

# ARTHUR COX

EARLSFORT CENTRE, EARLSFORT TERRACE, DUBLIN 2  
TEL +353 1 618 0000 FAX +353 1 618 0618 DX 27 DUBLIN  
mail@arthurcox.com www.arthurcox.com

**BLEAST**  
CAPITAL HOUSE, 3 UPPER QUEEN STREET  
BLEAST BT1 6PU  
TELEPHONE +44 28 9023 0007  
FAX +44 28 9023 3464

**LONDON**  
29 LUDGATE HILL  
LONDON EC4M 7JE  
TELEPHONE +44 20 7213 0450  
FAX +44 20 7213 0455

**NEW YORK**  
570 LEXINGTON AVENUE, 28TH FLOOR  
NEW YORK, NY 10022  
TELEPHONE +1 212 759 0808  
FAX +1 212 688 3237

REFERENCE

DS/pb/CO17884.12  
Direct Dial : 618 0444

REFERENCE

Cobh Town Council  
05/52040

3<sup>rd</sup> October 2005

## BY HAND

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

**Re: Name of Appellant: Friends of St. Colman's Cathedral, c/o Mrs. Terry Pender, Leeview, Rushbrooke, Cobh, Co. Cork**

**Subject Matter of Appeal: St. Colman's Cathedral, Cobh, Co. Cork. Planning Register No. 05/52040. Decision of Cobh Town Council, dated 5<sup>th</sup> September 2005**

**Proposed Development: "Reordering of St. Colman's Cathedral. The proposed reordering, which is designed to meet the liturgical requirements of the Cathedral as a place of public worship, will include: (a) extending the sanctuary area into the nave; (b) removing and partially relocating the existing altar rails; (c) creating a permanent altar on the extended sanctuary; (d) providing a new cathedra facing the congregation; (e) locating the vesting sacristy at the base of the tower; (f) converting the pieta chapel to a mortuary chapel; and (g) reducing the area of the predella of the altar of the Crucifixion in the south transept and the Altar of the Holy Family in the north transept. The extension of the sanctuary and the moving of the altar rails will involve lifting and relaying portions of the mosaic to the nave and sanctuary and providing additional mosaic to match the existing as required at St. Colman's Cathedral, Cathedral Place, Cobh, Co. Cork"**

Dear Sirs,

We act on behalf of the Appellant, the Friends of St. Colman's Cathedral, Cobh, Co. Cork ("the Friends") on whose behalf we have collated the elements of this appeal which we now submit for the Board's attention.

FR196/001/CO17884.12

JAMES O'DWYER DANIEL E. O'CONNOR ROBERT BOLTON JOHN V. O'DWYER RONAN WALSH DONOGH CROWLEY JOHN S. WALSH MICHAEL MEGHEN JOSEPH LEYDEN  
WILLIAM JOHNSTON EUGENE MCCAGUE NICHOLAS G. MOORE DECLAN HAYES DAVID O'DONOHUE COLM DUGGAN CARL O'SULLIVAN ISABEL FOLEY JOHN MEADE CONOR McDONNELL  
PATRICK MCGOVERN GRAINNE HENNESSY SEAMUS GIVEN COLIN BYRNE CAROLINE DEVLIN CIARÁN BOLGER GREGORY GYNN DAVID FOLEY STEPHEN HEGARTY  
DECLAN DRISLANE SARAH CUSNIFF KATHLEEN GARRETT PÁDRAIG Ó RIORDÁIN ELIZABETH BOTHWELL WILLIAM DAY ANDREW LENNY JOHN MESTON PATRICK O'BRIEN  
ORLA O'CONNOR BRIAN O'GORMAN MARK SAUNDERS MARK BARR JOHN MATSON DEBORAH SPENCE MARGARET MULDOWNEY NIAMH CAFFREY KEVIN MURPHY  
CORMAC KISSANE LIAM CARNEY RAYMOND HURLEY KEVIN LANGFORD EVE MULCONRY SIONA RAFFERTY PHILIP SMITH KENNETH EGAN JOHN GLACKIN BRYAN STRAHAN  
HUGH O'DONNELL CONOR HURLEY TED WILLIAMS ALEX McLEAN GLENN BUTT NIAV O'HIGGINS

CONSULTANTS: PAUL McLAUGHLIN IAN A. SCOTT JOHN G. FISH PETER McLAUGHLIN DR. MARY REDMOND DR. YVONNE SCANNELL DR. ROBERT CLARK

**We enclose the following:**

1. Original receipt from the Planning Authority (Cobh Town Council) of the Friends Submission in respect of the above planning application, the subject of this appeal, dated 17<sup>th</sup> August, 2005, together with letter of enclosure.
2. Fee in the sum of €305.00 being a combination of the fee of €210.00 in respect of making this appeal submission together with the sum of €95.00 in respect of a request for an oral hearing of this appeal.
3. This letter of submission.
4. A Heritage Impact Study and Review of Planning Application Report completed by Messrs Niall Macken and Jessie Castle Metlitski of Jack Coughlan Associates of Sunday's Well, Cork.

