



AN TAISCE

The National Trust for Ireland
The Tailor Hall, Back Lane, Dublin

Our Ref: 20050930-53-52040-AP

An Bord Pleanála,
Marlborough St.,
Dublin 1.

28th February 2005

A Cigaire Uasail,

Submission to an Oral hearing by An Bord Pleanála into the decision of Cobh Town Council to grant Planning Permission to the Trustees of St Colman's Cathedral Cobh, (under Planning Reference: 05/52040,) for extensive alterations to the interior of the Cathedral

An Taisce in its appeal advocated the reversal of the decision of Cobh Town Council. It addressed its grounds for appeal as listed under a number of headings

**Breach of provisions of Department of Environment, Heritage
and Local Government Architectural Heritage Protection
Guidelines for Planning Authorities 2005
with regard to "Places of Public Worship"**

Section 5.2.2 makes provision for a planning authority to "respect liturgical requirements".

While Section 5.2.4 refers to the provisions relating to declarations, it must be deemed applicable to considering planning applications including the requirement: "the basic considerations are the effects, if any, of the proposed works and special interest and structure including its interior, and whether the proposed alterations are necessitated by the liturgical requirements of worship". We consider that the proposed works would significantly diminish the special interest of Cobh Cathedral as an intact Gothic revival interior and that the nature and extent of the proposed works have not been justified on liturgical or

practical grounds. The provision in the DoEHLG Guidelines "to minimise the impact of the proposed changes" has not been complied with.

(In response to McCutcheon Mulcahy's comments on our argument regarding interpretation of the Guidelines we respond as follows: Section 5.2 of the Department of the Environment Heritage and Local Government Architectural Heritage Protection Guidelines relates to an overall heading "Respecting Liturgical Requirements"

Section 5.2.5 requires that a planning authority "shall respect liturgical requirements in reaching a decision on the application for permission". However no detailed guidance is provided in this section.

Section 5.2.4 refers to the factors which "should be considered by a Planning authority before issuing a declaration as to the type of works it considers would nor would not materially affect the character of a protected structure that is regularly used as a place of public worship "

However despite the comments made by McCutcheon Mulcahy claiming that section 5.2.4 is not relevant to consideration of planning applications, the issues raised with regard to removal and destruction of features and consideration of "any proposals to minimise the impact of proposed changes" are clearly relevant in assessing planning applications as much as declarations, particularly in view of the absence of detailed guidance in Section 5.2.5.)

Inadequate Planning Appraisal by Cobh Town Council.

It is our contention that the locum Planning Officer to Cobh Town Council erred in his appraisal of the arguments presented both for and against the development, and misinterpreted Section 57 (6) of the Planning and Development Act 2000, the Architectural Heritage Protection Guidelines for Planning Authorities Sections 5.2.2 and 5.2.5 ... (sic) 'the planning authority shall, in addition to any other requirements of the Act, respect liturgical requirements'. We argue that he read this section as an imperative rather than a guideline, and did not give appropriate weight to arguments that the proposals were too extreme and would affect the essential fabric and architectural coherence of a valuable protected structure. The word 'respect' does not mean 'automatically prioritise above all other considerations'? This would reduce the Planning liturgical 'needs' to justify alterations, no matter how extensive, to a heritage building.

*(In a response to this point, McCutcheon Mulcahy, in its a submission to An Bord Pleanala argued that we, as an organisation, made a "crucial error" in our appeal in that we ignored "the **mandatory** nature of the planning authority's obligation to "respect liturgical requirements". They go on to elaborate that 'respect' should be interpreted to mean that the planning authority and the Board would need to have a compelling reason to prevent a religious denomination reordering a place of worship in accordance with its liturgical requirements"*

This argument implies that the State, in enacting Planning Legislation, introducing legislative Regulations and supporting them with a set of Guidelines for interpretation, would put itself in the position where it (the State), rather than the applicant, has to argue the case for or against the granting of permission. (We contend that the precept that the legislative framework implies a situation where it is the State's function to justify why not, rather than the applicant's function to prove its case is erroneous). We contend that, on the contrary, it is the applicant's function to prove its case, not the State's.

