

Contents

Articles

Europe and the Town Planning Profession	Joan Caffrey	5
Housing outside Irish Towns: An analysis of household characteristics, motivations and preferences	David Storey and Patrick O'Flanagan	30
The Environmental Impact Assessment of Roads	Bob Biddlecombe	40
National Monuments and the Development Plan - A Compensation Conflict	Mary Darley	45
Town Planning Law and Practice and its impact on the Licensed Trade with particular reference to the Dublin Area	Fergal Mac Cabe	50
Planning and the Uplands	Patrick Ewen	59
Greenpeace: Commandos of Conservation or Environmental Alarmists?	Neil O'Byrne	69
Dublin's Smog Crisis: A Planner's response.	John Fannon	74
Redeveloping the site of Dublin's Medieval Settlement - The Search for a Suitable Form	Tony Mulhall	84
An Endangered Legacy - Dublin's Inner City Churches	Patricia Hyde	96

Book Reviews

<i>Planning: the Irish Experience 1920-1988</i>	Michael Gough	105
<i>Urban Problems and Regional Policy in the European Community</i>	Michael Gough	107
<i>The Vanishing Country Houses of Ireland</i>	Michael Gough	109
<i>Bandon: Irish Historic Towns Atlas No.3</i>	Michael Gough	110
<i>Art For Architecture</i>	Douglas Hyde	113
<i>Replace or Retain: Irish Policies for Buildings Analysed</i>	John Muldowney	114
<i>Managing Dublin Bay</i>	Maeve Barrett.	115

Pleanáil

58

1988

THE JOURNAL OF THE IRISH PLANNING INSTITUTE



URBANSYSTEM

PLEANAIL 1988

JOURNAL OF THE IRISH PLANNING INSTITUTE

EDITOR:- Michael Gough

**Typesetting, Layout and Printing
by Laserworks Ltd.
38 Clarendon Street, Dublin 2.**

<p>PLEANAIL is published annually by the Irish Planning Institute (I.P.I.), 8 Merrion Square, Dublin 2.</p>
--

CONTRIBUTORS

Maeve Barrett	Botanist and Town Planner, Dublin Co. Council.
Bob Biddlecombe	Senior Executive Planner, Dublin Co. Council
Joan Caffrey	President, European Council of Town Planning, Past President of Irish Planning Institute
Mary Darley	Chartered Town Planner, Dublin Co. Council
Patrick Ewen	Planner and Mountaineer
John Fannon	Engineer and Planner, Dublin Co. Council
Patricia Hyde	Senior Executive Planner Dublin Corporation, has recently completed the Masters in Building and Urban Conservation at U.C.D.
Douglas Hyde	Senior Planner, Dublin Co. Council
John Muldowney	Chartered Town Planner and Chartered Surveyor, has recently completed the M.A. (Conservation Studies) course at the University of York.
Tony Mulhall	Executive Planner, Dublin Corporation, has recently completed the M.A. (Conservation Studies) course at the University of York.
Fergal Mac Cabe	Architect and Town Planner in private practice.
Neil O'Byrne,	Planner, Dublin Co. Council and active environmentalist
Patrick O'Flanagan	Statutory Lecturer in Geography, University College, Cork
David Storey	Tutor and PhD student at the Dept. of Geography, U.C.C.

EUROPE AND THE TOWN PLANNING PROFESSION

JOAN CAFFREY

The New Europe

With the 1990s on the horizon, the impact of Structural Funds and a Single Market of 320 million people, Europe is poised for dramatic change. For the 30,000 European Town Planners, the quality of the planning product is all important. For them the debate is about achieving quality in development and establishing the relevance and status of the planning profession. The reconstruction of Europe is therefore of special interest, with serious implications and responsibilities.

The New Europe means a completely new context and scale in decision making, development and new issues. It entails a huge land area, a world market of highly mobile capital, harsh competition, concentration and diversification in investment patterns, the disappearance of inter-dependence between dynamic and declining regions, development decisions being taken by regions, fundamental shifts in land use (particularly in the rural areas), the issue of agricultural renewal, changing population, settlement and employment patterns, increased mobility, recreation and tourism.

For many planners, the emergence of the New Europe will mean devoting their entire working lives, to finding solutions to the enormous difficulties raised. In practice terms, it will entail a rediscovery of regional planning with the emphasis on sustainable development, recycling of resources and a closer relationship between research and practice. At individual level, town planners will be motivated to work in other areas of the Community, contact networks will be developed, exchanges of non-nationals in public and academic institutions and hopefully large work teams of professional planners established. Formidable obstacles include the ability to get to know and understand individual social and cultural contexts, the complex legal and administrative structures, xenophobia and language fluency. (Table 6)

Marketing Madness

In the interim, it is an uncertain time for town planning and the profession. Convincing Governments, Development Agencies and their consultants, that Town Planning is a necessary activity remains a difficult task. The road to European recovery is being led and largely dictated by multinationals. Europe now wants what Japan has achieved. European society is increasingly exploitative and increasingly motivated by profit opportunities. In addition, media manipulation and media hype, is pressurising not only politicians to a fine art, but also the ambitions of our firmly established European architect colleagues. The climate is one of marketing madness.

Such conditions have serious repercussions for town planning and the status of the profession. They infer a short term rather than a long term horizon, the side stepping of social issues in favour of the promotion of image, i.e. the marketing of place and environment and a retreat to smaller matters, smaller details and smaller means. The danger therefore, is a much reduced role for the profession in favour of the more established architectural professions.

European Council of Town Planners

While initially this climate may seem to limit the possibilities for town planning and the profession, it certainly does not extinguish them. Concern about the threats has provided the impetus to harness the momentum of change to advantage. There is much to be optimistic about. The existence of the European Council of Town Planners is of major significance for the practice of town planning and the status of the profession. The E.C.T.P. was inaugurated in Amsterdam in November 1985 with the signing of the International Agreement and Declaration - 'The Charter'. For ten years previously, a Liaison Committee between the EEC and Town Planners in private practice existed. It discussed harmonisation and securing legal registration and the right to practice and style oneself as a Town Planner. However, the realisation that a specific Directive for Town Planners would not be forthcoming, forced the Liaison Committee to reconsider its role. Subsequently the formal Charter of Town Planners was instigated, and the European Council of Town Planners emerged.

The E.C.T.P. is a distinctive body in its own right and is not an annex to any other international association. It is the only body of its kind and the Community is its *raison d'être*. It is a voluntary body composed of the Institutes and Associations of the Member States of the Community. However, the Council is liaising with the Council of Europe, and in time consultative status may be granted and extension

of the membership to other Council of Europe countries. Members must be national institutes and not local or regional bodies. Members must be planning institutes and not architectural or engineering institutes with town planning divisions. This has created problems, particularly in relation to Spain and Italy, and the rules relating to town planning practice there.

The aims of the E.C.T.P. are:

- to develop and strengthen the professional relationship between the individual Institutes and Associations and also with the E.C.
- to propose systems of education and training in Town Planning, to suggest ways of harmonising current programmes which would form the basis of an E.C. wide standard of qualification and work towards the establishment of a European Commission on Education and Training in Town Planning.
- to propose and suggest European Development Policies and give opinions on important planning issues.

In the Charter and Appendices, one may study at length the stated aims, policy and objectives of the ECTP (Table No. 1). The Charter reaffirms that Town Planning is centrally concerned with quality in urban and rural areas and that this is dependent on the existence and availability at all levels, in the public and private sectors, of competent and professional Planners. The Charter recognises, that although there are no existing legal barriers to the free movement and rights of establishment of town planners, there are substantial differences in the definition, purpose, role, scope, structure and implementation of Town Planning, in the organisation and structure of the Town Planning profession and in the training, competence and codes of conduct (Table No. 6).

