

Proposed Re-ordering of St Colman’s Cathedral, Cobh. Ref. 05/52040

This report is prepared as part of the appeal submission on behalf of the Friends of St Colman’s Cathedral. We wish to appeal the decision of Cobh Urban District Council to grant permission for the above development on the following grounds:

- That the subject matter of the application for permission was not given due consideration in accordance with the Planning and Development Act 2000
- That there is no record on file of Pre-planning consultations as required by the Planning and Development Act 2000
- That the Proposed development does not comply with the Architectural Heritage Protection –Guidelines for Planning Authorities
- That the proposed works would not be carried out in accordance with best conservation practice and that they would not be reversible
- That the application is incomplete. There is no information on how the Mechanical and Electrical system will be incorporated into the fabric, and no indication -other than in the text -of the exact location of the automatic wheelchair hoist
- There is not adequate evidence that the extensive alterations proposed are necessitated by Liturgical requirements
- It is the only remaining Catholic Victorian Cathedral interior in Ireland not to have been re-ordered and deserves special consideration, which it did not receive.

Decision of the Planning Authority

The matter has not been given due consideration in accordance with the Planning and Development Act 2000 and the decision should therefore, be set aside. The planning authority have been negligent in the performance of their duties. The Town clerk did not take into account the recommendations of the conservation officer who was the primary expert available to the planning authority in this instance.

S. 34.10 of the Planning and Development Act 2000 states

(b) Where a decision by a planning authority... to grant or refuse permission is different, in relation to the granting or refusal of permission, from the recommendation in-
(i) the reports on a planning application to the manager (or such person delegated to make the decision) in the case of a planning authority ...
a statement under paragraph (a) shall indicate the main reasons for not accepting the recommendation in the report or reports to grant or refuse permission.

The Town Architect went on holidays after the planning application was submitted and left the decision on the application to be made by another architect who also acts as a Town Architect albeit for towns other than Cobh. While not wishing to impugn the qualifications and experience of Des Heffernan, the Senior Architect who was obliged to make the decision, we suggest that this action meant that the application did not get due consideration, commensurate with the seriousness of the issue and the gravity of the impact that the granting of permission would have.

Mr Heffernan states that he has no specialist expertise in deciding whether

this is the best approach to solving these particular liturgical requirements in this superb Gothic Revival cathedral.

However he rejects the submission from the County Conservation Officer, Louise Harrington. Louise Harrington states in her report that she is in regular contact with the Historic Churches Advisory Committee of the Diocese of Cloyne in relation to the carrying out of works to churches that are protected structures. She is employed by the planning authority as an expert in the area of conservation and has considerable experience in dealing with the subject. The Senior Architect, by his own admission, did not have the required expertise therefore the best expert available to the planning authority was the Conservation Officer. The Town clerk was therefore obliged to indicate the main reasons for not accepting the recommendation in her report. He has failed to do so. Having rejected the Conservation Officer's arguments, Mr Heffernan states

I cannot visualise any other geometry (circles) for the steps that would look better. We contend that it is not his role to make that decision. It is for the conservation officer to decide what is appropriate in this unique cathedral in which one element cannot be separated from another as explained in the accompanying report of the Conservation Architects, Jack Coughlan Associates.

Proper consideration of the matter

The Conservation Officer states in her report that she has been referred 4 observations, from the Pugin Society, The Irish Georgian Society, the Department of the Environment, Heritage & Local Government and An Taisce. She says that she is aware that another larger group objection was also submitted, and states

however, I did not receive a copy of this.

While the 4 observations mentioned might appear to be the most relevant to the Conservation Officer, who other than she has the expertise to make that decision, to decide which observations of all of those received are relevant, particularly in this instance, as previously stated, she was the one officer of the planning authority with the expertise and the authority in this matter. While the Department of the Environment, Heritage & Local Government and An Taisce are prescribed bodies under S. 28(1) of the Regulations, the

Pugin Society, The Irish Georgian Society are not. Many of the other observations were made by people with specialist knowledge and expertise in the area, or who had carried out research, some of who cited further references. The group objection referred to may be that from the Friends of St Colman's Cathedral, Cobh. This submission refuted the idea that

the proposed alterations are specifically mandated, necessitated, or obligated for the adequate celebration of the liturgical rites and ceremonies of the Catholic Church...

This submission went on to offer a list of highly regarded and accepted liturgical references in support of the argument. A list was given also of the major European Cathedral churches that have not been re-ordered.