The aim of this section of the Planning and Development Act is to achieve a balance between liturgical and heritage requirements. However, unlike the resident Planning Officer, the relief Planning Officer did not have the full benefit of the pre-planning meetings, which are advocated by the Guidelines (5.3.1). Such consultative meetings are to ensure that the appropriate balance is struck between the architectural heritage and the need for use of the protected structure as a place of public worship'. A quick decision was made on this major issue during the three-week holiday of the resident Planning Officer. A decision that could easily have been delayed until the return of the resident Planning Officer by acting on, rather than ignoring, the advice contained in the submission from the Department of the Environment, Heritage and Local Government (DoEHLG) – that is, to seek further information along the lines of an alternative put forward.

(McCutcheon Mulcahy's reference to case law in responding to this point is misdirected in that there are two options open to the Planning Officer if they feel that they do not have adequate time to fully appraise an application. One is to seek an extension by agreement with the applicant and the other is a consequence of a request for further clarification such as suggested by the Department of the Environment's Heritage section. The latter is frequently utilised to good effect to assist an applicant to address concerns raised during

the public consultative process. Consequently we contend that here the Planning Officer again erred)

We argue that the assessment period of just four working days was insufficient to deal with the complexity of the arguments presented, and could not have allowed 'due consideration', especially as the Planning Officer was only seconded on a part-time basis to Cobh Town Council. We further contend that the overly simplistic reduction of the objections to four unrepresentative categories is evidence that he did not adequately consider the 'approximately 140 submissions' that he identifies as having read. Also, the planning file identifies 138 submissions marked read, but there were a total of 213. We contend that all legitimate submissions have to be fully considered, in line with the Planning Officer's duty as specified in the Planning Act.

We also submit that the relief Planning Officer's response (Report 3.5) to the well-considered submission of Cork County Council's Conservation Officer, a submission specifically requested by the resident Planning Officer, was very selective and superficial, and surprisingly dismissive of her qualifications and expertise in the area. This despite the fact that the relief Planning Officer admits (Report 3.7) that his background is in general architectural practice – not in art, architectural or design history.

He also considers (Report 3.5) 'that the design team have carried out diligent research and preparation', but merely notes (briefly and again somewhat dismissively) that "the Pugin Society challenged this" (research).

The Pugin Society and Dr Rory O'Donnell are the acknowledged leaders in the field of scholarship and research on Pugin architecture. In its submission, the Pugin Society states that it had offered its expertise to the Bishop and Cathedral Committee, but its offer was ignored. This does not seem very diligent. As the Pugin Society submission has pointed out, the historical justification for the proposed cathedral changes, as put forward by the applicant, is seriously flawed in many respects. A lack of architectural-historical knowledge and understanding is evidenced in the degree of misunderstanding and misinterpretation of sources.

**Relevant Precedent of Decision by An Bord Pleanála
re St. Senan's Church, Kilrush.**

We submit that both the planning process and the decision taken on this important building were inadequately considered. We respectfully refer you to your adjudication on St. Senan's Church, Kilrush, Co. Clare (Reference PL64.210618 (P.A. Reference: 04/13), a case with

remarkable similarities to that of St. Colman's, where major alterations were also proposed, based on liturgical 'needs', to a protected church interior. We advocate that An Bord Pleanála should consider this planning decision.