Accordingly the ECTP has formulated a definition of the profession. The definition is as follows:-

Appendix A

(Table No. 2)

Details the Field and Nature of Town Planning, identifies the skills required of the profession by reference to a matrix of activities which details the tasks undertaken (Table No. 3).

Appendix B

(Table No. 4)

Details Education and Training criteria and specifies that, the organisational structure should be at university level, within the framework of an undergraduate or post graduate programme of a minimum of six years (number of hours to be detailed)

including practical experience. Definition of the Common Core is under way, and its application by individual institutes is absolutely vital to ensure that the end product, has the specific skill based claimed for Town Planner. Otherwise, there may be several unsatisfactory levels of Town Planner operating in Europe. Appendix B, has already been utilised by the Bond van Nederlandse Stedebouwkundigen in the Netherlands, in its negotiations with authorities, who wished to reduce the level of training from 4 to 3 years.

**Appendix C
(Table No. 5)**

Outlines professional conduct requirements and details each Institute to draft its own code, incorporating requirements concerning the maintenance of competence, responsibility to clients, employers and the community, integrity, fellowship with professional colleagues, relations with other professions, remuneration and advertising.

The three appendices were formally ratified, by the member Institutes, at the plenary session of the Council held in Strasbourg, under the auspices of the Council of Europe on Friday 9th December 1988.

The E.C.T.P. has therefore worked hard, to be the foundation stone of the Town Planning profession in Europe. Through 'The Charter', the Definitions of Town Planning, and the Year Book/Vademecum, it has achieved a negotiated order. This is the result of understanding, agreement, working arrangements and regulations. Considering the differing perspectives, ideologies, languages, expectations and anxieties that the member institutes have brought to the task, the compromise consensus is an achievement.

However, while the principles of the Council were being established (in particular education subsumed within the wider issue of the E.C.T.P.'s existence), three new European initiatives have occurred and must be considered. These are, AESOP, the Directive on the Mutual Recognition of Higher Education Diplomas and the European Institute for Architecture and Town Planning in Rouen. The critical issue arising, is what process will be adopted by the Community, for the recognition of town planning qualifications after 1991. The dilemma is one of recognition in law and recognition in practice. The crucial question is, whose view will prevail.

Aesop

AESOP consists of the Associations of European Schools of Planners and was founded in January 1987. The new association is designed to look outwards to positive relationships with other organisations working at international, European or national level. Its purpose is to provide a forum for the encouragement of planning education and research in Europe. Co-operation between AESOP and the ECTP is essential and liaison has been initiated. The Council has advised AESOP of European developments, affecting town planning practice and the profession. The Council highlighted its concerns, and at the outset upheld its own position. It also emphasised, that while the views of the planning schools on the content of planning education are indispensable, acceptable professional qualifications are a matter for the planning institutes and the E.C.T.P. The significance and validity of this stance was explained in the context of the following matters.

Directive on the Mutual Recognition of Higher Education Diplomas

The recently adopted Directive confirms the legal right of a professional to work in his profession, in another member state, either self-employed or as an employee. It provides for the general recognition in the Community of the qualifications required for regulated professions. The aim of the procedure is to avoid having to standardise the content of studies and is intended to be faster than the professional recognition of professions, which in the case of the architects took seventeen years.

For the purpose of the directive a regulated profession or regulated professional activity means a profession or activity the taking up or pursuit of which is made subject by virtue of laws, regulations or administrative provisions, to having a qualification, obtained after a period of higher education and professional training of at least three years. This concept also includes, types of professional organisations and alternative training courses, recognised in the Member state as being fully equivalent to the university route.

The Directive differs from previous "sectoral" Directives in several important aspects:

- The Directive is *general in nature*: as the new system is intended to apply to all regulated professions for which university-level training of at least three years is required, and which are not covered by a specific Directive.
- Recognition is based on the *principle of mutual trust*, without prior co-ordination of the preparatory educational and training courses

for the various professions in question. A host Member State may not refuse access to a regulated profession to a national of a Member State who holds the qualifications necessary for exercise of that profession in another Member State.

- Recognition is granted to *end product*, i.e. to fully qualified professionals who have already received any professional training required in addition to their university diplomas.
- Professionals accepted by Member States will be allowed to use the professional title of the host country.
- Where there are major difficulties in education and training, or in the structure of a profession, the Directive provides for *compensation mechanisms*: either an adaptation period or an aptitude test. In principle, it is left to the migrant, to choose between the two mechanisms, but for professions whose practice requires precise knowledge of national law and in respect of which the provision of advice and/or assistance concerning national law is an essential and constant aspect, of the exercise of the professional activity, the host Member State may stipulate the adaptation period of the test. The host Member State may also require a period of professional experience as compensation for a shorter total length of training than in its country, but this requirement may not be combined with that for the adaptation period or aptitude test.

As in the case of the sectoral Directives, the Directive contains provisions concerning proof of good character and good repute, and concerning conditions for holding a professional qualification. A co-ordinating group is also being set up, under the auspices of the Commission, to facilitate the implementation and application of the Directive. Member States will have a period of two years, from notification of the Directive to implement its provisions. Decisions for recognition, have to be given within four months of the application.

In respect of the European town planning profession, the effect of the Directive is to affirm professional qualifications and the role of professional bodies, by placing considerable responsibility in their hands. It indicates what is expected of them and they have much detailed work to do, in the short term, to implement it. The Directive lists the member states and relevant professional institutes, which satisfy its criteria. At present only the Irish Planning Institute in Ireland, and the Royal Town Planning Institute in the U.K. are listed. For the I.P.I. this means that its corporate members must be recognised as having the professional qualification for the practice of the profession in other regulated countries and will be entitled to use the appropriate professional title of the host state. Where the profession is regulated by a listed organisation, such as the R.T.P.I.,

they would be entitled to use the professional title or designatory letters on proof of membership. While it is clear how the Directive will operate where the profession is regulated, in both the home and host state, it is somewhat confusing as to how it will operate in other situations. The Directive makes no provision for the recognition of diplomas or qualifications by or between non-regulated states. Nationals of such states, cannot therefore use the Directive to seek recognition of their qualifications in another state, unless it is a regulated state and their qualifications meet the specified criteria.

For the Town Planning Profession in Europe, it is unfortunate that the Directive will endorse an uneven situation, as between regulated and non-regulated states. Furthermore, that the minimum acceptable standard is lower than that recommended by the ECTP. The member institutes of the E.C.T.P. must work, therefore, to ensure that the standards established and adopted in each state are those of the E.C.T.P., in order to secure distinct recognition for the town planning profession. In this regard the E.C.T.P. will make representations, to the Commission and the national governments, on behalf of its member institutes. It has also called on AESOP to promote a satisfactory European standard for education/training to ensure the proper basis for professional town planning qualification. These standards are absolutely vital for the continued existence of the profession.

The E.C.T.P. is particularly concerned, that although the General Directive states, that it shall not apply to professions, which are the subject of a separate Directive, architects are in a dominant position, in many member states. As there is no protection of the title of 'Town Planner', architects operate as town planners and in effect can legally control the level of town planning practice. Architects in Spain, Italy, France and elsewhere, will no doubt seek to apply the General Directive. In such circumstances, it is also conceivable, that qualified town planners, who are not members of statutory and legally recognised architectural bodies, may be excluded. The E.C.T.P. is fully aware of these serious anomalies and threats, vis-a-vis the existing legal situations in Spain and Italy, where non-architects/engineers/town planners are legally non-professionals.