Jack Coughlan Associates are RIAI Grade 1 listed conservation architects (which is the highest grade awarded) and allows for work on buildings of all levels of architectural significance. They recently received the RIAI Silver medal for conservation for the Fenn's Quay project in Cork, only the second private practice in the country to be awarded such a prize. The silver medal is the highest award. They also received an RIAI architectural award this year for the renewal and conservation of St. John the Baptist Church in Kinsale, which included works to the interior. Niall Macken was the architect.

In the context of the uniqueness of the Cathedral building which is St. Colmans, we set out below for your information the relevant expertise of the Friends' Professional Architectural and planning advisers:-

Niall Macken B.Arch; MA (Cons. Studies); MRIAI, graduated as an architect from the University of Sydney. He holds an MA in Conservation Studies from the Institute of Advanced Architectural Studies, in York, UK.

He has carried out a wide range of architectural and heritage conservation work for private and government organisations in Australia, England, and Ireland on significant sites. He has authored and implemented conservation plans, heritage assessments, reports and studies in accordance with internationally recognised charters (Venice and Burra Charters), individually and as part of an interdisciplinary team. Major works include a feasibility study for completion of the stone spires to St Mary's Cathedral, Sydney, designed in the gothic revival style c.1860. Working as a member of the Historic Buildings Group within the Public Works Department in Sydney, Niall worked on a Conservation Plan for Observatory Hill in NSW, and was involved in conservation work on the stonework to Sydney Observatory (built 1858), as part of its transition to the Powerhouse Museum. In Jack Coughlan Associates, Niall has been responsible for the specification and supervision of conservation works to several churches, most notably St. John the Baptist, Kinsale, which was awarded an RIAI architectural award in 2005.

Jessie Castle Metlitski BA MUBC, Conservation Consultant studied History of Art and Russian at Trinity College, Dublin and subsequently worked in St. Petersburg, Russia for two years, one of which was spent working with an architect on the repair

and renovation of historic buildings in the city. She returned to Ireland to take a Master's degree in Urban and Building Conservation at University College Dublin, which she received in 1998 with a dissertation on the conservation of stone sculpture on medieval buildings in Ireland. During this time she was involved in a project to catalogue and conserve the collection of loose medieval stone in the crypt of Christ Church Cathedral, Dublin. Following her graduation from UCC Jessie worked with Duchas – the Heritage Service on the National Inventory of Architectural Heritage and also with a Dublin-based private conservation practice during which time she prepared a Heritage Council funded report on St. Colman's Cathedral. Jessie joined Jack Coughlan Associates in March 2001 where she specialises in the research and recording of historic structures. She has recently undertaken additional further education on the subject of historic interiors, at the University of York, the Dublin Civic Trust and the National Museum, Copenhagen.

5. A Planning Report of Mary Doran, B.Arch, MRIAI, MSc. Spatial Planning Consultant and Architect of The Lodge, Proby's Quay, Cork.

Mary Doran is a very experienced architect in private practice in Cork for many years. Her specific heritage experience includes working with Joseph Pell Lombardi in New York on the conversion of old buildings including landmark buildings such as the Montauk Club in Brooklyn. She has worked on the concourse of the Rockefeller Centre, New York. She also practised with Samuel Haffey, 5<sup>th</sup> Avenue. She completed a Masters in Spatial Planning in 2002. Her recent work includes the planning element of projects, residential, commercial, industrial, institutional and zoning mainly in Cork City and County, Waterford and Tipperary. She has collaborated on projects with Jack Coughlan Associates in conjunction with other professionals on submission of large projects in Cork City and County.

The grounds of this appeal are numerous. They concern procedural inadequacies in the hands of the planning authority (which are detailed in Ms. Doran's attached report), a detailed address on and rebuttal of the alleged liturgical requirements underpinning the proposed development; a detailed consideration by specially qualified conservation architects and art historian on the planning and heritage consequences of the proposed development (which are detailed in the Report of Jack Coughlan Associates), together with a legal review which we believe should together be addressed in the context of this appeal.