Importance of St. Colmans Cathedral

St Colman's Cathedral ranks as one of the most important Victorian buildings in Ireland. It was begun in 1868 and finished in 1917, and as a result it is the product of a very significant and formative phase of Irish history. Its style is neo-Gothic and typically nineteenth-century in its level of elaborate and expensive ornamentation. Its iconography is partially modelled on French mediaeval models like Notre Dame de Paris, but is also heavily influenced by phenomena such as the nineteenth-century 'Devotional Revolution', and by the extensive antiquarian studies carried out in Ireland as part of the Celtic Revival. The sheer size and drama of the building demonstrates the triumph of the Roman Catholic Church after Catholic Emancipation, and its wealth of shamrock and other emblematic Irish imagery proclaims the strong sense of national identity which emerged during this period. It is a hugely valuable record of a particular historical place and time, and as such should be treasured and protected for future generations.

St Colmans, is one of the small number of Gothic revival churches in Ireland of international significance. Its importance is all the greater because it has escaped the poorly considered "reordering" which has affected a number of the other major 19th century Roman Catholic cathedrals including Armagh and Killarney which was characterised by the large scale removal of major architectural features and loss of architectural character.

Adverse Impact of Proposed Works.

We consider that the proposed works would have a significantly negative impact on the architectural character of this internationally important Gothic revival interior. The proposal would involve extensive and undesirable removal of mosaic floor surfaces and would be contrary to the spatial layout and design conception of the cathedral interior.

The 'reordering' proposed will cause irreversible and unacceptable radical changes to the fabric of the building. The existing sanctuary floor is to be extensively cut into. This with the result that a complex and skilfully executed ceramic mosaic floor, designed specifically for the cathedral by the architect George Ashlin, and made and laid by Ludwig Oppenheimer of Manchester in 1892, is to be removed, and partly replaced further to the west. Technically, it is doubtful whether the expertise exists to carry out such a procedure, even were it to be justified, and it would certainly be extremely expensive and risky. The Planning Officer also ignored exhortations in the DoEHLG submission, regarding other significant mosaics.

(According to Professor O'Neill, in his response to An Taisce's appeal, "*advice has been sought and recommendations made for carrying out the proposed work on the floor*". This does not in any way alter the fact that the work, irrespective of the claimed expertise of the company tendering for it, will still inevitably produce irreversible and unacceptable radical changes to the fabric of the building.)

The altar rails are also to be cut up and 'redistributed'. The historical justification proffered for this is an early architect's projection of the cathedral showing no altar rails. This engraving, however, also uses a distorted visual perspective in order to convey an enhanced sense of space, and shows no seating. The image is a romantic and conventional one, produced to heighten interest in the project and raise funds. No nineteenth-century architect designing for the Roman Catholic Church would have even contemplated producing a church without a communion rail.

(Professor O'Neill's persistence in claiming that "*a nineteenth-century Roman Catholic Cathedral would have been designed not to have altar rails*" is completely ridiculous, and indicates a worrying lack of historical awareness.)

An elaborate interior projection was also produced of St Finbarre's Cathedral in Cork, which appeared in the *Building News* of 1863. It too shows a great deal of sculptural, wrought iron and stained glass detail, most of it in this case identical to that which was executed, but no altar rails, and no choir gates. It now has both altar rails *and* choir gates. St Fin Barre's was designed from start to finish by a single architect, William Burges, who, like Pugin, knew that altar rails would have to be included in the finished commission. It was a common convention to portray the interior to look as spacious and

dramatic as possible in the projected drawing, to attract favourable comment and funds. These drawings were never meant to be fully worked out designs.

The building as executed departs considerably from the original 1868 contract drawings – mainly in elevation rather than plan, and is generally more complex and elaborate. Most of these changes were initiated in 1871, when E.W. Pugin was still alive, and not after his death, as has been claimed in the proposals. To use E.W. Pugin's original vision of St Colman's to justify the present proposals is both inappropriate and misguided – Cobh Cathedral, like all buildings, is the product of a complex coming together of architectural, socio-historical, cultural and religious forces, not just the architect's original vision, and is all the more worthy of protection for that reason.