Institute for European Architecture & Town Planning

These anxieties have been further confirmed by the recently established 'Institute for European Architecture & Town Planning' at Rouen (INEAA) and the Council of Europe's proposed urban Charter. In both cases the initiatives have been specifically designed by and for the architectural profession and have received Community sanction and funding. The I.N.E.A.A. has a federation with ten Schools of

Architecture in the various member states. Having regard to the E.C.T.P.'s perspective, three are worth noting - Escuela Superior de Arquitectura (Espagne), Istituto Universitario Di architettura di Venezia (Italy) and School of Architecture, U.C.D. (Ireland). The respective Schools of Town Planning and the national professional planning institutes, have in effect been deemed irrelevant. In the E.C.T.P.'s opinion, this scenario is not an issue of interprofessional rivalry. It is one of presumed responsibility, professional skill, professional accountability and achieving quality in our planning and development.

Conclusion

The E.C.T.P. is fully aware, that the future of a European planning profession is largely in its hands. The E.C.T.P. may therefore only justify its existence if its major efforts are devoted to ensuring that the town planning profession is synonymous with skill and integrity which is designed to serve the community. For the E.C.T.P., the challenge from now on, is to influence the political agenda and influence the formulation of planning policies. Over the next two years the Council must become a strong negotiating body, to speed up the transition from the desirable principles of the 'Charter' to actions and deeds. It must activate and create the network links, so advocated by our members and be equipped to engage in dialogue. This will in particular necessitate the formulation of an overall policy perspective for European Town Planning and a more extrovert promotional role.

Table 1

International
Agreement and
Declaration by the
National Institutes
and Associations of
Professional Town
Planners within the
European Economic
Community

WHEREAS

1. The quality of the physical, social and economic organisation of countries, regions and urban and rural areas is a matter of major concern to the public and to responsible authorities within the Community and each Member State
2. These authorities recognise the crucial role of national, regional and local physical land use planning in achieving and maintaining physical, social and economic organisation and environmental quality.
3. The ability of physical land use planning to play this role is dependent upon the existence and availability at all levels in both the public and private sectors of competent and responsible professional town planners.
4. It is in the public interest that those using the services of town planners should be aware of, and entitled to rely upon, criteria of competence and conduct observed and recognised throughout the Community.
5. There are no existing legal obstacles to the free movement and right of establishment of town planners within Member States of the Community but there are substantial differences as between the various Member States in the definition, purpose, role, scope, structure and implementation of town planning; in the organisation and structure of the town planning profession; and in the training, competence and codes of conduct of professional town planners.

THE UNDERSIGNED NATIONAL INSTITUTES AND ASSOCIATIONS OF PROFESSIONAL TOWN PLANNERS in the Member States believe that it is urgently necessary to join in seeking harmonisation of all matters relating to the town planning profession throughout the Community and have agreed, in particular, to collaborate in establishing criteria of professional competence and conduct which will be observed by their members and recognised by others, and therefore AGREE and DECLARE.

1. That the undersigned national Institutes and Associations of professional town planners in the Member States will formulate a definition of the "professional town planner" by reference to the field and nature of his activities; to his competence, in terms of his required training and experience; to his professional ethics, in terms of the code of professional conduct to which he is subject; and to his membership of his national Institute or Association
2. That the elements of this definition will be embodied in Appendices to this Agreement and Declaration specifying:
 - a) the field and nature of the professional town planner's activities;
 - b) educational and training criteria; and
 - c) professional conduct requirements
3. That this definition shall constitute the minimum recognisable criteria of a "professional town planner" throughout the Community and may be exemplified by a distinctive symbol.
4. That those who meet this definition shall be mutually recognised as "professional town planners" by the undersigned national Institutes and Associations throughout the Community; that the national Institutes and Associations shall be free to prescribe higher standards for their members and that the minimum standard may be raised from time to time by agreement between the national Institutes and Associations.
5. That the undersigned national Institutes and Associations will work towards the harmonisation of their requirements as to education, training and professional conduct with a view to achieving, in due course, mutual recognition of their membership requirements and qualifications.
6. That the undersigned national Institutes and Associations will work towards the harmonisation of relevant courses of study and levels of education offered by the academic institutions in their respective Member States and towards the establishment of a European commission on education and training in town planning.
7. That the undersigned national Institutes and Associations will co-operate in exchanging information and in promoting contacts between their members and with other relevant organisations
8. That the undersigned national Institutes and Associations will collaborate in identifying major town planning and environmental issues of European significance and in formulating recommendations for action.
9. That the undersigned national Institutes and Associations will establish a Liaison Committee to act as a forum through which to achieve the aims of this Declaration; to act as a point of reference between the town planning profession and the institutions of the Community and to assist the promotion and recognition of the town planning profession in each Member State and in the Community.
10. That the undersigned national Institutes and Associations will welcome the adherence to this Agreement and Declaration of other relevant national Institutes and Associations in the Member States, their co-operation and support in achieving its aims and their membership of the Liaison Committee.

Table 2

APPENDIX A: THE FIELD AND NATURE OF THE PROFESSIONAL TOWN PLANNER'S ACTIVITIES

1. Town Planning is the process known variously as Town and Country or Urban and Regional Planning, Environmental Planning, Land Use Planning and Physical Planning.

2. The Field and Nature of Town Planning

Town Planning embraces all forms of development and land use activities. It operates in all social strata and on several inter-related spatial levels – local, rural, suburban, urban, metropolitan, regional, national and international. It is concerned with the promotion, guidance, enhancement and control of development in the constantly changing physical environment in the interest of the common good but respecting the rights of the individual.

It makes provision for the future; helps reconcile conflicts of interest, projects physical and social change, facilitates the harmonious evolution of communities and initiates action for the optimum use of resources. It is both a management and a creative activity. It is a catalyst in conserving and developing the present and future structure and form of urban and rural areas. It contributes to the creation of the present and future character of social, physical, economic organisation and environmental quality.

Town Planning is not determinist. It seeks to establish balance and harmony. It draws attention to the possible options, it safeguards freedom of choice for the present and the future. It is so conceived as to be able to adapt to the evolution of circumstances.

Town Planning is rarely an independent process; it must take account of external decisions. It works through and negotiates with the decision making mechanisms of society's political institutions and public and private sectors. Public participation is an indispensable element in the process. By virtue of its direct involvement with people and their day to day activities, Town Planning inevitably has strong political overtones.

3. The Skills Required of the Town Planner

Because Town Planning demands a multidisciplinary approach to integrate these complex social, cultural, technical, economic, political and ecological elements, Town Planners are distinguished by their ability to work in teams of Town Planners, with other professions and with representatives of groups concerned with the evolution of the social framework. The methods of Town Planning comprise analysis and synthesis, proposition and programming, creative design, management and administrative skills. Prescribed training followed by continuing professional practice ensure that professional Town Planners have the required competence.

