant greater than the standard amount, a local authority must obtain the approval of the Department of the Environment, Heritage and Local Government. An amount of grant may not in any circumstance exceed €25,395 or 75% of the approved cost, or, if appropriate, the revised approved cost whichever is the lesser. Where funding under any other scheme financed by the Exchequer or the EU has been received or approved in respect of the qualifying works concerned, the maximum amount of the grant available under this scheme is that amount which would bring the total amount of the Exchequer or EU funding payable to 75% of the approved cost. However, these maximum grant limits do not restrict a local authority from making a contribution to an owner or occupier from its own resources towards the proportion of

2. **Conservation process based on research.** It is important to know and understand the history of the building and its current physical condition prior to the commencement of work. If this is not done, costly errors can be made and the completed project flawed.
3. **Minimum physical intervention.** In order to retain, wherever possible, the original fabric and character of a structure it is necessary that there is only minimum and necessary intervention. This principle promotes the idea of repair rather than replace.

### **Planning a Conservation/Restoration Scheme**

The first step in any conservation/restoration scheme is preparation and research. You should:

- ✦ Establish, in so far as possible, the history of the building.
- ✦ Survey the building, analyse it and identify all original material, record it through photography, measurements and drawings (This information can also be used in support of a Grant Application)
- ✦ Identify the root causes of problems and plan to eliminate them, rather than treat their symptoms.
- ✦ Aim to minimise intervention – repair rather than replace.
- ✦ Do not make assumptions as to the materials used to manufacture fixtures and fittings
- ✦ Always respect the structures setting.

### **Practicalities**

Devise your scheme of works (which should include non-conservation / restoration works such as re-wiring, upgrading of plumbing, installation of heating system etc. These works will not qualify for conservation grant aid) in

accordance with the Principles of Conservation, using the expertise of specialist advisors where necessary. The proposed works should then be broken down into distinct projects and phases within the overall scheme of works. This not only makes it easier to tackle each job but also divides the work into tangible phases that are often more appropriate when applying for grant aid. The phasing element of the overall project can be stretched over as many years as required in order to maximise the benefit to you under the Conservation Grant Scheme and to minimise the burden on personal resources.

It is advisable that several quotations are sought in order to ensure that you are getting the best value for money. North Tipperary County Council may request that you supply a 'Certificate of Reasonable Cost' from a professionally qualified Quantity Surveyor in order to justify the contractors estimate. A list of contractors to carry out conservation works is available on the website of the Irish Georgian Society ([www.irish-architecture.com/igs](http://www.irish-architecture.com/igs)). The Construction Industry Federation also provides a Register of Heritage Contractor on its website [www.constructionregistration.ie](http://www.constructionregistration.ie). These lists are also available at the Planning Department of North Tipperary County Council. With your selected contractor a comprehensive Safety Statement should be prepared to take account of risks likely to arise during the course of your works and detail the means by which potential threats to the building can be mitigated.

### **The Works**

When undertaking the work;

- ✦ Protect staircases, handrails, mouldings and other joinery features such as wainscoting,

- e) they are not or were not necessary to eliminate or reduce an immediate risk to the safety or survival of the structure concerned and they commence before an inspection has been carried out.

**Application for grants:** An application for a grant under the scheme may be made to a local authority by an owner or an occupier of a structure and must be made on the supplied application form. A Local authority may at its discretion, require an applicant to furnish particulars of his or her interest in the structure concerned. Where a local authority considers that an application meets the terms and conditions of the scheme, it will carry out an inspection of the structure concerned. If, following such an inspection, the authority is satisfied that the structure and proposed works concerned qualify, it will prioritise the application in relation to other applications made to it, having regard to its current Scheme of Priorities. A scheme of Priorities is a statement by Local authority of the criteria to be applied by it in determining how applications for grants will be prioritised. Following this prioritisation, a local authority will, where it considered that it will be in a position to meet the cost of an application from its financial allocation in the current calendar year, determine an amount of grant.

The standard amount of the grant is 50% of the approved cost or, if appropriate, the revised cost, subject to a maximum of €12,700. The approved cost is an estimate, calculated by a local authority, of the reasonable cost of qualifying works. All reasonable expenditure to be incurred in relation to the works, such as fees for

preservation of such structure because of its artistic, historic or architectural interest, or (b) the relevant planning authority is of the opinion that it would be appropriate to have such an indication in respect of the structure in its development plan and proposes to include the structure in its record of Protected Structures at the earliest possible opportunity. A structure does not qualify if it is owned by a public authority

**Qualifying Works:** Works qualify under the scheme where they consist of the conservation of one or more elements of a qualifying structure. Qualifying works would, amongst other things, include –

- (a) works necessary to secure the stability of a structure or part of a structure
- (b) works necessary to make a structure weather-proof or damp proof
- (c) works necessary to conserve or repair external walls or internal features.
- (d) Works consisting of temporary repairs, where it is necessary to protect a structure from immediate risks

Works do not qualify under the scheme, where, in the opinion of a local authority:-

- (a) they consist of maintenance, alterations or improvements
- (b) they are not essential to secure the conservation of the structure
- (c) they have an approved cost of less than €1900

they have been, are or will be the subject of a claim for tax relief from income tax or corporation tax under section 482 of the Taxes Consolidation Act 1997 (formerly Section 19 of the Finance Act 1982), or

skirting boards and dado rails from damage during building work.

- ✦ Do not assume that something is beyond repair just by its appearance.
- ✦ Do not throw out any original material, unless it is riddled with rot or woodworm and in need of immediate destruction in order to prevent further damage and loss to the fabric of your building. Such actions must be supported by photographic record.
- Ⓢ Do not allow sound material to be removed from your site until its well being has been secured and agreed with the council.
- ✦ Keep usable details as patterns for present or future work.
- ✦ Don't subject original materials to harsh treatments such as dipping in caustic mixes or using blowtorched to remove paint.
- ✦ Don't leave softwood interior joinery in a natural or stripped condition. All such timberwork should be painted.
- ✦ Retain as much original material as possible
  - 18<sup>th</sup> century crown glass and 19<sup>th</sup> century cylinder glass, with their slight flaws and imperfections, are impossible to replicate today and should be treasured;
  - the durability of timber produced today for the building trade is only a fraction of that available when construction was being undertaken in past centuries. The more that can be salvaged today for re-use, the less that will need to be replaced by future generations.
- ✦ You should replace like with like. For example softwoods in windows, doors and panels must be replaced with softwood, perhaps salvage material, but modern day commercially grown is currently recommended as the ideal material.

### SECTION 3: CONSERVATION GRANT SCHEME

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- ✦ Don't repair stone built, lime mortar bedded, walls with concrete blocks bedded in cement mortar.
- ✦ Don't substitute original features such as cornice work with inappropriate commercially mass-produced plasterworks.
- ✦ Keep records. A daily or weekly diary of works done, procedures followed and difficulties overcome will be of immense value for the future. Take plenty of photographs before, during and after the project. These pictures may be used again in support of your grant claim once the works are completed.