(Again, addressing Professor O'Neill's response to our appeal, we must point out that EW Pugin did not die in 1871, as claimed by him, but in 1875. According to Professor O'Neill *'There is no evidence to show that Pugin made significant changes to the design before he relinquished his partnership or his death in 1871.'* On the contrary, the archives show that the original contractor, Michael Meade, resigned in 1871 because of significant extra-contractual changes to the design (Cloyne Diocesan Archives, correspondence between Ashlin and Meade, 1871). The Cork Examiner of 6 August 1898 discusses major changes made to the design when the building was 'an average height of about 12 feet', under Bishop Keane - Bishop Keane died in 1874, a year before EW Pugin. James Coleman, author of *St Colman's Cathedral, Queenstown, Co Cork, An Historical Sketch*, 1918, also mentions extensive changes to the design at this stage (Coleman, p.12).

The architects of St. Colman's set out to produce a Victorian building, not a mediaeval one, contrary to the claims made in the proposal for "re-ordering". They borrowed the vocabulary of mediaeval gothic, but the church was carefully planned to conform precisely to the post-Tridentine liturgy in use in the nineteenth century. Unlike mediaeval churches, which are boxed off into compartments, Cobh has a clear visual sweep from the narthex to the elaborately decorated apse, riveting the viewer's attention on the altar, which is of the Benedictine style pioneered by E.W. Pugin. From the west, the effect is of looking down a tunnel to the light at the end, and this is cleverly emphasised by the fact that the transepts are almost invisible because of the nave,

triforium and clerestory arcades running across their entrances without a break. This too is a characteristic of the architecture of Pugin and Ashlin, as is the shallow and almost rudimentary nature of the transepts themselves.

This emphatic and extremely deliberate emphasis on the long axis of the church means that the proposed changes will completely destroy the architectural coherence of the building, resulting in visual chaos. Pugin and Ashlin created no architectural focus at the crossing (unlike, for instance, William Burges in St Fin Barre's in Cork), and attempting to establish one by extending the sanctuary floor, removing the altar rails and introducing furniture, will result in a visual conflict with the existing layout

(It is important to stress again that Professor O'Neill's emphasis on what Pugin wanted or did not want is misguided and inappropriate. As already stated by us, the building as it stands is a result of a particular coming together of forces, architectural, socio-historical, cultural and religious, and is all the richer and more valuable for this. It should be protected because of what it is, an irreplaceable piece of our Irish Heritage. The specific extent of EW Pugin's individual contribution is interesting from an academic point of view, but it in no way constitutes the worth of the building.)

Further remarks by Professor O'Neill that we wish to address :

(a) *'When the proposed re-ordering has been completed St Colman's will retain a clear visual sweep from the narthex to the apse.'* Siting the major focal point at the crossing will interrupt the unbroken line from the entrance to the east end, no matter how it is argued.

(b) In response to our statement that 'Pugin and Ashlin created no architectural focus at the crossing', Professor O'Neill has replied: *'Nevertheless, they designed the carefully considered transepts which have altars with delicately carved reredos placed against the gable walls.'* This is a strange response – yes there are transepts, yes there is reredos in the transepts, but that is not the crossing.

(c) Professor O'Neill argues that *"the opposition to the reordering proposal on the part of so many people in the area predates the presentation of his proposal"*. Perhaps he has not read the more than 200 appeals submitted to the planning authority, each one accompanied by the required €20 fee, by ordinary individuals and families who see no reason for such excessive interference with their

church. This level of active response from a local community is very unusual, especially when there is no profit of any sort in it for them.

Relevant Issues relating to St. Senan's Kilrush Decision.