4. The Work of Town Planners

Whether self-employed, contracted or salaried, independent or an employee, engaged in practice or research, in the public or the private sector, the Town Planner principally undertakes the following tasks, either wholly or in part:

- identifying the present and future needs of the community and drawing attention to opportunities, effects, constraints and implications of action
- proposing policies and plans for initiating, regulating, adapting, enabling and implementing change, having regard to guidance from research
- designing spatial concepts of the policies and plans for development
- negotiating towards the realisation of these policies and plans
- continuously guiding, controlling and implementing these policies and plans in accordance with changing needs and opportunities
- evaluating and monitoring the effects and implications of actual changes as they occur
- giving a lead to research and ensuring training schemes

Table 3

THE FIELD AND NATURE OF THE PROFESSIONAL TOWN PLANNERS ACTIVITIES
(Appendix A 'The Charter')

The Town planner is

- a researcher
- a practitioner
- a proposer of policies and programmes of action
- a designer of projects, and
- an implementor

Among the Fields of planning, the Town Planner may contribute to the following activities:

	RESEARCH	POLICIES/ PROGRAMS	CONCEPTUAL DESIGN	IMPLEMENTATION
Economic Development Urban & Rural	<ul style="list-style-type: none"> • Technical Resource Surveys & Appraisal • Socio Economic Surveys Appraisal • Land Use and Environmental Impact Studies 	<ul style="list-style-type: none"> • Strategic Integrated Physical and Economic Plans • Priority Development Projects • Specific Regional Development Projects 	<ul style="list-style-type: none"> • Integrated Physical & Economic Structure Plans • National, Regional, Local (urban & rural) • Land Use Standards & Regulations 	<ul style="list-style-type: none"> • Monitoring Employment Generation Programs and Incentives • Development Control Regulations & Environmental Protection measures for Pollution Control • Community Participation
Social Planning Provisional Facilities	<ul style="list-style-type: none"> • Population Survey & Analysis • Projections • Provision of Facilities 	<ul style="list-style-type: none"> • Integrated Development Plans 	<ul style="list-style-type: none"> • Structure & Neighbourhood Development Plans for new towns, new communities, inner city revitalisation and rural areas 	<ul style="list-style-type: none"> • Integrated Project Funding • Monitoring
Housing	<ul style="list-style-type: none"> • Technical Surveys • Demand Forecasting • Provision of Support Facilities 	<ul style="list-style-type: none"> • Priorities and Options for accommodating housing need in urban & rural areas 	<ul style="list-style-type: none"> • Land Use Development Plans • Local Neighbourhood Plans (Urban & Rural) 	<ul style="list-style-type: none"> • Finance & management Strategies
Renewal Urban & Rural	<ul style="list-style-type: none"> • Technical Surveys & Analysis • Capability Studies • Neighbourhood Analysis 	<ul style="list-style-type: none"> • Options • Investment Policies • Financial & Social Considerations 	<ul style="list-style-type: none"> • Urban Development & Renewal Plans & projects • Rural Reclamation & Rehabilitation Projects 	<ul style="list-style-type: none"> • Financial Incentives • Revolving Funds • Continuous Monitoring & Corporate Management
Transportation	<ul style="list-style-type: none"> • Demand Forecasting • Provision of Facilities • Traffic Origin & Destination Surveys • Environmental & Land Use Impact Appraisals 	<ul style="list-style-type: none"> • National, Regional, Multi-modal transportation Plans • Investment Policies 	<ul style="list-style-type: none"> • Integrated Land Use Transportation Plans • Traffic management Plans • Traffic/Energy/Conservation Measures 	<ul style="list-style-type: none"> • Technical Detailing & Finance Schemes • Land Use & Development Control Regulations

	RESEARCH	POLICIES/ PROGRAMS	CONCEPTUAL DESIGN	IMPLEMENTATION
Energy	<ul style="list-style-type: none"> • Technical Studies of resources • Demand Analysis & Forecasting • Land Use & Environmental Impact Studies • Methods of Waste Disposal & Derelict Landscape Rehabilitation 	<ul style="list-style-type: none"> • Integrated National Energy Strategy • Options for Provision of requirements & priorities • Environmental Protection Measures • Schemes for Energy conservation which are in the interest of public safety 	<ul style="list-style-type: none"> • On-site Standards Regulations for Use & Reinstatement • Neighbourhood layout & Energy Conservation Schemes 	<ul style="list-style-type: none"> • Environmental Protection Measures & Monitoring • Management Schemes
Communications	<ul style="list-style-type: none"> • Demand Forecasting Network Surveys & Information Technology • Provision of Facilities & Systems • Impact Appraisals 	<ul style="list-style-type: none"> • Communication models & Investment Strategies 	<ul style="list-style-type: none"> • Specific Site & Land Use Arrangements 	<ul style="list-style-type: none"> • Impact Appraisals – continuous • Monitoring
Landscape	<ul style="list-style-type: none"> • Land Use & Resource Surveys • Natural Environment Survey & Analysis 	<ul style="list-style-type: none"> • Landscape Protection & Development Projects 	<ul style="list-style-type: none"> • Landscape Design & Site Planning 	<ul style="list-style-type: none"> • Environmental Protection Measures & Monitoring
Conservation	<ul style="list-style-type: none"> • Studies of the Natural & man made Environments • Natural Environment Surveys & Analysis 	<ul style="list-style-type: none"> • Conservation Area Designation • Conservation Projects • Conservation Policies 	<ul style="list-style-type: none"> • Conservation Plans for the man made & natural Environments 	<ul style="list-style-type: none"> • Financial Incentives • Land Use & Development Control
Recreation & Tourism	<ul style="list-style-type: none"> • Technical Surveys • Demand Forecasting • Impact Appraisal 	<ul style="list-style-type: none"> • Growth Potential Plan • Investment Strategies • Recreation Schemes • Tourism Schemes 	<ul style="list-style-type: none"> • Location Strategies • Site Planning 	<ul style="list-style-type: none"> • Initiatives • Management Schemes
Legal Aspects	<ul style="list-style-type: none"> • Legislation Codes & Regulations • Compensation Issues • Co-ordination of related Technical Expertise 	<ul style="list-style-type: none"> • Integrated Development Plans 	<ul style="list-style-type: none"> • Budget Allocation for Objectives 	<ul style="list-style-type: none"> • Legal Proceedings • Court Hearings • Planning Inquiries • Public Participation

Footnote:- The range of activities covered by the profession differs in each member state of the Community.
Within each member state, individual planners may choose to specialise in particular types of activity

Table 4

APPENDIX B: EDUCATION AND TRAINING

1. Appendix B is a statement of the training of the European Town Planner. The purpose of the training of professional Town Planners is to enable them to acquire and maintain the skills necessary for the practice of the profession as defined by Appendix A (The Field and Nature of the Professional Town Planner's Activities) and in accordance with Appendix C (Professional Conduct Requirements). It is left to the institutions involved to define the methods used.

2. The status and competence of professional Town Planners requires a training aimed at developing the ability to identify problems and devise solutions

- by assimilating the interdependent knowledge of a physical, spatial, technical, social, cultural, economic and political nature,
- through an understanding of all the processes involved in planning and in the related disciplines and professions which contribute to planning
- through an introduction to analysis, projects and concepts, synthesis, programming, decision making and implementation.

3. The content of the training shall

- a) encompass and deal with various spatial scales and different time horizons
- b) relate to different living contexts and environments – urban, rural, developed and developing
- c) evaluate and incorporate new developments in techniques and professional practice
- d) consist of academic study and practical experience
- e) encompass the study of the field of Town Planning and Development including the contributions made to Town Planning by other disciplines
- f) include a minimum common core of subjects to be adopted by the Council from time to time which defines the minimum level and quality of the training.

4. The Organisational Structure of the Training shall be as follows

- a) the training should be at university level
- b) the training should be organised within the framework of
 - *an undergraduate programme consisting of a minimum of 6 years of training including 4 years full time academic study or equivalent and 2 years practical experience in an approved practice or in research or alternatively 5 years full time academic study and 1 years practical experience in an approved practice or in research; or,
 - *a postgraduate programme consisting of a minimum of 4 years of training including 2 years of full time academic study or equivalent and 2 years practical experience in an approved practice or in research
- c) contributions from related disciplines should be integrated into the training throughout the entire period of study through teaching programmes, teachers or postgraduate students
- d) professional planners should form part of the teaching body in order to bring about a balance between theoreticians and practitioners
- e) teaching centres should also provide for academic research and higher academic qualifications in the fields of Town Planning and Development.