If the Board is of a view, having considered the various submissions that there is insufficient reason to automatically overturn this decision, but rather that these matters should be addressed de novo, it is our view that this should be addressed by way of oral hearing and thus a request (together with the appropriate fee) is made for the holding of an oral hearing in the within appeal submission, hopefully in a location in or near to Cobh, so that the very many interested persons could attend.

### **Liturgical Requirements**

The reason why liturgical requirements require consideration is due to the provisions of Section 57 of the Planning and Development Act, 2000 ("the Act"). Section 57 directly concerns works affecting the character of protected structures and the carrying out of works to a protected structure which are exempt on limited grounds stated therein. Those grounds of exemption are: only if the works would not materially affect the character of the structure or any element of the structure which contributes to its special architectural, historical,

archaeological, artistic, cultural, scientific, social or technical interest. (Section 57(1)(a) and (b))of the Act.

Section 57 of the Act goes on to entitle owners or occupiers of protected structures to seek a declaration from the local planning authority confirming whether specific works are or are not of the type which would materially affect the character or structure of any element of the matters referred to immediately above. Specifically, Section 57(5) provides that if the declaration sought relates to a protected structure that is regularly used as a place of public worship, the planning authority or the Board, in addition to having regard to a set of guidelines entitled “Architectural Heritage Protection for Places of Public Worship – Guidelines for Planning Authorities” shall also respect liturgical requirements.

These provisions do not directly relate to this within application, as the works which are envisaged are sufficiently extensive and have the cumulative effect of affecting the character of the fabric and structure of St Colman’s Cathedral and accordingly it was necessary for a planning application to be made. In that regard therefore Section 57(6) is directly relevant. Its provisions state as follows:

*S.57(6) When considering an application for permission for the development of land under Section 34 which:-*

*(a) relates to the interior of a protected structure, and*

*(b) is regularly used as a place of public worship,*

*the planning authority, and the Board on appeal, shall, in addition to any other requirements of the Act, respect liturgical requirements.”*

A “liturgical requirement” of itself is not a concept known to canon law and would appear to be borrowed from civil practice. This is because canon law usually proscribes or prohibits, occasionally expresses preferences and usually allows alternatives. Liturgical law, for the most part (*plerumque*), is not normally defined in the Code of Canon Law but is usually found in the relevant liturgical books of the Roman Rite. According to canon law, the latin text alone is the authentic law of the church. Accordingly, we **attach** hereto in the original latin, the fifth chapter (*Caput V*) of the *Institutio Generalis Romani Missalis* (“ General Instruction of the Roman Missal”) which is the principle authority for the ordering and furnishing of churches. This version supplied is the third edition of the General Instruction of the Roman Missal (22<sup>nd</sup> June 2000). In addition, for ease of reference and communication, we attach an english translation entitled “Chapter Five – The arrangement and furnishing of churches for the celebration of the Eucharist”. The english version will be used as the working version for reference purposes for this submission.

It is clear therefrom that due distinction can readily be made between what is obligatory, what is recommended and what is possible. These distinctions will also depend upon whether one is dealing with a church that has already been built (as in this case) and one that is yet to be built. Insofar as this particular proposal to develop is concerned, the principle authority draws a clear distinction between it and any new church yet to be built.

We refer to paragraph number 299 of the General Instruction of the Roman Missal which recommends that the altar should be freestanding so that it is possible to walk round it and celebrate Mass facing the people. Paragraph 299 states that it is recommended for the altar to

be so constructed wherever possible and consequently, it is submitted that it is foreseen that in some circumstances it may not be so possible. Accordingly, it cannot be said that this is a requirement, rather something less than an obligation or requirement, and more correctly described perhaps as a general recommendation or desire to be followed if possible. Similarly the promoters of this development refer to paragraph 310 of the General Instruction of the Roman Missal as justification for the reduction to a minimum of the distance between the faithful and the altar and sanctuary. This paragraph recommends that a Celebrant's Chair (*sedelia*) be placed in the middle of the apse, but it is also recognised that this may not be possible for several reasons. This too is a recommendation rather than a requirement. An example of where such placement was not possible is the Lateran Basilica where the Bishop's Chair (*cathedra*) is at least fifty yards from the nearest front bench.