Appendix A of this booklet outlines a suggested methodology for:

Structural Works on Foundations, Walls, Parapets and Chimneys  
Roofing Works  
Servicing Rainwater Goods  
Thatching Works  
Sash Window Works  
External Renders

A series of booklet produced by the Department of the Environment in conjunction with the Irish Georgian Society provides more detailed information on conservation. These booklets outline best practice on how specific conservation works should be undertaken.

The objective of this scheme is to assist the owner or occupier of a structure which is protected because of its architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest to undertake conservation works on such structure. There is no automatic right to a grant under the scheme. Each local authority is allocated a fixed amount of money for a calendar year to meet grant payments. Accordingly, grant applications are prioritised each year within available resources and in accordance with the terms set out in this Explanatory Memorandum.

The Scheme does not apply to works begun before the commencement date of the scheme. Works carried out after that date do not qualify where they begin before the structure concerned has been inspected for consideration of a grant application, except where a local authority considers that the works are or were necessary to eliminate or reduce an immediate risk to the safety or survival of the structure.

**Qualifying Structures:** A structure qualifies under the scheme if it is included in the Record of Protected Structures of the relevant planning authority. A record of Protected Structures will be included in each development plan by the relevant planning authority following the enactment of the Local Government (Planning and Development) Act 2000. Pending the inclusion of a record of Protected Structures in a development plan, a structure qualifies if; (a) the relevant development plan, draft proposed development plan or proposed variation of a development plan indicates an objective for the

# Déanmhais Chosanta

## Prionsabail, Caighdeáin agus Modhanna Caomhantais

## Deontais Chaomhantais



**Comhairle Contae Thiobraid Árann  
Thuaidh  
An Roinn Pleanála  
Oifigí Cathartha  
Bóthar Luimnigh  
An tAonach  
Co. Thiobraid Árann**

Teil: 067 44652 / 44653  
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### BROLLACH

D'ullmhaigh Comhairle Contae Thiobraid Árann Thuaidh an leabhrán seo chun treoir maidir le Déanmhais Chosanta a sholáthar d'úinéirí, áititheoirí, conraitheoirí agus daoine eile. Trí phríomhrannán atá sa leabhrán seo.

Tá léargas ginearálta i Rannán 1 ar Dhéanmhais Chosanta agus tá sonraí ann faoi conas agus cén fáth a ndéantar déanmhas a chosaint. Tá eolas ann freisin ar an bpróiseas ina ndéantar déanmhas a chosaint.

Tá sonraí i Rannán 2 ar phrionsabail agus modhanna athchóirithe agus caomhantais. Tá breac-chuntas ann ar na bealaí inar chóir tabhairt faoi obair chaomhantais.

Tá sonraí i Rannán 3 ar an Scéim Deontais Chaomhantais. Tá eolas sa rannán seo ar oibreacha cáilithe agus ar an bpróiseas ina gcuirtear isteach ar dheontas.

Ní treoir chuimsitheach theicniúil ná dhleathach an t-eolas sa leabhrán seo. Tá sé i gceist eolas agus cúnaimh a chur ar fáil dóibh siúd a bhfuil baint acu le Déanmhais Chosanta idir úinéirí agus áititheoirí agus idir chonraitheoirí agus chleachtóirí caomhantais.

Is féidir tuilleadh eolais agus comhairle a lorg ón Roinn Pleanála, Comhairle Contae Thiobraid Árann Thuaidh, Oifigí Cathartha, Bóthar Luimnigh, an tAonach, Co. Thiobraid Árann

## **RANNÁN 1: DÉANMHAIS CHOSANTA**

Is éard atá i nDéanmhas Cosanta ná déanmhas a mheastar gur díol spéise ar leith é ó thaobh ailtireachta, staire, seandálaíochta, ealaíne, cultúir, eolaíochta, cúrsaí sóisialta nó teicniúla. Cuireann an t-údarás sonraí ar dhéanmhais chosanta ina Thaifead ar Dhéanmhais Chosanta (R.P.S.), atá mar chuid den Phlean Forbartha. Tá ceanglas dlíthiúil ar gach úinéir agus áititheoir ar dhéanmhas cosanta a chinntiú go gcaomhnófar an déanmhas.

Tugadh isteach an coincheap maidir le déanmhais chosanta a chosaint sa reachtaíocht leis an Acht Rialtais Áitiúil (Pleanáil agus Forbairt), 1999 a chuaigh in ionad an chórais roimhe sin inar cosnaíodh déanmhais trí iad a liostáil i bPleananna Forbartha. Rinneadh na hAchtanna Rialtais Áitiúil (Pleanáil agus Forbairt) ó 1963 go 1999 ar fad a chomhdhlúthú san Acht um Pleanáil agus Forbairt, 2000. Pléitear an oidhreacht ailtireachta i gCuid IV d'Acht na bliana 2000 agus corpraítear forálacha an Achta Rialtais Áitiúil (Pleanáil agus Forbairt), 1999 ann.

Moltar déanmhais ar díol spéise ar leith iad ó thaobh ailtireachta, seandálaíochta, ealaíne,

cultúir, eolaíochta, cúrsaí sóisialta nó teicniúla lena chur san R.P.S. Más rud é go raibh déanmhas liostaithe lena chaomhnú nó lena chosaint i bplean forbartha díreach roimh an 1 Eanáir 2000, tháinig an déanmhas sin le bheith ina dhéanmhas cosanta sa ghnáthchúrsa ar an dáta sin.

Is féidir le haon duine déanmhas a mholadh lena chosaint ach ní féidir ach le baill thofa an údaráis phleanála an cinneadh a dhéanamh déanmhais a áireamh san R.P.S. Caithfidh an t-údarás phleanála cloí le nósanna imeachta áirithe má tá sé beartaithe aige a mheasadh gur déanmhas cosanta an déanmhas. Baineann sé seo le fógra a thabhairt do na húinéirí agus áititheoirí ar an déanmhas, don Aire Ealaíon, Oidhreachta, Gaeltachta agus Oileán, agus do chomhlachtaí eile faoin moladh. Tá sé de cheart ag an úinéir nó áititheoir tuairimí a thabhairt don údarás faoin moladh sin. Caithfear na tuairimí seo a thabhairt san áireamh sula gcinneann baill thofa an údaráis áitiúil cibé ar chóir nó nár chóir an déanmhas a bheith ina dhéanmhas cosanta. I gcás gur déanmhas cosanta beartaithe an déanmhas cosnaítear é ar an mbealach céanna agus a chosnófaí déanmhas cosanta ó thaobh dhualgais agus fhreagrachtaí na n-úinéirí agus áititheoirí.

Caithfidh gach úinéir agus áititheoir a chinntiú nach bhfuil déanmhas cosanta nó aon ghné de dhéanmhas cosanta i mbaol trí dhíobháil, lobhadh nó damáiste, cibé acu thar thréimhse ghearr nó fhada, trí fhaillí nó trí bhealaí díreacha nó

indíreacha. Baineann an oibleagáid chun déanmhas cosanta a chaomhnú le gach cuid den déanmhas, lena n-áirítear an taobh istigh de, an talamh go léir thart timpeall air, agus aon déanmhais eile ar an talamh sin. Baineann an oibleagáid seo freisin leis na daingneáin agus feistis go léir atá mar chuid den taobh istigh de dhéanmhas cosanta nó aon déanmhas ar an talamh thart timpeall air. Is féidir pionóis a ghearradh ar úinéirí agus áititheoirí má mainníonn siad a n-oibleagáidí a chomhlíonadh maidir le déanmhais chosanta nó le déanmhais i gceantar caomhantais ailtireachta. Is féidir na pionóis seo a ghearradh ar úinéir nó áititheoir más rud é-

go gcuireann siad déanmhas cosanta i mbaol, nó

go mainníonn siad oibreacha, a ordaíonn an t-údarás áitiúil, a dhéanamh ar dhéanmhas cosanta nó ar dhéanmhas i gceantar caomhantais ailtireachta.