The submission from the Rev. Gabriel Burke, CC Macroom was obviously not referred to Ms Harrington, for consideration despite , the fact, as previously stated, that she is the only officer in the planning authority with a knowledge and awareness of the work of the Historic Churches Advisory Committee. Other submissions, that are informed by professional expertise or informed research and cite references, include John O'Connell, An Taisce- Cork Association, Alda Tighe, Cllr Sean O'Connor P.C. This is not to devalue the bulk of the submissions from individual or groups of residents of Cobh, which Fr. Burke contextualises in his submission

Theologically this may be seen as an expression of the sensus fidei, of the innate sense of the ordinary faithful as to what is or what is not in accordance with the faith. (cf. 2. Relevant Theological and Pastoral Issues)

This submission elucidates the issues of what is and is not a liturgical requirement, which is at the core of this decision. The subject of Liturgical requirements is dealt with in greater detail elsewhere in this submission.

Consultations

Mr Heffernan, who made the decision, states in his report that Denis Deasy, the Town Architect, was involved in a number of pre-planning consultations. There are no notes on file relating to these consultations. S. 247 (5) of the Planning and Development Act 2000 states that

The planning authority shall keep a record in writing of any consultations under this section that relate to a proposed development including the names of those who participated in the consultations, and a copy of such record shall be placed and kept with the documents to which planning application in respect of the proposed development relates.

This is more important in this instance than would normally be the case in that there was a lack of continuity between the person attending the meetings representing the planning authority and the person making the decision. There is no record on the public file available for consultation at the offices of Cobh Urban District Council. A request to an official of the UDC elicited the response that there were no further records available.

Objections and observations received

The report states that approx. 140 observations were received and that Mr Heffernan has read and considered all of these observations. However there were in fact circa. 211 observations submitted.

With regard to submissions stating that there is no need for liturgical changes, Mr Heffernan states that a strong case for change has been made by the advisory committee and in his opinion the Planning Authority is obliged to

respect the liturgical requirements.

Mr Heffernan makes no reference to a particular submission from Rev. Father Gabriel Burke, CC who states clearly that the proposals do not in fact accord with liturgical requirements. Certain matters are stipulated in Liturgical Law and the extent of the works specified in St Colman's Cathedral is not an official requirement.

Mr Heffernan's report states that

The works involve the re-ordering of the sanctuary area. The applicants have made the case that this is necessary for liturgical reasons. This gives it a special status as defined in the Planning Act and guidelines.

Statements that this proposal relates to Pugin's original design have been repudiated by many experts in the field (cf. Louise Harrington & Pugin Society) and would appear to be used intentionally to support the argument for change. The reading of this justification when juxtaposed with the clear historical evidence offered by others demonstrates a lack of understanding of the design concepts and symbolism of the cathedral, which gives rise to the proposal for re-ordering that is in dispute.

Mr Heffernan states

I consider that the design team have carried out diligent research and preparation. (The Pugin Society dispute some of their conclusions)

There was detailed research carried out by others and available to the design team, however their unsubstantiated statements would suggest the opposite of what Mr Heffernan states. Mr Heffernan opts to accept the statements of the applicant over those of the Pugin Society, which is an independent body, and is likely to have more expertise and

knowledge about this particular Cathedral and others that have carried out detailed research. In conclusion Mr Heffernan states

While there are many different approaches to alterations to a heritage church, I see no detail which I consider to be wrong. I, personally, do not consider that the proposed changes will cause unacceptable harm to the intrinsic character of St. Colman's Cathedral.

However other bodies and individuals with far more expertise and experience in the field have stated otherwise. Questions must be raised in relation to Mr Heffernan's response to expert statements. He accepts without question the statements made in relation to the cathedral by the applicants and appears to dismiss statements made by others with equal or more expertise and experience in particularly relevant areas.

Liturgical Requirements

On the Liturgical question there are differences of opinion and it is important to establish what is a requirement and what is desirable. Liturgical requirement of itself is not a concept known in canon law. In an interview in the Evening Echo on August 18, 2005 Fr Jim Killeen, the Diocesan spokesman, while defending the proposed alterations, stated that the council's (Second Vatican Council) recommendations are open to interpretation and that earlier bishops had opted not to take on the work

The recommendations are like a broad set of principles rather than rules.

If this is the case, and the majority of observations are making this argument, then the planning authority must accept that the proposed alterations are **not requirements** but a matter of interpretation and therefore must be treated in accordance with the Architectural Heritage Protection –Guidelines for Planning Authorities

The report on file from the Department of the Environment, Heritage and Local Government offers proposals to minimise the impact of proposed changes in accordance with Cl. 5.2.4 of AHP guidelines, with particular reference to mosaic panels and other important decorative elements. The Senior Architect rejects the proposals stating

that the change suggested is a different approach to the liturgical requirements

He does not recommend imposing it. Mr Heffernan appears to accept that if the planning authority is satisfied with regard to the establishment of the Historic Churches Advisory Committee by the diocesan authorities and that pre-planning consultations have been held between this body and the planning authority, which accepts that a reasonable case has been made on the need for alterations to accommodate Liturgical Requirements, the authority shall respect the Liturgical Requirements. However respecting the requirements and granting permission for changes that the diocesan authorities propose are quite different issues.