The distinction between building new churches and ordering old ones is given effect in General Instruction of the Roman Missal paragraph 303. Insofar as the built heritage is concerned, it provides that if the original altar is of artistic value and cannot be moved without damage to that artistic value, a new altar may be built if it facilitates the people's participation in the liturgy. This is a far cry from suggesting that there is a need or requirement motivating the proposed works in this case.

A number of texts are relied upon by the promoters of this development. We are instructed that none is of any substantial weight under canon law, and specifically that none supersedes the General Instruction the Roman Missal. In order to properly understand the different references to various texts which are relied upon by the proposers of this development, we wish to set out the following:

The book, "Place of Worship" which is often quoted in relation to church architecture, is a publication of the Liturgical Commission of the Bishops' Conference of Ireland. As such, it lacks the force of ecclesiastical law (*vim legis*), which it could only have were it promulgated by the Conference itself. This has not occurred.

The document entitled "The Liturgy of the Church Versus Popular Piety" cannot be said to be helpful for understanding the principles for ordering and furnishing churches as its opening section places eucharistic adoration among the expressions of popular piety, ignoring that there is a liturgical book of the Roman Rite dedicated to that subject. It further suggests that the baptistery has to be within sight of the altar, citing an International Commission for English in the Liturgy (ICEL) study version of the Rite of Christian Initiation of Adults. It should be noted that the ICEL's only competence is to prepare translations. It is not and never was a legislative body. This particular rite is subordinate to the *Ordo Initiationis* (n.25) which explicitly informs the Roman Catholic church that the baptistery may be in a chapel inside or outside of the church or in some part of the church where it may be seen by the faithful.

Thus, the reliance on these references supporting the position being adopted by those who would argue that the proposed development is required under canon law, is unfounded and incorrect.

In 1971 the Congregation for Clergy was the competent organism of the Holy See to issue directives on the subject of liturgical reform of the Second Vatican Council and the artistic patrimony of the church. We **attach** hereto a copy of Cardinal Wright's circular letter to the Episcopal Conferences concerning the norms to be applied in relation to the liturgical reform of the Second Vatican Council and the artistic patrimony of the church. Subsequently, the

competence of that congregation passed to the Pontifical Council for the Cultural Heritage of the Church. These writings are originally in latin and we therefore **enclose** a copy of the latin text "*De Patrimonio Historico-Artistico*" together with a french translation of same "La protection du patrimoine historique et artistique de l'église". This document does not appear to have been translated into english, unfortunately. We are instructed that as far as the Friends are aware no norms were ever promulgated by the Irish Episcopal Conference on this subject. Its contents support the Friends submission, and is included for reference purposes.

In addition, we **attach** a copy of Cardinal Lercaro's circular letter to Episcopal Conferences concerning how the Conciliar reforms desired by the Constitution *Sacrosanctum Concilium* are to be understood and implemented. The Cardinal was then President of the *Consilium ad exequendum*, the juridical body established to implement the liturgical reforms of the Second Vatican Council. The last line of the first paragraph on page 262 which commences "mais cela ne doit pas entraîner..." is an official interpretation of what the Council meant and has been adopted into the subsequent *Institutiones Generales Romani Missalis*. ("IGMR or Roman Missals"). It roughly translates as "but that must not lead to a hasty, sometimes little thought out, turning upside down of churches and existing altars, at the more or less irreparable expense of other values, which also must be respected."

It is apparent from the submission made by the Friends and supporting documentation lodged therewith by other objectors to this proposed development that it is by no means accepted that the proposed changes represent liturgical requirements. Although this may be a very knotty area it is respectfully submitted that it should be at least evident on the basis of submissions made already and on the basis of this appeal, that the reliance on liturgical requirement underpinning the proposal is highly contentious and disputed, if not (as we contend) fundamentally flawed and wrong.

The Friends have consistently maintained that the plans advanced for Cobh Cathedral (in general and in particular) are nowhere prescribed in *iure liturgico* and neither have they been prescribed by a special decree of the Congregation for the Sacraments which would be competent body to issue such a decree. Hence the plans for Cobh Cathedral have at best the canonical status of a private initiative which is probably not contrary to liturgical law but is certainly not a liturgical requirement.

As a final word on this part of this appeal, you might note that Paragraph 285 of the General Instruction of the Roman Missal provides that there is no requirement for removal or destruction of any altar rail, so that what is in existence and intact today in St Colman's Cathedral is in perfect conformity with church requirements.