Ní chuireann stádas mar dhéanmhas cosanta bac ar fhorbairt ná ar athruithe a dhéanamh ar an déanmhas sin. Faoin gcóras pleanála, ní theastaíonn cead pleanála ó roinnt mhaith mionoibreacha ar dhéanmhais de ghnáth. Tugtar forbairt dhíomhaithe ar na hoibreacha seo. I gcás déanmhais chosanta áfach, ní féidir oibreacha den chineál sin a dhéanamh gan cead pleanála, ach amháin sa chás nach mbeadh tionchar ag na hoibreacha ar shainghné an déanmhais ná ar aon

chuid den déanmhas a chuireann leis an díol spéise lena mbaineann. Ag brath ar nádúr an déanmhais, d'fhéadfaí cead pleanála a éileamh, mar shampla, chun maisiúchán istigh de leithéid plástráil nó péinteáil a dhéanamh. Moltar go rachaidh úinéir/áititheoir an déanmhais i gcomhairle leis an údarás pleanála sula gcuirfear tús le haon oibreacha ná forbairt. Is féidir é seo a dhéanamh trí phléite réamhphleanála nó trí dhearbhu.

Féadfaidh úinéir nó áititheoir ar dhéanmhas cosanta iarraidh ar an údarás áitiúil dearbhú a eisiúint ina sonraítear na cineálacha oibreacha is féidir a dhéanamh gan tionchar a bheith ar shainghné an déanmhais ná ar aon chuid den déanmhas a chuireann leis an díol spéise lena mbaineann. Ní beadh cead pleanála ag teastáil do na hoibreacha seo. Déanfaidh an t-údarás áitiúil, i goitinne, dearbhú den chineál sin a eisiúint laistigh de thrí mhí tar éis iarratas den chineál sin a fháil.

Déantar iarratas pleanála i ndáil le déanmhas cosanta ar an gcaoi chéanna agus a dhéantar aon iarratas pleanála eile tríd is tríd. Caithfear eolas breise a chur isteach leis an iarratas, áfach, agus caithfear a chur in iúl ar na fógraí ábhartha sna nuachtáin agus ar an láithreán gur déanmhas cosanta atá i gceist san iarratas. Rachaidh an t-údarás áitiúil i gcomhairle le comhlachtaí eile, lena n-áirítear an tAire Comhshaoil, Oidhreachta agus Rialtais Áitiúil, agus leis an gComhairle

Oidhreacht agus le An Taisce, roimh chinneadh ar an iarratas a dhéanamh.

Tugadh cumhachtaí speisialta d'údarás áitiúla maidir le déanmhais chosanta. Ciallaíonn sé seo go bhféadfaidh údarás áitiúil, in imthosca áirithe:

éileamh ar úinéir nó ar áititheoir ar dhéanmhas cosanta oibreacha a dhéanamh má mheasann sé go bhféadfaidh an déanmhas a bheith i mbaol amach anseo nó go bhfuil sé i mbaol;

éileamh ar úinéir nó ar áititheoir ar dhéanmhas cosanta oibreacha a dhéanamh má mheasann sé gur chóir sainghné an déanmhais a thabhairt ar ais;

déanmhas cosanta a fháil trí chomhaontú nó go héigeantach má mheasann sé go bhfuil gá leis seo nó go bhfuil sé inmhianaithe maidir le cosaint an déanmhais.

I gcás go n-éilíonn údarás áitiúil go ndéanfar oibreacha ionas nach dtiocfaidh déanmhas cosanta chun bheith i mbaol nó ionas nach leanfaidh sé de bheith i mbaol, féadfaidh an t-úinéir nó áititheoir lena mbaineann a bheith i dteideal deontas a fháil faoin scéim deontas do dhéanmhais chosanta a chaomhnú.

Tá scéim deontas á hoibriú ag comhairlí contae agus corparáidí contaebhuirge d'fhonn cabhrú le húinéirí agus áititheoirí ar dhéanmhais chosanta na hoibreacha is gá a dhéanamh lena gcaomhnú. Déanfaidh gach údarás áitiúil iarratais a chur in ord tosaíochta ar bhonn na Scéime Tosaíochtaí atá aige. Gnáthmhéid an deontais ná 50% de chostas ceadaithe na n-oibreacha, gan dul thar uasmhéid

€12,700. Féadfaidh údarás áitiúil, dá rogha féin, an méid seo laghdú, nó, i gcúinsí eisceachtúla, a mhéadú, gan dul thar dheontas ceadaithe uasta 75% de chostas ceadaithe na n-oibreacha, nó €25,400, cibé acu is lú. I gcás aon deontas níos mó ná €12,700 caithfear cead na Roinne Comhshaoil agus Rialtais Áitiúil a fháil roimh ré.

### **Ceantair Chaomhantais Ailtireachta:**

Is éard atá i gCeantar Caomhantais Ailtireachta ná áiteanna, ceantair, grúpaí déanmhas nó dreacha baile lena mbaineann tábhacht shóisialta ó thaobh ailtireachta, staire, seandálaíochta, ealaíne, cultúir, eolaíochta nó cúrsaí teicniúla agus a chuidíonn le taitneamh a bhaint as déanmhais chosanta. D'fhéadfaí a áireamh anseo, mar shampla, ardán tithe, foirgnimh atá timpeall ar chearnóg, nó aon ghrúpa foirgneamh a thugann sainghné ar leith do cheantar. Féadfar go mbeidh nó nach mbeidh déanmhais chosanta ar áireamh i gceantar caomhantais ailtireachta.

Caithfear cead pleanála a fháil sular féidir oibreacha suntasacha a dhéanamh ar an taobh amuigh de dhéanmhas i gceantar caomhantais ailtireachta.

Is fiú a lua freisin go bhféadfaidh déanmhais sa cheantar caomhantais ailtireachta, nach déanmhais chosanta iad, leas a bhaint nó gan leas a bhaint as forbairt dhíolmhaithe. Ba chóir d'úinéir nó áititheoir ar dhéanmhas i gceantar caomhantais ailtireachta comhairle a lorg ón Údarás Áitiúil roimh aon oibreacha a dhéanamh ar 'forbairt dhíolmhaithe' de ghnáth.

### **RANNÁN 2: PRIONSABAIL CHAOMHANTAIS**

Is minic a thugtar faoi obair ar sheanfhoirgnimh ina ndéantar dochar suntasach don déanmhas trí easpa eolais nó modhanna míchuí a úsáid, cé nach mbíonn sé ar intinn ag aon duine díobháil a dhéanamh. I measc na samplaí tá:

Cuireann fuinneoga alúmanaim/uPVC séalaithe go heirméiteach agus linidireálacha

stroighnithe cosc ar seanfhoirgnimh anáilú rud is féidir dochar a dhéanamh dá gcreatlach.