5. Any specialisation of professional Town Planners in a particular area of Town Planning may take place either before the postgraduate Town Planning course of study or subsequent to the undergraduate Town Planning course of study or simultaneously with and as a part of the Town Planning course of study.

6. Complementary training courses in Town Planning shall be organised for the continuing professional development of Town Planners, the training of technicians who assist professional Town Planners, and increasing the awareness of members of related professions.

Table 5

APPENDIX C: PROFESSIONAL CONDUCT REQUIREMENTS

1. Professional Town Planners shall conduct themselves in such a manner as to uphold the reputation of the profession in general and their Institute or Association in particular. They shall respect and uphold the professional ethics of the Institutes or Associations of each of the EEC Member States within which they undertake work.

2. Each Institute or Association will draft its own detailed Code of Professional Conduct. This will embody the following Principles, to which all town planners in the EEC Member States agree to subscribe:

a) **Competence** To take reasonable steps to maintain professional competence at all times, including adhering to advice promulgated by their Institute or Association. Town Planners must ensure that they are well informed about the needs of all sections of society.

b) **Responsibility** To act always in the client's or employer's best interests, provided that the interests of the community shall be paramount; to make full reports and disclosure of all relevant, known facts, risks and consequences.

c) **Integrity** To safeguard the trust bestowed by the client; not to misuse privileged information, to avoid conflict of professional interest and to ensure that all statements made constitute *bona fide* professional opinion.

d) **Fellowship** To seek to eliminate all forms of discrimination, to rely solely on professional capability to obtain commissions, not to seek to supplant another practitioner; and always to notify a previous practitioner on being approached to proceed with work on which such practitioner had been engaged. To work in teams and collaborate with other Town Planners as appropriate. As employers, Town Planners should allow staff to expand their knowledge, experience and ability, and give due recognition to their professional contributions.

e) **Other Professions** To respect the particular expertise of other related professions and to collaborate with them and seek their expertise whenever appropriate to the nature of the task.

f) **Remuneration** To be remunerated solely by professional fees, according to any Scale of Professional Charges of the respective Institute or Association, or by a salary; and, not to give or receive discounts or commissions. Fees may be waived when a Town Planner acts in an honorary capacity.

g) **Advertising** Must be honest, moderate, unrelated to other commercial interests, factually accurate and fair to other practitioners.

3. Each Association or Institute will be responsible for the observance by its members of these Professional Conduct requirements

TABLE 6: Matrix of Organisation of Town Planning Profession in Europe

Belgium (Francophone)	PROFESSIONAL ORGANISATIONS	LAWS	FIELDS OF ACTIVITY/ EMPLOYMENT
QUALIFICATIONS/ SCHOOLS			
Free University	The C.U.B. was founded in 1962 (Chambre des Urbanistes - Consuls de Belgique) and has a membership of 50.	No codes, particular to the profession. Town Planners are governed by the terms of their work contract.	Statutory Development Plans are prepared for the region of Brussels and Wallonia.
State University.			
Enseignement de Promotion Sociale	The title and function are not registered/protected by law.	The 1962 national law on <i>L'Amenagement du territoire et de L'Urbanisme</i> , requires the preparation of diverse development plans.	<ul style="list-style-type: none"> - Regional Plan - General Development Plan - Sector Development Plan. - Housing and Building Plans.
LEVEL			
- Postgraduate	In Wallonia the profession is recognised and in regions of Wallonia and Brussels. For the award of contracts one must be on the register of town planners.		Other relevant activities relate to economic sectors, commune development, practical research.
certificate			
licence			
doctorate			
RECOGNITION			
Degrees are permanent academic qualifications.		There is obligation to engage a qualified Town Planner for planning work.	<p>50% work in the public sector and 50% in the private sector and all employees are protected by Social Welfare Laws.</p> <p>Fee scales are recommended by Belgian Union of Towns and Communes.</p> <p>Vat is 17%</p>

Belgium (Neerlandophone)

QUALIFICATIONS/ SCHOOLS

State University of Ghent.
Catholic University of
Louvain.
L'Institut Supérieur
d'Architecture.
'De Bijloke'
Saint Luc Anvers.
Schaerbeek.

LEVEL:

There is not a Diploma course corresponding to the degree of town planner. Existing planning education is included in the courses of the Universities and Schools of Architecture.

Currently the professional bodies are not directly involved in the formation of town planners.

RECOGNITION:

All degrees awarded by the Universities and Higher Institutes in the Flanders area are permanent academic qualifications

PROFESSIONAL ORGANISATIONS

There are three professional town planning associations (230 members).

1. B.V.S. 'Belgische Vereniging Van Stedebouwkundigen' founded in 1965 and represents town planners-designers. (95 members).
2. V.F.P. 'Vlaamse Federatie Voor Planologie', which represents qualified urbanistes - planners or planologues from the Universities of Ghent and Flemish Louvain.
3. G.P. of K.V.I.V. Planologie 'Het Genootschap Planologie' represents Flemish town planning engineers.

The three associations are all mutually supportive and co-operative. The title and function are not registered/protected in law.

LAWS

Belgian law does not require a town planner to be a member of a professional body. The B.V.S. is currently preparing a Code of Conduct.

Town Planners in the public sector are governed by the terms of employment. In the private sector, town planners respect the contract with clients.

The 1962 Legislation on 'L'urbanisme et l'aménagement du territoire' is currently being revised.

Physical planning in Flanders essentially operates at commune level. However, there are 25 Flemish regional plans which indicate objectives for each square meter of land. In addition there are town and sub-town plans.

FIELDS OF ACTIVITY/ EMPLOYMENT

Plans for protecting and improving towns and commune, conservation, tourism, agriculture, maritime activities, promotional plans, seminars and conferences.

36% in public service, 13% in education/training, 14% as employees in private practice, 11% freelance.

All employees are protected by Social Welfare Laws.

The B.V.S. published guidelines on private commissions.

Fee Scales are agreed with the Belgian Union of Towns and Communes.

Denmark

QUALIFICATIONS/ SCHOOLS

University of Ålborg.
School of Architecture in Aarhus,
Technical University of Denmark.
Royal Academy of Fine Arts,
School of Architecture.

LEVEL:

Undergraduate.

M. Arch, B. Sc., M. Sc.

RECOGNITION:

Degrees are permanent academic
qualifications.

PROFESSIONAL ORGANISATION

The Danish Association of Town
Planners FAB (Foreningen Af
Byplanl'ggere) (674 members) was
founded in 1963. It is the only
organisation for town planners in
Denmark. The members consist of
professional members and a small
number of members with a special
interest in town planning (students,
politicians, activists, journalists, etc.)

FAB is an independent national
organisation and its internal organi-
sation is set out in its Constitution
and Bye Laws which can only be
altered by the decision of the mem-
bers.

The title function or professional
body is not protected by law.

LAWS

Members are governed by the Codes
of Professional Conduct.

Town Planners in the public sector
are subject to the terms of employ-
ment and those in private practice by
the terms of contract.

Current legislation requires the
preparation of statutory Regional
Plans for the 12 Regional
Authorities and the preparation and
adoption of local Plans, within the
framework of National and Regional
Planning for the 275 local authori-
ties.