We refer to the An Bord Pleanála inspector's report on St Senan's church where in upholding the local Planning Officers decision he concluded

'I concur with the planning authority [in refusing permission] that the proposed alterations here would make a significant alteration to the building's character and would result in the unnecessary removal of elements..... When viewed from the direction of the altar the works will interfere with the sense of spaciousness within the church and alter the original composition. The appellants have argued strongly that such changes are necessary to ensure the works are in line with the new liturgy. While there is an onus on the planning authority and the Board to take account of liturgical requirements when assessing such works, I do not consider that in this case any convincing case has been made that they are in fact required by the liturgy ...The works to the sanctuary...are quite substantial and involve the enlargement of the existing area, the removal of elements, and the restructuring of the existing layout. Much of the work will involve salvaging and reusing existing marble fittings.

As mentioned above, Cobh Cathedral was not designed merely as a mediaeval pastiche, but as a functioning nineteenth-century Roman Catholic Church, in line with the directives of the Council of Trent. Since Vatican II, liturgy requirements have changed, and the layout is considered not to be convenient for the present ritual.

There is absolutely no doubt that liturgy requirements will change yet again – as they have done several times in the last two millennia – and it is indefensible to use them to justify making irreversible and intrusive changes to an important historic structure such as St Colman's, especially when they are so unsympathetic to its style and destructive to its fabric".

Inadequate Justification on the basis of Liturgical Requirements

The proposal is being justified, as with a large number of alterations already accommodated in Irish Roman Catholic churches, on the basis of the Second Vatican Council. It is instructive to note that the major historic churches of Rome have not been subject to the level of

alteration and removal of features, which has occurred in so many Irish churches and would be involved in this proposal for Cobh. Accordingly the nature and extent of the proposed alterations and removal of features has not been justified with regard to any Vatican 2 of liturgical requirements.

We can claim that we have observed the alterations which have taken place in cathedrals and churches in other Irish dioceses, as a result of 'liturgical requirements', and also in cathedrals and churches, from mediaeval to neo-gothic, throughout Italy, France, Croatia and many other predominantly Catholic countries. In Europe, we have encountered nothing as intrusive or destructive as the alterations proposed for St Colman's.

(McCutcheon Mulcahy cite two examples, Milan and Padua as examples of Italian Churches that have been reordered in the style they wish to promulgate.)

Similarly, we note the comments of someone who has competence in liturgical matters, Cardinal Desmond Connell, who was interviewed in *The Sunday Business Post*, March 04, 2001:

The new Cardinal Archbishop of Dublin has hit out at the state of liturgy and architecture in the Catholic Church. This is the first time Dr Desmond Connell has publicly criticised the changes in church architecture and liturgy, which followed the Second Vatican Council. Both issues have been at the root of significant public dissent and controversy in Ireland over the past 30 years.

In an interview following his appointment as cardinal, Dr Connell was asked whether he had any plans to build a cathedral in Dublin. (At present, the Anglican Church of Ireland has two cathedrals in the capital – Christ Church, the diocesan cathedral, and St Patrick's, the national cathedral. The Catholic Church has only a 'pro-cathedral'.)

Connell responded: *'None whatsoever. If I had the wealth of Croesus itself, I would not build a cathedral because liturgy and architecture at the moment are in such confusion that anything that would be built at this stage would be rejected in a very short time.'*

The cardinal's remarks are especially significant as he is a member of the Congregation for the Doctrine of the Faith (CDF), the Vatican's watchdog body, which enforces doctrinal matters, including liturgical orthodoxy

(Professor O'Neill in his comments cites the fact that Cardinal Connell as Archbishop of Dublin did not alter or undo the work done on the Pro

Cathedral, and an unverified compliment, as evidence of the Cardinal's support for his re-ordering. (We argue that the above is more indicative of his viewpoint.)

We direct your attention to the following quote copied directly from the website of Fr Ger Casey, Administrator of the Cathedral in 1996/7:

The Restoration of the Cathedral at Cobh, formerly Queenstown, is recognised by the European Heritage as well as the Irish Heritage programmes. The architecture of Pugin and Ashlin is seen here in splendid detail. The Cathedral is in everyday use for worship and prayer. It accommodates the celebration of all liturgy as envisaged by the revised rites of the Catholic Church. (<http://www.iol.ie/~gercasey/> . See also HCAC below).