Caithfidh seanfhoirgnimh a ngluaiseacht nádúrtha a choinneáil. Is féidir leo dul in oiriúint d'athruithe séasúracha dá bharr . Má thugtar 5. isteach gnéithe dochta chun déanamh a 'neartú,' de leithéid bíomaí fáinneacha, d'fhéadfadh fabhtanna struchtúracha teacht chun cinn níos déanaí i saol an fhoirgnimh agus torthaí tubaisteacha air seo i gcónaí.

Chonacthas, blianta ina dhiaidh sin, go raibh drochthoradh tromchúiseach ar úsáid moirtéal leabaithe stroighne agus bloc coincréite chun cuid de bhallaí a dheisiú.

Ba chóir aird a thabhairt ar na prionsabail chaomhantais nuair atá aon oibreacha á ndéanamh ar Dhéanamh Cosanta. Caithfear aire a thabhairt d'fhoirgnimh Oidhreachta trí ábhair a úsáid a bhí ar fáil nuair a tógadh an foirgneamh ar dtús toisc go bhféadfadh ábhair nua-aimseartha dochar a dhéanamh agus níor chóir iad a úsáid ach amháin má luíonn siad le creatlach bhunaidh an déanmhais.

Is iad na príomhphrionsabail chaomhantais ná:

**Tábhacht stairiúil a choinneáil nó a thabhairt air ais.** Is é an aidhm atá i gceist le caomhnú ná a mhéid is féidir de na gnéithe tábhachtacha a choinneáil, a athchóiriú nó a nochtadh. **Próiseas caomhantais a bheith bunaithe ar thaighde.** Tá sé tábhachtach eolas agus tuiscint a bheith agat ar stair an fhoirgnimh

agus ar riocht fisiceach an fhoirgnimh faoi láthair sula gcuirfear tús leis an obair. Mura ndéantar é seo, is féidir botúin chostasacha a dhéanamh agus an tionscal críochnaithe a bheith lochtach.

**Idirghabháil fhisiciúil is lú is féidir.** Tá sé riachtanach nach mbeidh ach an idirghabháil is gá agus is lú is féidir ann, d'fhonn creatlach agus sainghné bhunaidh an déanmhais a choinneáil, nuair is féidir. Bíonn deisiú seachas athsholáthar á chur chun cinn i gcás an phrionsabail seo.

### Scéim Caomhantais/Athchóirithe a Phleanáil

Is é an chéad chéim i scéim caomhantais/athchóirithe ar bith ná ullmhú agus taighde. Ba chóir duit:

Stair an fhoirgneamh, a aimsiú, a mhéid is féidir.

Suirbhé a dhéanamh ar an bhfoirgneamh, anailís a dhéanamh air agus an t-ábhar bunaidh ar fad a shainiú, a thairgeadh i ngrianghraif, i dtomhais agus í líníochtaí (Is féidir an t-eolas seo a úsáid freisin chun tacú le hIarratas ar Dheontas)

Fréamhacha na fadhbanna a aithint agus iad a dhíbirt, seachas na comharthaí a chóireáil.

Díriú ar an idirghabháil a íoslághdú, deisigh ábhair seachas iad a athsholáthar.

Ná déan toimhdí maidir leis na hábhair a úsáideadh chun daingneáin agus feistis a dhéanamh

Bíodh meas agat i gcónaí ar shuíomh an déanmhais.

## Nithe Praiticiúla

Déan do scéim oibreacha a cheapadh (ar chóir di oibreacha nach oibreacha caomhantais /athchóirithe iad a áireamh de leithéid athshreangú, pluiméireacht a uasghrádú, córas téite a shuiteáil etc. Ní bheidh na hoibreacha seo cáilithe le haghaidh deontas caomhantais) de réir na bprionsabal Caomhantais, agus saineolas sainchomhairleoirí á úsáid nuair is gá. Ba chóir na hoibreacha beartaithe a bhriseadh síos ina dtionscadaíl agus céimeanna ar leith laistigh den scéim oibreacha fhoriomlán ansin. Ní hamháin go mbeidh sé níos fusa dul i ngleic le gach jab ach beidh an obair á roinnt i gcéimeanna inlámhsithe atá níos feiliúnaí go minic nuair atá tú ag cur isteach ar dheontas. Is féidir an ghné chéimithe den tionscadal foriomlán a scaipeadh thar an méid blianta agus is gá chun an tairbhe a bhainfidh tú as an Scéim Deontais Chaomhantais a uasmhéadú agus an t-éileamh ar d'acmhainní pearsanta a íoslaghdú.

Moltar duit roinnt luachana a lorg lena chinntiú go bhfuil an luach ar airgead is fearr á fháil agat. Féadfaidh Comhairle Contae Thiobraid Árann Thuaidh iarraidh ort 'Deimhniú um Chostas Réasúnach' a sholáthar ó Shuirbhéir Cainníochta a bhfuil cáilíocht ghairmiúil acu d'fhonn seasamh le meastachán an chonraitheora. Tá liosta conraitheoirí chun na hoibreacha caomhantais a dhéanamh ar shuíomh Gréasáin Chumann Seoirseach na hÉireann ([www.irish-](http://www.irish-architecture.com/igs)

[architecture.com/igs](http://www.irish-architecture.com/igs)). Soláthraíonn Cónaidhm Thionscal na Foirgníochta Clár Conraitheoirí Oidhreacht ar a shuíomh Gréasáin freisin [www.constructionregistration.ie](http://www.constructionregistration.ie). Tá na liostaí seo ar fáil ag Roinn Pleanála Chomhairle Contae Thiobraid Árann Thuaidh chomh maith. Ba chóir Ráiteas Sábháilteachta cuimsitheach a ullmhú le do chonraitheoir roghnaithe chun aird a thabhairt ar na rioscaí is dócha a thiocfaidh chun cinn le linn d'oibreacha agus na bealaí a shonrú inar féidir bagairtí a d'fhéadfadh a bheith ar an bhfoirgneamh a mhaolú.

## Na hOibreacha

Nuair a bheidh an obair á déanamh; Staighrí, lámhráillí, múnláil, agus gnéithe siúinéireachta eile de leithéid vuinsciúnna, cláir sciorta agus ráillí dádó a chosaint ar dhamáiste le linn obair tógála.

Ná glac leis nach féidir aon rud a dheisiú mar gheall ar an gcuma atá air.

Ná caith aon ábhar bunaidh amach, mura bhfuil sé breac le lobhadh nó míolta críon agus más gá é a scriosadh láithreach chun damáiste breise nó cailteanas i gcreatlach d'fhoirgnimh a chosc. Caithfear tacú le bearta den chineál seo tríd an taifead fótagrafach.

Ná lig d'ábhar slán a bheith tógtha as do láithreán go dtí go bhfuil sé cinntithe agus aontaithe leis an gcomhairle go dtiocfaidh sé slán.

Coinnigh na sonraí is féidir a úsáid mar phatrúin d'obair faoi láthair nó amach anseo.