All the regional and local authorities
have appointed qualified Town
Planners to prepare their plans.

FIELDS OF ACTIVITY/ EMPLOYMENT

At central Government level, the
preparation of national physical plan-
ning activities, issuing of guidelines
and directives, approval of regional
plans.

At regional authority level, the
preparation and maintenance of the
Regional Plan, Land Use Control,
advisory services for elected politi-
cians and public administration.

Education and research takes place in
the universities and other public
research institutes. All are financed
by central, regional or local authori-
ties.

60% are employed in public service
at the local level, 8% in public ser-
vice at regional level and 9% in pub-
lic service at national level. 17% in
private consultancies, 5% in academ-
ic and research institutions.
All employees are protected by legis-
lation.

FAB has published Standard
Guidelines for contracts.

Fee scales are not exact.
Vat is 22%

France

QUALIFICATIONS/ SCHOOLS

There are no schools.

LEVEL:

Postgraduate

Maitrises d'Etat.

Doctorats: Dea - recherche
Dess-preprofessional

Lyon II

Charte Appereau

Paris XII Creteil
recognised by the
Sciences Po Paris, SFU

Saint Denis Paris VIII

Grenoble UER urba
Aix en Provence IAR
C.E.S.A. Tours.
and these are not
recognised by the
S.F.U.

RECOGNITION:

Degrees are permanent academic
awards.

PROFESSIONAL ORGANISATIONS

There are a number of associations.

- Associaties des Charges d'e-
tudes des villes Nouvelles.
- Urbaniste de l'Etat (100)
- Association Promotion Urban-
isme Communal (A.P.U.C.)
(200)
- S.F.U. - established 1911 (600)
has two levels, national and
regional (23 regions).

Admission is by way of various cri-
teria.

The title or function of professional-
body is not protected by law.

LAWS

Members are governed by Code of
Professional Conduct and terms of
Contract and other laws pertaining to
planning and development.

FIELDS OF ACTIVITY/ EMPLOYMENT

Planning takes place at national
(State), regional (22), Department
(100) and Commune (3,600) levels.

60% work in Public sector, 40%
work in private sector of which two-
thirds are independent and one-third
salaried persons.

Town Planners are governed by con-
ditions of employment and terms of
contract.

All employees are protected by state
regulations. Guidelines on contract
and fees scales are indicated by
S.F.U.

Professional insurance is not obliga-
tory but members are recommended
to obtain the necessary cover.

Great Britain

QUALIFICATIONS/ SCHOOLS

15 Universities
10 Polytechnics
2 Institutes Higher Education.
1 School of Art.

LEVEL:

Undergraduate - 4 or 5 years full time or 6 years part-time.
B.A., B.Sc., B.T.P.

Postgraduate - 2 years fulltime Masters degree or a Diploma after a U.K. or Irish degree.

Distance learning through the Open University to achieve membership of R.T.P.I.

RECOGNITION:

These are permanent academic qualifications which offer their holders exemption from Final Examination of R.T.P.I. on completion of certain post-graduate practical training.

PROFESSIONAL ORGANISATIONS

R.T.P.I. founded in 1964, (membership 10,003) restricted to qualified T.P's. Internal Organisation and Constitution set out in Royal Charters and Bye Laws; amended by only 3/4 majority vote. The R.T.P.I. has a National President, 2 vice presidents elected annually by a Council of 28 Fellows and representatives, elected by the corporate representatives and meets four times per year. Objectives are to advance the science art of T.P; further education, devise and impose standards of knowledge and skill for persons seeking membership of the R.T.P.I. further high standards of T.P. and competence; further research and the dissemination of information. The title function is not registered by law. The title "Chartered Town Planner" and the R.T.P.I. are registered by Royal Charter. No obligation to engage qualified or Chartered Town Planner for planning work. The R.T.P.I. is the listed professional body in the Directive on Mutual Recognition of Higher Education Diplomas.

National Organisations:-
D.O.E., Scottish Dev. Dept.,
D.O.E. Northern Ireland.

LAWS

Code of Professional Conduct and Appendix Code of E.C.T.P's Charter.

T.P's in public sector are governed by conditions of service and employment.

T.P's in private sector are governed by terms of contracts.

Local Authorities have a legal obligation to have a Planning Department, which must prepare plans regional structure, local and unitary, and operate a development control function.

FIELDS OF ACTIVITY/ EMPLOYMENT

Preparation, co-ordination, implementation of Statutory Development Plans, area plans, design guides, statutory planning control, public inquiries, court proceedings, education and research.

66% work for Local Authorities 4% with central Government, 8.5% in other public services. 14% work in private practice.

All employees protected by Social Welfare Laws.

The R.T.P.I. published guidelines on private commissions.

Fee Scales prohibited by Law in U.K. contrary to Fair Trading Regulations.

Standard rate of vat 15% Income Tax scale related to income/personal circumstances

German Federal Republic

QUALIFICATIONS/ SCHOOLS

University/Technical Universities
Special faculties of
Town and Regional Planning.
a) Berlin, Dortmund
Hamburg
Kaiserslautern
Oldenburg
b) integrated in faculty of architecture and town planning.
Aachen Darmstadt
Hannover,
Karlsruhe,
München,
Stuttgart.
Comprehensive Universities - post graduate studies in several schools.

LEVEL:

Graduate level.
Dipl./NG (University level)
Dipl.-Ing (Fachhochschule)

RECOGNITION:

Degrees and Diplomas are permanent academic awards.

PROFESSIONAL ORGANISATIONS

The German Association of Town Regional and Country Planners (Verenigung der Stadt, Regional and Lands Planx, SRL) (812 members) was founded in 1969. It is the only organisation of professional town planners in F.R.G. The managing committee consists of 6 members who are elected by the General Assembly for 3 years. Regional groups have been established and also technical groups in particular specialists in traffic. Forum man and Traffic' joined the SRL in 1987. There is also a group of T.P. in private practice within the Association of German Architects (B.D.A.) and two academic societies - German Academy for Town & Country Planning (D.A.S.L.), Academy for Country Planning & Research (A.R.L.)

The objectives of S.R.L. are to encourage the exchange of experience, be it a critical forum, inform the public, represent interests of Town Planners, develop standards of planning.

Title, function and professional body is not protected. Only in a few federal states (Bundes/Länder) is title and function of Town Planners protected.

LAWS

Since 1987, the Code of Professional conduct of ECTP is part of the SRL's conditions for membership.

T.P.'s in public sector and private sector are governed by conditions of employment and terms of contract.

Present laws require

- program for development of the State.
- Spatial development planning for federal states and regions.
- Town planning map/master plan.
- Comprehensive Development Area Map.
- Landscape Planning
- Local Development programme planning.
- Rural planning.
- Traffic Planning.

FIELDS OF ACTIVITY/ EMPLOYMENT

Planning advice relating to specific functions, advocacy planning, education and research, training seminars, conferences, advisory manuals.

Unemployed 10%
Public Practice - 70%
Private Practice - 50%
Academic & Research - 20%

All employees are protected by legislation.

New laws are in preparation for architects and town planners.

There is no standard contract form.

Fee scales exist as statutory instruments.

Vat - 14%

Income Tax is payable on a scale related to income and personal circumstances.

Ireland

QUALIFICATIONS/ SCHOOLS

University College, Dublin.

LEVEL:

Post graduate

Primary Degree

3-5 years fulltime.

B.A., B. Soc. Sc.,

B. Arch, B.E., B.Sc.

plus Postgraduate 2 years full time
Masters Degree or Diploma.