### **Procedural Inadequacies**

In Des Heffernan Senior Architect's report of 29<sup>th</sup> August, 2005 it is apparent that there was an unquestioned acceptance of the necessity for liturgical reasons of the proposed development, coupled with a regrettable (but at least admitted) lack of specialist expertise by that architect in gothic church architecture. The combination of those factors may go some way to explain the failure to take on board the recommendations made by the County's Conservation Officer, Louise Harrington, whose professional expertise in these matters is apparent. The decision not to accept those expert recommendations is unreasoned, unjustified and simply not addressed in the Report supporting the Decision to grant permission. This breach of Section 34(10)(b) of the Act is addressed in more detail in the

report of Ms. Doran enclosed herewith, and is, it is submitted, a sufficiently good ground on its own, to reverse the Decision of Cobh Town Council herein.

Furthermore, it is possible that an insufficient review of the objections and observations received was carried out, if the reference to noting 140 observations is correct, even allowing for the multi-party submissions made in several cases. The picture is not made any clearer by the fact that some submissions are marked as read whilst others are not.

It is apparent that the liturgical requirements upon which the proposed development is said to be based were not reviewed in such a way as to provide a balanced consideration of the matter. It appears from the County Conservation Officer's report that although aware of other objections, she was not provided with copies of same from the planning department upon which she could form a view. In particular, the submission made by Reverend Gabriel Burke, CC, Macroom, which elucidates the issue of what may be properly called a liturgical requirement, and what may not, does not appear to have been considered by anybody or at least not by the conservation officer whose personal expertise in these matters would have rendered her the most capable and correct person to whom such a submission should have been relayed for her consideration. Other submissions informed by professional expertise are referred to in Ms. Doran's report and again these were not made available for consideration by the conservation officer and may not have been taken into account by Mr. Des Heffernan, the senior architect in completion of his planning report as the discrepancy in numbers of objections reviewed and those lodged makes it impossible to say precisely what was viewed and what was not.

The case on behalf of the Friends is that the planning process to date has been fundamentally flawed by these matters which should result in an overturning of the decision to grant permission.

### **Application of the Guidelines to Planning Decisions Generally**

In this particular case, the Department of the Environment, Heritage and Local Government has provided a useful guide entitled "Architectural Heritage Protection for Places of Public Worship – Guidelines for Planning Authorities" ("the Guidelines") to assist planning authorities in the determination of such matters.

It is set out at paragraph 10 of the Guidelines which concerns the Roman Catholic Church that there should be consultations on a diocesan basis. It is provided that the Historic Churches Advisory Committee will advise the Planning Authority on the necessary documentation including liturgical requirements which are to be forwarded to the Planning Authority. In this case it would appear that insufficient information was provided to indicate liturgical requirements. Furthermore, insofar as any pre planning consultations were supposed to have taken place with the planning authority, there appears to be no documented evidence of same on the planning file so that the Friends were and are not in a position to have had any input into or comment upon such consultations.

Where a Committee's position is plainly at odds with other religious and interested parties, it is submitted that the Committee's view cannot be allowed, of itself, to override other considerations, in particular where the issue of what is or is not a liturgical requirement and indeed the independence of the Committee members are fundamental points of dispute. This is because a number of the Committee members were amongst the original promoters of the plan to reorder the interior and appear nonetheless to have remained in place to preside over

its recommendation. It is suggested that where that dispute is well founded, as we hope you will find is the case here, then the Planning Authority ought to ensure that it gives at least equal force to other considerations of a general planning and development nature concerning a protected structure so that the respect to be afforded liturgical requirements is not allowed to outweigh the other important planning and development considerations.

The Guidelines were promulgated specifically under sections 28, 52(2) and 57(5)(b)(i) of the Planning and Development Act, 2000 i.e. circumstances involving declarations being sought, and not specifically under section 57(6) of the Act which applies to this case and refers to planning applications. This is an important point, not because it is suggested that the guidelines should be ignored in such circumstances, but because it is apparent that once a planning application is made, as is the case here, then the Planning Authority – and now the Board – shall have regard to the guidelines and shall consider them under the provisions of section 57(6). That section, the text of which is already set out herein, provides that when considering an application for permission for the development of land which relates to the interior of a protected structure and is regularly used as a place of public worship, the Planning Authority and the Board on appeal, shall, **in addition to any other requirements of the Act**, respect liturgical **requirements** (our emphasis).