Ná cuir na hábhair bhunaidh faoi chóireálacha géara de leithéid iad a thumadh i meascáin loiscneacha nó séidtóirsí a úsáid chun péint a bhaint.

Ná fág siúinéireacht bhogadhmaid laistigh i riocht nádúrtha nó lomtha. Ba chóir adhmad ar fad den chineál sin a phéinteáil.

Coinnigh a oiread ábhar bunaidh agus is féidir

- Ní féidir gloine chorónoch an 18ú haois ná gloine shorcóra an 19ú haois a mhacasamhlú toisc go bhfuil fabhtanna agus lochtanna suaracha iontu agus is seoda atá iontu dá bharr;

- Ní mhaireann admhad a thairgtear do ghnó na tógála inniu chomh fada in aon chor agus a mhaireann an t-adhmad a bhí ar fáil nuair a bhíothas i mbun tógála sna céadta atá thart. Dá mhéad admhad is féidir tarrtháil inniu lena athúsáid, is ea is lú admhad a bheidh ar na glúine amach anseo a athsholáthar.

Ba chóir ábhar cosúil leis a chur in ionad ábhair cosúil leis. Mar shampla ba chóir bogadhmad a chur in ionad bogadhmaid i bhfuinneoga, doirse agus painéil, d'fhéadfaí ábhar tarrthála a úsáid, ach moltar faoi láthair admhad na linne seo atá á shaothrú ar bhonn tráchtála mar ábhar a bheadh foirfe chuige seo. Ná deisigh ballaí cloiche leabaithe i moirtéal aoil, le bloic choincréite, leabaithe i moirtéal stroighne.

Ná cuir obair phlástrála olltáirgthe tráchtála in ionad gnéithe bunaidh de leithéid obair coirnise.

Coinnigh taifid. Bainfear tairbheamach anseo as dialann laethúil nó sheachtainiúil a choimeád ar oibreacha a rinneadh, nósanna imeachta a leanadh, agus deacrachtaí a sáraíodh. Tóg neart grianghraf le linn an tionscadail, roimhe agus ina dhiaidh. Is féidir leas a bhaint as na grianghraif seo amach anseo chun tacú le d'iarratas ar dheontas a luaithe agus a chríochnófar na hoibreacha.

Tá modheolaíocht mholta leagtha amach in Aguisín A den leabhrán seo maidir le:

Oibreacha Struchtúracha ar Bhunsraitheanna, Bhallaí, Uchtbhallaí agus Simléir

Oibreacha Dín

Earraí Báistí a Sheirbhísiú

Oibreacha Tuíodóireachta

Oibreacha ar Shaisfhuinneoga

Lindireálacha Seachtracha

Tá eolas níos mionsonraithe ar chaomhantas ar fáil sa leabhrán a rinne an Roinn Comhshaoil i gcomhar le Cumann Seoirseach na hÉireann. Tá dea-chleachtas madir leis na bealaí ar chóir tabhairt faoi oibreacha caomhantais ar leith leagtha síos sna leabhráin seo.

Cuspóir na scéime ná cabhrú le húinéir nó áititheoir ar dhéanmhas atá cosanta toisc gur díol spéise é ó thaobh ailtireacta, staire, seandálaíochta, ealaíne, cultúir, eolaíochta nó cúrsaí sóisialta nó teicniúla chun tabhairt faoi oibreacha caomhantais ar dhéanmhas den chineál sin. Níl ceart as féin ag aon duine deontas a fháil faoin scéim seo.

Leithdháiltear méid seasta airgid ar gach údarás áitiúil don bhliain féilire chun íocaíochtaí deontas a dhéanamh. Cuirtear iarratais ar dheontais in ord tosaíochta gach bliain, dá réir, ag brath ar na hacmhainní atá ar fáil agus de réir na dtéarmaí atá leagtha amach sa Mheabhrán Mínithe seo.

Níl bhaineann an Scéim seo ach le hoibreacha ar cuireadh tús leo roimh dháta tosaithe na scéime. Níl oibreacha a rinneadh tar éis an dáta sin cáilithe i gcás gur cuireadh tús leo sula ndearnadh iniúchadh ar an déanmhas lena mbaineann le hiarratas ar dheontas a bhreithniú, ach amháin i (e) gcás go measann údarás áitiúil go bhfuil nó go raibh gá leis na hoibreacha chun riosca láithreach ó (f) thaobh sláinte nó teacht slán an déanmhais a dhíbirt nó a mhaolú. (g)

Déanmhais Cáilithe: Tá déanmhas cáilithe faoin scéim má tá sé i dThaifead ar Dhéanmhais Chosanta an údaráis áitiúil ábhartha. Beidh Thaifead ar Dhéanmhais Chosanta ar áireamh i ngach plean forbartha de chuid an údaráis phleanála abhartha tar éis achtú an Achta Rialtas Áitiúil (Pleanáil agus Forbairt), 2000. Ar (d) fheitheamh ar thaifead a áireamh ar thaifead ar Dhéanmhais Chosanta i bplean forbartha, tá

déanmhas cáilithe más rud é; (a) go léirítear cuspóir sa plean forbartha, dréachtphlean forbartha beartaithe, nó athrú beartaithe ar plean forbartha ábhartha chun an déanmhas sin a chaomhnú ar an gcúis gur díol spéise ó thaobh ealaíne, staire nó ailtireacta é, nó (b) gur cuí leis údarás áitiúil ábhartha an cuspóir sin a léiriú maidir leis an déanmhas ina plean forbartha agus má tá sé beartaithe an déanmhas a áireamh ar a Thaifead ar Dhéanmhais Chosanta a luaithe agus is féidir. Níl déanmhas cáilithe más le húdarás poiblí é

**Oibreacha Cáilithe:** Tá oibreacha cáilithe faoin scéim má tá sé i gceist gné amháin nó níos mó den déanmhas cáilithe a chaomhnú. D'aireofaí, i measc nithe eile, na hoibreacha cáilithe seo a leanas -

- (e) oibreacha is gá lena chinntiú go mbeidh déanmhas nó cuid de dhéanmhas cobhsaí
- (f) oibreacha is gá chun déanmhas a dhéanamh síondíonach nó taisdíonach
- (g) oibreacha is gá chun ballaí seachtracha nó gnéithe laistigh a dheisiú nó a chaomhnú.
- (h) Oibreacha a n-áirítear orthu deisiúcháin shealadacha, nuair a chaithfear déanmhas a chosaint ó rioscaí láithreacha.

Níl oibreacha cáilithe faoin scéim, más rud é, go measann údarás áitiúil:-

- (d) go bhfuil cothabháil, athruithe nó feabhsúcháin i gceist leo

- (e) nach bhfuil gá leo chun chun an déanmhas a chaomhnú
- (f) go bhfuil costas ceadaithe níos lú ná €1900 i gceist leo
- (g) go ndearnadh, go ndéantar, nó go ndéanfar éileamh ar fhaoiseamh cánach ó ioncam cánach nó ó cháin chorparáide ina dtaobh faoi alt 482 den Acht Comhdhlúite Cánacha, 1997 (Alt 19 den Acht Airgeadais, 1982 roimhe seo), nó nach bhfuil gá leo nó nach raibh gá leo chun baol láithreach do shábháilteacht nó do theacht slán an déanmhais lena mbaineann a dhíbirt nó a mhaolú agus má chuirtear tús leo sula ndearnadh iniúchadh.