RECOGNITION:

These are permanent academic awards enabling their holders to become representatives of the I.P.I. on completion of certain post graduate practical training.

PROFESSIONAL ORGANISATIONS

The I.P.I. was founded in 1975 and membership (206) is restricted to qualified town planners and its internal organisation is set out in its Constitution and Bye Laws, which can only be altered by vote of the representatives. The I.P.I. has a President and Vice President elected annually by a Council of Representatives, elected by the corporate representatives and meets each month.

Objectives are to promote all professional interests, education, information, research and public participation. As such the I.P.I. is recognised by the State as the national body representative of the profession. The title, function or professional body is not registered/protected by national law.

The EEC Directive on Mutual Recognition of Higher Education Diplomas, lists the I.P.I. as the relevant professional body in Ireland. Employment as a Town Planner in the public sector necessitates a recognised planning qualification.

National Organisation - D.O.E.

LAWS

Obligations towards the defence of the public interest, employers/clients and colleagues are set out in IPI Code of Professional Conduct and Appendix C of the ECTP Charter.

Town Planners in public sector are governed by conditions of service and employment.

Town Planners in private sector are governed by terms of contract.

Present laws require the preparation of statutory development plans for the 1987 L.A.'s and in practice these are generally prepared by qualified Town Planners.

FIELDS OF ACTIVITY/ EMPLOYMENT

Physical Planning in Ireland takes place at local level.

Co-ordination and implementation of statutory development plans, action area plans, design guides, statutory planning control, planning appeals, public participation, public inquiries, Court proceedings, education and research, training seminars/conferences.

83% work in public sector.

11% work in private sector.

6% in academic and research institutions.

All employees are protected by Social Welfare laws.

The I.P.I. does not publish guidelines on contracts.

Members are recommended to obtain professional insurance cover. Income Tax is related to income and personal circumstances.

Vat is 23%

Italy

QUALIFICATIONS/ SCHOOLS

University - Venice.

Reggio Calabria.

LEVEL:

Diploma (Laurea).

RECOGNITION:

Permanent academic award, enabling their holders to become members of Associazione Nazionale Degli Urbaniste

PROFESSIONAL ORGANISATIONS

A.N.U. was founded in 1977(300 members) and its constitution approved by the Assembly in 1982.

The aims are legal recognition of the title of the profession; the promotion of initiatives in respect of the educational formation of Town Planners and debate about territory problems.

The organisation of the ANU comprises the Assembly of Representatives, the Council, The President, the Collegio Sindacale. The Assembly elects the Council (eleven members) which elects the President. The title, function, or professional body is not registered/protected in law. A number of unsuccessful initiatives have been made for legal recognition, vis a vis, the architects, engineers and society's need for a new profession.

Currently to practice legally, one must be a member of either of the two existing Councils (architect, engineer). The problem is to establish a new Council for Town Planners with specific legal recognition.

LAWS

The professional code of the ECTP in addition to AETU's own Code is obligatory on all members.

FIELDS OF ACTIVITY/ EMPLOYMENT

Planning advice relating to specific functions, advocacy planning, education and research, training seminars, conferences, advisory manuals.

Netherlands

QUALIFICATIONS/ SCHOOLS

Technical University Delft, Faculty of Building Sciences (T.U.D.)
Technical University, Eindhoven, Faculty of Building Sciences (T.U.E.).

Academies of Architecture in Amsterdam,
Rotterdam, Tilburg, Maastricht.

LEVEL: Undergraduate -

- 1) T.U.D. and T.U.E. 4 yrs full time, B.Sc.,
- 2) Academies - 4 yrs part-time, B. Arch.
- 3) High Institutes for Technical Training - 4 yrs full time, leading to admission to 1 or 2.

Postgraduates - T.U.D. 2 yrs fulltime, M. Sc., 4 yrs fulltime Ph.D.

Academies 2 yrs part-time M. Arch.
Undergraduates degrees - first phase of professional and doctorate training.

RECOGNITION: postgraduate degrees, give right to enter profession and apply for BNS membership. It is being considered to allow undergraduates to enter the profession after 2 yrs supervised practice.

PROFESSIONAL ORGANISATIONS

The B.N.S. is a private organisation founded in 1935, to promote the profession and the interests of the representatives (280). As such the B.N.S. is recognised by the State as the national body representative of the profession.

The B.N.S. has a board of 7 representatives elected by the General Assembly. There are 4 regional committees.

The title and function are soon to be officially recognised by law. However there is no obligation to engage a qualified Town Planner for planning work.

LAWS

Code of Professional Conduct and Appendix C of ECTP Charter.

The code is officially recognised by the Dutch Government.

In the public sector T.P.'s are governed by conditions.

In private practice, T.P.'s are governed by individual contracts, subject to certain official requirements.

The Dutch Housing Act and Town Planning Act give the full framework for the functioning of professional Town Planners at national, provincial, regional, and local levels.

FIELDS OF ACTIVITY/ EMPLOYMENT

Physical Planning takes place at 3 levels.

National - preparation of national planning and monitoring of other levels.

Regional - preparation of regional planning activities and monitoring of plan activities at local level.

Local - Preparation of local plan activities, Master Plans, Land Use Plans, Neighbourhood Plans, Urban Renewal Plans, Implementation Land Use Control. 67% work in public service, 30% in private sector, 3% education and research.

All Town Planners in public sector are protected by Social Security Laws. Town Planners in private sector have no specific protection. No standard form for private or public contracts.

Every year fee scales are negotiated with Central Government. In principle the fee is based on a fixed amount per hour plus expenses. Also a fixed price for a work package is often negotiated.

The Town Planners fee is subject to 20% vat.

Portugal

QUALIFICATIONS/ SCHOOLS

University of Porto.

Technical University of Lisbon.

University of Coimbra.

University of Minho.

LEVEL:

Education included in the courses of Architecture and Civil Engineering, environmental engineering, geography, regional planning at the Institute of Economy and Agronomy.

New M.U.R.P. course now established for graduates of above.

RECOGNITION:

Permanent academic awards.

PROFESSIONAL ORGANISATIONS

The S.P.U. was founded in 1982. It consists of an elected executive board, with the objective of promoting professional capabilities by way of education, public seminars and professional studies.

The S.P.U. has accepted 40 professionals as full members. Consideration is also being given to other professionals working on planning teams.

The title and function are not registered or protected by law.

LAWS

Code of Professional Conduct of E.C.T.P. Charter is being used as a model.

Portuguese Planning Law consists of

- Municipal Planning Law
- Urban Planning Law
- Land Planning Law
- Compulsory Acquisition Law.
- Private Subdivisions Law.

National and regional issues are decided by Central Government who also approve Municipal Plans.

There are 300 municipalities with subdivisions to 4000 freguesias. The municipality approves Urban Plans and Detailing Plans only. Some municipalities have town planning departments.

Most rely on private consultants or central administration technical staff.

FIELDS OF ACTIVITY/ EMPLOYMENT

Statutory Sector planning and Private Contracts, education, research, promotion of planning.

Spain

QUALIFICATIONS/ SCHOOLS

State established non University. Escuela de Urbanismo del Instituto, del Ministerio para las Administraciones Publicas (MAP)

LEVEL:

Primary degree architecture, engineering, law, economics, sociology geography.

RECOGNITION

Diploma - 'Technico Urbanista' from IEAL-MAP and enable holders to become member of AETU.

PROFESSIONAL ORGANISATIONS

The AETU was founded in 1981. Membership is restricted to qualified (196) 'Technicos Urbanistas'. The internal Organisation is set out in its Constitution (Estatutos) and Bye Laws; amended only by vote of members.