Whereas it is not denied that the Board should respect liturgical requirements in reaching a decision on the application for permission, it must, in doing so, take into account all other relevant planning and development requirements. How to make these matters balance is not necessarily an easy task, but there are some principles which it is submitted ought to be applied. The planning authority must comply with and apply (as distinct from respect) the appropriate planning requirements set out in the Act. Any other planning requirements, it is submitted, should be given at least equal weight to matters which ought to be respected as distinct from complied with, such as liturgical requirements. However, where there is no clear liturgical requirement, then planning matters should be given certainly greater weight over what are perhaps best described as liturgical desires. It is argued on behalf of the Friends that it is the latter which inform and motivate the proposers of this development and not the former, for the reasons already set out above and in the various reports contained within this submission and in the various submissions lodged with the Local Authority.

### **Recent Planning Reference Precedent**

We wish to refer to a recent Decision of the Board involving works proposed to be carried out to a church and the Board's Decision. Planning Register Ref. No. 04-13, An Bord Pleanála Reference No. PL64.210618 in the case of an appeal by Michael Sheedy against the decision of Kilrush Town Council of 4<sup>th</sup> January 2005 which refused elements of a proposed renovation of the church in Kilrush in Co. Clare and granted permission for development comprising the conservation, repair and redecoration of the interior of St. Senan's Church. On appeal, the Board granted permission based on reasons and considerations provided and subject to conditions set out therein. We wish to refer to this Decision of the Board in support of the Friends' appeal in this case. This is because the Board's Decision in the case of St. Senan's Church indicates a balance which, in that case, was in favour of the development but which when sought to be applied to this particular case, ought to result in a Decision going against allowing the development.

The following are the main reasons for the Friends relying upon this Decision:

1. St Senan's Church is a much different size, shape and form of building and not an internationally renowned cathedral.
2. In terms of prior works of renovation and restoration in scale and nature it was found that the Church had greatly changed in its interior over its history, which is the opposite of the history of the structure and fabric of the building which is St. Colman's Cathedral in Cobh.
3. It was decided that the proposed development (largely restoration rather than reordering) would not have a significant adverse effect on the character of the structure of St. Senan's Church, something which cannot be said in terms of the development proposed for the Cathedral, none of which can properly be described as restoration.
4. The Board found that the proposed works would not result in an inappropriate level of intervention in the case of St. Senan's Church, something it is submitted could not be said because of the individual or cumulative effect of the various works proposed in the instant case.
5. The restoration and other works were found to facilitate the continued use of the building for public worship in the case of St. Senan's Church, whereas there is no indication whatsoever that the works proposed to be carried out within St. Colman's Cathedral in Cobh would facilitate its continued use, let alone facilitate greater use for public worship.
6. In particular, the final line of the Board's reasons and considerations is key. In arriving at its decision, the Board also "had regard to the historic evolution of the building, with many additions and alterations over its life span, and the need to adapt elements to enable the continued use of this church building". Nowhere is it suggested that the proposed works will enable or better the continued use of the Cathedral building. Furthermore, it can not be suggested that there have been many additions and alterations over the life span of the Cathedral. On the contrary, it is the case that the Cathedral has managed to survive the various possible changes which might have occurred to it in the past, and it is that very maintenance of the status quo which has resulted in its uniquely being one of the foremost sole surviving examples of Pugin architecture not only nationally, but internationally.

It is argued that the Inspector's approach (and indeed that of the Board) to consideration of the proposed development was correct in that proper consideration was given to the importance of the planning, architectural and heritage requirements along with the liturgical requirements set out therein. It is also noteworthy that there was no argument as to the requirement for such. The Inspector was also correct in assessing the application "*de novo*", which is something which we would wish the Board to ensure it does in this case. To assist it in that regard, we **attach** a copy of our copies of the planning file which indicate a large number of objector's submissions and objections not initialled by Mr. Des Heffernan, together with other objections duly submitted which are so initialled. It is impossible to say whether those which are not initialled were simply not seen, not taken into account or ascribed a different status from those which were initialled. In any event, in case any issues arise out of the transmission of the Local Authority's file to the Board, we include the said documentation for ease of reference.

For all of the above reasons, contained herein and also contained in detail in the **attached** reports of Jack Coughlan & Associates and Ms Mary Doran, the Friends of St. Colman's Cathedral wish the Board to reconsider this matter at an oral hearing if necessary, and respectfully request that the Board declines permission for the proposed alterations to St. Colman's Cathedral, Cobh.

Please acknowledge receipt and direct any further correspondence to Deborah Spence of this firm.

Yours faithfully

  
ARTHUR COX