**Iarratais ar dheontais:** Is féidir le húinéir nó áitritheoir ar dhéanmhas iarratas a dhéanamh ar dheontas chuig an údarás áitiúil faoin scéim agus caithfear é a dhéanamh ar an bhfoirm iarratas a chuirtear ar fáil. Féadfaidh údarás áitiúil, dá rogha féin, éileamh ar iarratasóir sonraí a thabhairt maidir leis an leas atá acu sa déanmhas lena mbaineann. I gcás go measann údarás áitiúil go gcomhlíonann iarratas téarmaí agus coinníollacha na scéime, déanfaidh sé iniúchadh ar an déanmhas lena mbaineann. Más rud é gur deimhin leis an údarás go mbeidh an déanmhas agus na hoibreacha beartaithe cáilithe, tabharfaidh sé tús áite don iarratas maidir le haon iarratais eile a dhéanfar chuige, ag féachaint don Scéim Tosaíochtaí. Is éard atá i Scéim tosaíochtaí ná ráiteas ó Údarás áitiúil faoi na critéir atá le cur i

bhfeidhm aige maidir le cinntiú conas a chuirfear deontais in ord tosaíochta. Tar éis iad a chur in ord tosaíochta mar seo, cinnfidh údarás áitiúil méid an deontais, i gcás gur mheas sé gur féidir leis costas an iarratais a íoc óna leithdháileadh airgeadais sa bhliain féilire reatha.

Is é méid caighdeánach an deontais ná 50% den chostas cheadaithe nó, más cuí, an costas athbhreithnithe, faoi réir íosmhéid €12,700. Meastachán, atá sa chostas cheadaithe arna ríomh ag údarás áitiúil, ar chostas réasúnach na n-oibreacha cáilithe. Beidh gach caiteachas réasúnach atá le tabhú maidir leis na hoibreacha, de leithéid táillí le haghaidh comhairleoirí gairmiúla, oibreacha agus seirbhísí tacaíochta riachtanacha, agus árachas, inríofa maidir leis seo.

Féadfaidh údarás áitiúil dá rogha féin, méid deontais a chinneadh atá níos ísle, nó in imthosca eisceachtúla, níos mó ná an méid caighdeánach. Agus an cinneadh sin á dhéanamh, beidh aird ag an údarás do; (a) nádúr, riocht agus tábhacht (i dtéarmaí caomhantais) an déanmhais lena mbaineann, (b) nádúr agus riachtanas (i dtéarmaí caomhantais) na n-oibreacha beartaithe, (c) costas na n-oibreacha beartaithe, (d) méid aon chistithe phoiblí eile a íocadh cheana féin nó atá á íoc nó a bhfuil iarratas á dhéanamh air, i leith na n-oibreacha lena mbaineann, agus (e) cumas an iarratasóra costas na n-oibreacha a íoc.

Roimh méid deontais a chinneadh atá níos mó ná an gnáthmhéid, áfach, caithfidh údarás áitiúil cead a fháil ón Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil. Ní féidir, in aon imthosca, le méid deontais dul thar €25,395 nó 75% den chostas ceadaithe, nó, más cuí, an costas ceadaithe athbhreithnithe, cibé acu is lú. I gcás go bhfuarthas nó gur ceadaíodh cistiú faoi aon scéim arna maoiniú ag an Státchiste nó ag an AE maidir leis na hoibreacha cáilithe lena mbaineann, is é (e) uasmhéid an deontais is féidir a fháil faoin scéim an méid a bheadh comhionann le 75% den chostas ceadaithe dá chuirfí é leis an gcistiú is iníoctha ón Státchiste nó ón AE. Ní chuireann na (f) huasteorainneacha deontais seo srian le húdarás áitiúil ranníocaíocht a dhéanamh le húinéir nó le (g) háititheoir óna n-acmhainní féin i leith chéatadán an chostais cheadaithe nach gclúdaíonn deontas (h) faoin scéim seo.

**Fógraí Údaráis Phleanála:** I gcás go ndéanann údarás pleanála fógra a sheirbheáil ar úinéir nó ar áititheoir ar dhéanmhas cosanta in gceanglaítear ar an duine sin oibreacha sonraithe a dhéanamh ionas nach dtiocfaidh an déanmhas chun bheith i mbaol nó nach leanfaidh sé de bheith i mbaol, féadfaidh an t-údarás, dá rogha féin, má tá nó mura bhfuil an duine tar éis iarratas a dhéanamh ar dheontas faoin scéim seo, deontas a cheadú don duine sin maidir leis na hoibreacha ar fad lena mbaineann nó maidir le cuid díobh.

**Deimhniú um Cheadú Sealadach:** Nuair a bheidh cinneadh déanta faoi mhéid an deontais, eiseoidh rialtas áitiúil Deimhniú um Cheadú Sealadach. Luafar sa Deimhniú um Cheadú Sealadach na hoibreacha beartaithe lena mbaineann an teastas, méid an deontais, a cinneadh, agus téarmaí na gcoinníollacha faoinar tugadh ceadú sealadach. Féadfaidh téarmaí agus coinníollacha baint a bheith acu lé nithe de leithéid;

An bealach ar a mbeidh na hoibreacha beartaithe le déanamh, lena n-áirítear caighdeán na n-ábhar agus an tsaoirseacht a chaithfear a úsáid an tréimhse ina gcaithfear na hoibreacha beartaithe a dhéanamh an mhaoirseacht a chaithfear a dhéanamh maidir leis na hoibreacha beartaithe fógra a thabhairt don údarás áitiúil de réir mar a thabharfar gnéithe éagsúla de na hoibreacha beartaithe chun críche.

Ní bheidh duine i dteideal oibreacha a dhéanamh ar an gcúis go bhfuair sé Deimhniú ar Cheadú Sealadach faoin scéim seo agus ar an gcúis sin amháin. Caithfear na ceanglais reachtúla ar fad a bhaineann leis na hoibreacha beartaithe, lena n-áirítear na cinn a thagann chun cinn faoi na hAchtanna Pleanála, faoin Acht um Rialú Foirgníochta agus faoi Achtanna na Séadchomharthaí Náisiúnta a chomhlíonadh ar an ngnáthbhealach.

**Oibreacha a Dhéanamh:** Tar éis Deimhniú ar Cheadú Sealadach a fháil, agus i gcás gur comhlíonadh na ceanglais reachtúla eile ar fad, féadfaidh iarratasóir na hoibreacha ceadaithe a thosú, i gcás go ndéantar na hoibreacha ar chonradh, caithfidh an conraitheoir a bheith (a) cláraithe do VAT agus foirm reatha C2 nó deimhniú imréitigh cánach a bheith acu ó na (b) Coimisinéirí Ioncaim.

Leithdháiltear acmhainní ar údaráis áitiúla go bliantúil chun an scéim a oibriú. Tá sé (c) ríthábhachtach, dá bhrí sin, go ndéanfar na hoibreacha, laistigh den tréimhse atá sonraithe sa Deimhniú um Cheadú Sealadach. I gcás nach bhfuil oibreacha ag dul ar aghaidh de réir an Deimhnithe, féadfaidh údarás, dá rogha féin, íocaíocht an deontais a chur siar chuig bliain eile nó an Deimhniú um Cheadú Sealadach a chur ar ceal agus diúltú don deontas a íoc.