But let us consider the opinion of the ultimate authority in the Catholic Church; Pope Benedict XVI. In particular the correspondence in October 1995 between the present Pope and Msgr. Laurence Ryan relating to proposed alterations to Carlow Cathedral. In this, the then Cardinal Ratzinger stated the following:

" The fact that the postconciliar legislation of the Church does not impose architectural changes, while at the same time not excluding them, provides the diocesan bishop with the necessary latitude for making decisions in the light of the pastoral needs of his particular Church, taking into account also the situation in neighbouring diocese.

It is certainly true that a great number of churches since the Second Vatican Council have been re-arranged; such changes, while inspired by the liturgical reform, cannot however be said to have been required by the legislation of the Church. In conclusion, it is the right and duty of the local bishop to decide on these questions and, having done so, to help the faithful come to and understanding of the reasons for his decision."

We thank His Holiness for providing clarity on the issue of "liturgical requirements", as contained in the myriad of opinions submitted and contended by both the applicant and objectors.

In the Boards Inspector's assessment of the St Senan's planning decision, he concluded that

"While I accept that liturgical change has made the proposed alterations desirable I am not convinced by the arguments submitted that such radical alterations are necessary or justified. I consider that they would result in a significant impact on the protected structure. I also have concerns that the alterations... would act to confuse the

history of the structure. I therefore concur with the decision of the planning authority [to decline planning permission] in this regard.

We contend that precisely the same argument applies in the instance of St Colman's Cathedral.

Lack of Information on Congregation and Public Consultation

This is a major proposal affecting the cathedral. There is no reference to any consultation or the results of any such consultation between the congregation or the people, the population of Cobh or the Cloyne Diocese. The only reference to "pre-application consultations" referred to in the letter of 15 July 2005 from McCutcheon Mulcahy are with the Planning Authority. We have been forwarded a letter dated 5 August 2005 from "Friends of St Colmans Cathedral" stating that the current "plans are being strongly opposed by the overwhelming majority of the people of Cobh and the Diocese of Cloyne. 24,124 signatures were collected in opposition to these radical changes to a beautiful cathedral which is a heritage and listed building protected under the 1999/2000 Local Government Planning Act".

(In response to McCutcheon Mulcahy's comments refuting this assertion, they claim that we are relying on FOSCC information to support our contention of a lack of public consultation. In fact we relied on the Diocesan web site www.cloyne.ire.com. This shows an Episcopal letter to the Dioceses dated July 6th 2005 which was read at churches on July 10th. It refers to dates for congregational information being advised the following Sunday, it being the 17th of July. The first meeting was held in Cobh Parish Centre on the following day and only a further five venues over subsequent days. It is our contention that the planning process is a public process and that St Colman's Cathedral is at once a place of worship and a designated protected structure under state legislation. A consultative process that only addresses itself to the former is therefore an inadequate consultative process.)

Legal Status of Grant Funding with regard to Proposed Works

The Cathedral is subject to extensive grant funding from the Heritage Council which restricted alterations to the cathedral. The application particulars fail to address the legal issues arising from this.

(The assertion by McCutcheon Mulcahy that "*as far as we are aware the (Heritage) Council is satisfied that the proposed development is consistent with the heritage covenant for the site*" is another example of the reverse logic, applied elsewhere, that because the Heritage Council are not a party to this appeal that they can deduce approval from this)

Recommendations

We consider that this application has not been justified and would contravene the Department of Environment, Heritage and Local Government Architectural Heritage Protection Guidelines 2005 on the grounds that it would radically diminish the special interest of the interior of Cobh Cathedral as an internationally significant Gothic revival cathedral interior.

We recommend that Planning should be refused.

Is mise le meas,
Thar ceann An Taisce

Nollaig O'Drisceoil
Runai - An Taisce Corcaigh