The Need to Re-order

Observations have been made that the major European Cathedral churches have not been re-ordered, some of which have a liturgical arrangement similar to the present one in Cobh, and include Notre Dame in Paris, Westminster Cathedral, St. Mark's in Venice, Seville Cathedral, The Vitusdom Cathedral of Prague, The Stefansdom Cathedral of Vienna, and many others.

It is now over 40 years since the Second Vatican Council and as often stated many of the recommendations are open to interpretation. Currently there is a growing belief that the interpretation of the last 40 years may be open for further debate. Fr. Burke quotes from a letter to the Bishop of Kildare and Leighlin on June 26th, 1996 from Cardinal Ratzinger

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.

Re-ordering of Cathedrals in 1970s

St. Patrick's Cathedral was re-ordered in 1977 -82. Many original interior details of mosaics, marble, gilt and fittings, which were designed by George Ashlin, were removed. It was felt by many that the reorganisation of the sanctuary ruined the interior of the building. Recent restoration works involved removal of much of the interventions that resulted from the re-ordering.

St Mary's Cathedral in Killarney, designed by the architect Augustus Pugin, was considered to be Pugin's favourite project and one of the finest neo-Gothic cathedrals in Europe. The cathedral was re-ordered in 1970 the results of which are considered by many to be catastrophic and included the re-location of the tabernacle to the sanctuary behind the altar. The removal of plaster from the walls to expose the stonework was widely decried and the alterations received much adverse publicity.

Architectural Heritage Protection

Architectural Heritage Protection –Guidelines for Planning Authorities, while stating that the planning authority shall respect liturgical requirements also states in S.5.2.6

*Where works are proposed that are **not required by the liturgy**, but would facilitate a religious use continuing in a place of worship, the planning authority **should respect the architectural heritage of the structure.** (emphasis added)*

The letter from the Department of the Environment, Heritage and Local Government draws attention to the need

to ensure that the appropriate balance is struck between the protection of the architectural heritage and the need for the continued use of the protected structure as a place of public worship.

The letter points out that much more could be done to minimise the impact of the proposed changes. There appears to be no attempt made by the applicant to reduce this impact. The report of Jack Coughlan Associates, who are experts in the area of architectural conservation, expands on this issue and the very important issue of good conservation practice including the question of re-locating original materials and that of reversibility.

In a referral to An Bord Pleanála (Ref. No.:19.RF0970) relating to St. Mary's Catholic Church, Edenderry, County Offaly, the inspector said

I agree with Duchas that the legislation provides that planning authorities shall respect liturgical requirements in places of public worship, but that this is not synonymous with ignoring the imperative of protecting the architectural heritage in these same places.

It was also stated in the same report, in April 2001

However I do not accept in the context of now prevailing protected structures' legislation, that the church authorities have absolute rights in this matter.

Conclusion

All of the experts agree on the importance of St. Colman's Cathedral, not simply for its architectural quality and but also, as detailed in Jack Coughlan Associates' report, for its social value, its connection to the Irish diaspora worldwide, its embodiment of the growing sense of national pride and identity in the nineteenth century. Professor Cathal O'Neill states in his submission, which forms part of the application that St. Colman's Cathedral is *One of the most important Gothic revival structures in Ireland.*

The recommendation on the decision was made by someone without the expertise or the experience to do so, although there was an officer employed by the planning authority with the necessary expertise and experience. The Town Clerk did not indicate the main reasons for not accepting the recommendation of the officer with such expertise in the report to grant permission.

The application was not dealt with in accordance with the Planning Act & Regulations. The proposed alterations are not in compliance with the guidelines on Architectural Heritage Protection.

There is strong evidence that the alterations are not necessitated by Liturgical Requirements. A large number of parishioners and members of the diocese have objected to the re-ordering, and feel that they have not been consulted. The applicant states in the submission by Rev. Daniel Murphy that there is a need for the re-ordering to allow the place of worship to be conducive to

a genuine manifestation of communal participation

It would appear that the proposed development if permitted would have the opposite effect on large numbers of the congregation.

The experience of re-ordering of cathedrals in the latter part of the 20th century has left us with a legacy of work that is now seen by many to have been damaging and irreversible. We should learn from these mistakes and respect what we have inherited intact. As has been stated many times this cathedral is a protected structure of special religious, architectural, historical, cultural and social interest and of international stature, which must be considered as a whole and could not sustain the proposed alterations and maintain any integrity. We therefore urge An Bord Pleanála to overturn the flawed decision of Cobh Urban District Council and permit this cathedral to continue to serve the congregation in accordance with proper planning and truly sustainable development. It is incumbent on all to protect and maintain this significant inheritance and pass it on intact to future generations and to prevent a recurrence of what has happened in Armagh.

Mary Doran

For Terry Pender, Secretary
On behalf of Friends of St Colman's Cathedral