**An Deontas a Íoc:** Ar theacht chun críche na n-oibreacha, féadfaidh an t-iarratasóir íocaíocht an deontais a éileamh tríd an dearbhú atá mar chuid den Deimhniú um Cheadú Sealadach a shíniú agus é a sheoladh ar ais, i dteannta na ndoiciméad iomchuí, chuig an údarás áitiúil ábhartha. Tar éis éileamh ar íocaíocht a fháil, féadfaidh údarás áitiúil iniúchadh a dhéanamh ar an déanmhas lena mbaineann le fáil amach ar cuireadh na hoibreacha i gcrích go sásúil de réir an Deimhnithe um Cheadú Sealadach. Nuair is deimhin leis an údarás

maidir leis seo, déanfaidh sé íocaíocht an deontais a údarú. Má tá údarás áitiúil den tuairim nach ndearnadh oibreacha go sásúil, féadfaidh an t-údarás, dá rogha féin

(a) costas ceadaithe agus méid deontais athbhreithnithe a chinneadh,

(b) íocaíocht a choinneáil siar go dtí go ndéanfaidh an t-iarratasóir cibé athruithe ar na hoibreacha atá ann cheana nó cibé oibreacha breise a chinnfidh an t-údarás nó

(c) an Deimhniú um cheadú sealadach a chur ar ceal nó diúltú don deontas a íoc.

Má mheasann údarás áitiúil gur lú costas iarbhír na n-oibreacha cáilithe ná an costas ceadaithe, cinnfear costas ceadaithe agus méid deontais athbhreithnithe.

### **Nithe Ilghnéitheacha:**

✚ Tiocfaidh an scéim seo i bhfeidhm le héifeacht ón 26 Bealtaine 1999 agus leanfar ar aghaidh leis ar bhonn bliantúil go dtí go bhfógrófar a mhalairt.

Déanfaidh gach aon Chomhairle Contae agus Contaebhuirg an scéim a riar (dá ngairtear údarás áitiúil sa mheabhrán mínithe seo). Is faoin údarás áitiúil atá gach ceist a bhaineann le hoibriú na scéime ó lá go lá, lena n-áirítear déileáil le fiosrúcháin, iarratais agus le híocaíochtaí, leibhéil an deontais a chinneadh agus iad a chur in ord tosaíochta. Cinneadh críochnaitheach aon

chinneadh ón údarás áitiúil maidir le haon cheann de na ceisteanna seo.

Caithfidh an t-iarratas ar dheontas a bheith faighte ag an údarás áitiúil lena mbaineann tráth nach déanaí ná an dáta a bheidh fógraithe sa bhliain sin, féadfaidh údarás áitiúil, dá rogha féin, glacadh le hiarratas tar éis an dáta ábhartha in imthosca eisceachtúla, e.g. má bhíonn baol láithreach ann ó thaobh shábháilteacht nó theacht slán an fhoirngimh.

Ní ionann deontas ná deimhniú um cheadú sealadach a bhronnadh faoin scéim seo agus baránta a thabhairt ar son an údaráis áitiúil lena mbaineann ná ar son an Aire Comhshaoil, Oidhreacht agus Rialtais Áitiúil maidir le hoiriúnacht ná le sábháilteacht na n-oibreacha lena mbaineann, ná maidir le deisriocht ná bail an déanmhais lena mbaineann, ná aon chuid de ná lena feiliúnacht chun úsáide.

Moltar go mór comhairleoirí gairmiúla a fhostú i dtaobh na n-oibreacha arna ndéanamh faoin scéim.

### **AGUISÍN A:**

#### **MODHEOLAÍOCHT MHOLTA OIBREACHA**

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### **Oibreacha ar Bhunsraitheanna, Bhallaí, Uchtbhallaí agus Simléir:**

Ba chóir idirghabháil iomchuí a cheapadh ina mbaintear leas as saineolas sainchomhairleoirí agus sainchonraitheoirí chun na bunsraitheanna a

chobhsú agus ba chóir í a chomhaontú leis an Údarás Áitiúil sula gcuirfear tús le hoibreacha.

Más gá balla nó simléar a bhaint anuas go páirteach chun é a chobhsú, ba chóir samplaí a thógáil roimh ré den mhoirtéal leabaithe chun anailís a fháil déanta air ionas gur féidir an meascán ceart a mhacashamlú lena úsáid agus atógáil ar bun.

Ba chóir an t-ábhar ar fad ón oibríocht scartha a tharrtháil, a ghlanadh agus a stóráil lena athúsaid.

Caithfear moirtéal aoil iomchuí a úsáid agus atógáil ar bun, atá bunaithe ar thorthaí na hanailíse a éilítear thuas, chun an t-ábhar tógála a leabú.

Is féidir brící nó clocha tarrthála, a fhaightear go háitiúil, a úsáid i gcás go bhfuil teipthe ar an ábhar bunaidh.

Ba chóir linidireáil aoil iomchuí a úsáid chun an balla/uchtbhalla/simléar a shíondíon, má oireann sé don fhoirgneamh.

### **Oibreacha Dín:**

Ba chóir aon phátrún sna slinnte de leithéid cuarbhróidnéireachta, dathanna imeartais, slinnte a leagadh síos go fánach etc a nótaíl go cúramach. Ba chóir iad a ghrianghrafadh go mion beacht agus iad a phleanáil agus a sceitseáil mar is gá. Ba chóir an díon a lomadh go hiomlán ansin, agus

ansin amháin, agus a oiread is féidir de na slinnte bunaidh nádúrtha agus tíleanna ceirmeacha bunaidh a tharrtháil lena n-úsáid arís.

Ba chóir uimhreacha a chur ar na slinnte chun a gcúrsaí a mheaitseáil, más gá, rud a bheidh ina chúnamh agus iad á gcur ar ais a luaithe agus a chaomhnófar an chreatlach struchtúrach bhunúsach.

Ba chóir caolaigh reatha a bhaint de. Ba chóir tóirsiú teipthe, bloghanna slinne, drámh ainmhithe agus éan a ghlanadh den spás dín.

Ba chóir an t-ábhar ollscartha a ghearradh as rachtaí damáistithe agus adhmaid nua a spladhsáil isteach. I gcás go mbeidh lotnaidicidí á gcur ar adhmaid nua, níor chóir ceimiceáin a úsáid a dhéanfadh díobháil d'ialtóga. Caithfear scannán uiscédhíonach, inálaithe a leagan ar na rachtaí .

Ina dhiaidh sin, caithfear caolaigh chóireáilte nua a úsáid agus na slinnte tarrtháilte a leagan orthu ina bpátrúin bhunaidh agus caithfear tairní a bhfuil cinn mhóra orthu, de chopar, de chóimhiotal alúmanaim nó de chruach dhosmálta a úsáid. Ba chóir ábhair a dhéantar a tharrtháil ón dion a dhíriú ar chlaontaí seachtracha an dín.

I gcás go bhfuil slinnte breise ag teastáil ba chóir iad a tharrtháil go háitiúil nó is féidir slinnte

neodracha a thagann leo a úsáid. Ba chóir iad seo a leagan ar uilleannacha inmheánacha an dín.

Caithfear na patrúin a úsáideadh ar dtús a mhacasamhlú i gcónaí.

Ba chóir athsholáthar na n-adhmaid struchtúrach ar an dion a íoslaghdú a mhéid is féidir de réir phrionsabail an chaomhantais agus ní féidir é a bheartú gan é a phlé leis an Údarás Áitiúil roimh ré.

Ba chóir úsáid simí agus caolach feadh na rachtaí chun adhmaid stangtha a chothromú a íoslaghdú a méid agus is féidir toisc gur féidir leis an iomarca idirghabhála den chineál seo dochar a dhéanamh don tsainghné a fuair an dion thar na blianta.

Caithfear an líneáil luaidhe ar uchtbhallaí agus ar gháitéir rúnda agus an líneáil ar na loganna a bhaint, más gá, agus cíoradh cúramach a dhéanamh ar an bhfostruchtúr. Caithfear na fabhtanna ar fad a dheisiú de réir phrionsabail an chaomhantais agus luaidhe nua ar an ngrád is airde agus leithead agus tiús cuí ann a leagan sa spás gáitéir de réir dea-chleachtais.

### **Earraí Báistí a Sheirbhísiú**

Caithfear na gáitéir, crannóga agus fánphíobáin sheachtracha go léir d'iarann teilgthe a bhaint de, a ghlanadh le sreang, a scuabadh agus a chíoradh

chun sceithí agus a blocálacha ( i gcás fánphíobhán) a aimsiú.

Caithfear ábhar tarrthála nó ábhar nua macasamhla atá ar aon mhéid agus patrún leis an gceann bunaidh a chur in ionad na gcodanna sin a bhfuil teipthe orthu.

Caithfear an taobh istigh de na gáitéir a phéinteáil le péint bhíotúmanach agus caithfear an taobh seachtrach a phéinteáil de réir dea-chleachtais, agus péint a bhfuil dath cuí air agus atá de chomhdhéanamh cuí á úsáid roimh iad a chur isteach arís. Caithfear siúntaí a shéalú le puití ola rois ar ardchaighdeán nó le hionadach iomchuí eile atá ceadaithe chun críocha caomhantais.

Caithfear an líneáil luaidhe ar uchtbhallaí agus log-gháitéir a bhaint de agus cíoradh cúramach a dhéanamh ar an bhfostruchtúr, más gá. Caithfear na fabhtanna ar fad a dheisiú de réir phrionsabail an chaomhantais agus luaidhe nua ar an ngrád is airde a úsáid agus caithfear an leithead iomchuí a leagan sa spás gáitéir de réir dea-chleachtais.

Má aithnítear earraí báistí de luaidhe, de copar nó d'alúmanam teilgthe ar do dhéanmhas, ba chóir gach obair a shoiléiriú agus a chomhaontú leis an Údarás Áitiúil roimh ré.

#### **Oibreacha Tuíodóireachta:**

Ba chóir cineál, dearadh agus stíl an mhullaigh agus na hábhair a úsáidtear a nótaíl go cúramach..

Ba chóir an drochthuí agus tuí lofa, plandaí agus caonaigh a bhaint de le ráca go dtí go dtiocfar ar ábhar slán. Ba chóir an t-ábhar seo a bhaint de, a chur in áit shábháilte agus a dhó.

Ba chóir na poill agus scoilteanna doimhne a dheisiú, a líonadh agus a dhéanamh mín.

Ba chóir ábhar iomchuí ar an gcaighdeán is fearr (giolcaí, tuí, luachra etc) a leagan air agus a shocrú ag úsáid muiríní ar ardchaighdeán.

Caithfear an mullach a shocrú agus ábhar iomchuí á úsáid (giolcaí, tuí, luachra, cíb, fraoch, feilt tharráilte, sreang sicíní etc) agus muiríní.

Ba chóir mullaí, sceimhleacha agus ciumhaiseanna agus loig, nuair is ann dóibh, a dhéanamh i gceart ionas nach scaoilfead uisce isteach.

I gcás go bhfuil an tuí ag teagmháil le simléar, is féidir ábhar fleasctha oiriúnach a chur isteach mar is gá.

Caithfear teacht le sainghné na líne dín bhunaidh agus leis an líne dín bhunaidh.

#### **Oibreacha ar Shaisfhuinneoga:**

Ba chóir aon ghlónra atá ann a bhaint de go han-chúramach agus a tharrtháil lena úsáid arís, go háirithe má tá gloine chorónach nó gloine shorcóra ann.

Ba chóir an tseanphéint ar fad a ghlanadh ón adhmaid go dtí go dtiocfar ar adhmaid lom. Ba chóir an lobhadh ar fad a ghearradh amach go dtí go bhfaighfear adhmaid slán, ag cuimhneamh an t-am ar fad ar an ábhar bunaidh a choinneáil a mhéid is féidir, de réir phrionsabail an chaomhantais.

Ba chóir adhmaid nua iomchuí (adhmaid tarrthála nó Péine Fad-Dhuilleogach (*Pinus palustris*)) a chóireáil le leasaitheach iomchuí agus é a spladhsáil agus cuasphlána a úsáid air ionas go dtiocfaidh sé le patrúin bhunaidh na bhfrámaí agus na barraí glónraithe.

Ba chóir glónra pé acu an t-ábhar bunaidh, nó ionadach ceadaithe, a chur isteach arís, agus é leabaithe in ola rois ar ardchaighdeán nó in ábhar ionadaíoch a cheadaítear le haghaidh oibreacha caomhantais.

Ba chóir an fhuinneog chaomhnaithe agus a bhfuil ann a phéinteáil de réir dea-chleachtais, agus péint a bhfuil dath cuí air agus atá de chomhdhéanamh cuí á úsáid, roimh é a chur isteach arís.

Ba chóir saiseanna a chrochadh arís ar shaischorda ar ardchaighdeán agus na meáchain chearta ann do shaiseanna uachtaracha agus íochtaracha, agus ulóga á ndeisiú nó á n-athsholáthar de réir mar is cuí.

Más léir le linn na n-oibreacha ar an déanamhas go gcaithfear na fuinneoga ar fad nó cuid acu a athsholáthar ba chóir é a chur in iúl don Údarás Áitiúil láithreach chun seift eile a chomhaontú.

### **Lindireálacha Seachtracha:**

Ba chóir an lindireáil a mheascadh agus úsáid á baint gaineamh glan atá nite go maith, tathagú brúite (más cuí), fionnadh glan (más cuí), puití aoil nó aol hidráitithe agus uisce óil glan go dtí go mbeidh an neart ceart ann.-{-}

Ba chóir é a fháil le cruachan ar feadh fad ama ceart.

Tá an lindireáil le cur (thar shraith de phuití aoil más cuí) ar dhromchlaí saor ó ábhar orgánach glana de réir dea-chleachtais, ag úsáid a oiread cótaí a bhfuil gá leo agus leis an mbailchríoch bhrutha ceart air, nuair a bheidh an aimsir feiliúnach.