The aim is to uphold all professional interests, advice, professional defence, professional development, education and information.

The title/function are not registered by law.

Spanish legislation requires that plans be prepared by 'technics of the administration' or by private competent technics. The official translation of 'competent' is 'architect or 'engineer'. AETU is working for recognition of 'Technico Urbanista' title.

LAWS

The Code of Professional Conduct sets out the obligations towards the defence of the public interest, employer/clients and colleagues.

The role is in accordance with principles of E.C.T.P.

The 'Technicos Urbanistas' employed in the public and private sectors are governed by conditions of service and individual contract. They are also governed by terms of Colegios Profesionales de Arquitectos de Ingenieras, etc.

The State is responsible for national phy. planning. All other planning responsibilities are transferred from the State to regional autonomous powers. Planning of the townships is at local level. (8000)

FIELDS OF ACTIVITY/ EMPLOYMENT

Planning advice related to specific function, promotions of amenity and tourism, industrial development, training seminars, practical research advisory manuals.

75% work in public service.
15% work in academic research institutions.
5% work in 2 or 3 types.

All employees are protected by Social Welfare Laws.

Social Insurance is not available to self employed and this category is obliged to undertake insurance in their own professional colleges (4% of income).

The AETU does not publish any standard contract form.

The professional colleges have standard forms. Fees for planning works are legally tariffed for architects and engineers. No AETU scale. Taxes include corporation tax, income tax and vat at 12%.

HOUSING OUTSIDE IRISH TOWNS

An analysis of household characteristics, motivations and preferences

DAVID STOREY AND PATRICK O'FLANAGAN

A considerable amount has been written about ribbon development which has tended to give the impression that this is the only type of housing development in rural areas. Recent work by An Foras Forbartha serves to place ribbon development in its broader context. Their survey of houses built in rural areas in Ireland in 1983 revealed that over 70 percent were isolated, rather than in ribbons or clusters, (Jennings and Bissett, 1986)

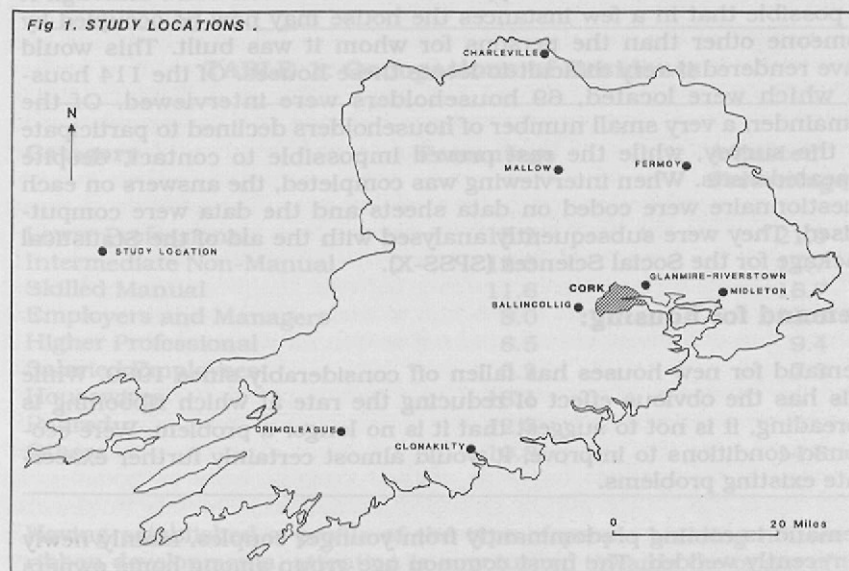
It has been postulated that ribboning results from a combination of factors. Land costs tend to be lower in rural areas thus making it cheaper to build a house there, rather than in a town. Many people prefer living in rural areas in what they perceive to be a more natural environment, offering privacy and scenic beauty. Many researchers have assumed that ribboning is predominantly urban-generated. This is to suggest that houses in ribbon development are occupied by people who are migrating from urban areas and 'who have no functional rural connection' (Jennings, 1986). In other words, the residents work in urban areas (Shaffrey, 1985). Such people may tend to differ from natives of the area in terms of living conditions and social pursuits (Cronin, 1987).

The main arguments employed against ribbon development relate to the increased cost which it imposes upon society, mainly through the provision of public services. The furnishing of telephone, postal and electricity services all give rise to increased expense for the taxpayer (Cork County Council, 1985). It has been estimated that the cost of supplying electricity and adequate sewerage facilities to more dispersed settlement is considerably greater, relative to urban or more clustered locations (Foras Forbartha, 1976). Ribboning has also been shown to increase the road accident rate (due to a greater number of entrances onto public roads) and adds to school transport and postal service costs, among others (Suffren, 1977). Recently, questions have been raised relating to the estimation of public and private costs associated with housing in rural areas. The lower cost to the individual (due to cheaper, and often free, sites) has been referred to, while it has been suggested that increased costs related to the provision of public utilities are a matter for the pricing policies of those utilities (Jennings,

1986). Nevertheless, it is undoubtedly true that the cost of providing services is increased due to more dispersed housing developments.

Against this background the aims of this paper are to assess the demands and preferences of consumers for this kind of housing. The work is placed in a wider socio-geographic framework by an analysis of the characteristics of the householders, through which an attempt is made to identify the factors which have promoted the growth of ribbon development.

In order to adequately assess housing need and consumer preference, a questionnaire survey of recent house builders was considered the most appropriate method. This was supplemented by informal discussions with estate agents and representatives of housing finance agencies. It was obviously necessary to conduct the survey in areas experiencing considerable ribbon development. The areas chosen are in close proximity either to major towns or to Cork city. They were selected so as to represent different types of geographic areas within County Cork. The zones of ribboning chosen occur close to Ballincollig and Glanmire-Riverstown in the Cork City area; Middleton in East Cork; Fermoy, Mallow and Charleville in North Cork; Clonakilty and Drimoleague in West Cork (Fig. 1).



Utilising 25 inch maps showing planning permissions, every full permission granted for private dwellings within the specified areas, since 1980, was noted. 1980 was chosen on the basis that respondents might be unable to accurately recall the reasons underlying certain decisions made by them, many years previously. A 50 percent sample was selected, by taking every second planning application number from lists drawn up in chronological order.

When the sample planning application numbers were selected (a total of 239), the corresponding names and addresses of applicants were obtained from the planning files. In some instances permissions were found to be for non-residential buildings, or for renovations to existing dwellings. In some cases two or more applications related to the same dwelling, being alterations to previous applications. A very small number of applications proved impossible to trace. When all superfluous applications had been excluded, a total of 157 remained. The questionnaire design reflected the need to acquire information related to the stated aims of the study. It was structured in an accepted format, designed to elicit as accurate a response as possible to the questions asked (Dixon and Leach, 1978).

During the implementation of the questionnaire, 114 of the 157 houses were located. The remainder appear not to have been built, although it is possible that in a few instances the house may now be occupied by someone other than the persons for whom it was built. This would have rendered it very difficult to locate these houses. Of the 114 houses which were located, 69 householders were interviewed. Of the remainder, a very small number of householders declined to participate in the survey, while the rest proved impossible to contact, despite repeated visits. When interviewing was completed, the answers on each questionnaire were coded on data sheets and the data were computerised. They were subsequently analysed with the aid of the Statistical Package for the Social Sciences (SPSS-X).

Demand for housing:

Demand for new houses has fallen off considerably since 1980. While this has the obvious effect of reducing the rate at which ribboning is spreading, it is not to suggest that it is no longer a problem. Were economic conditions to improve, it would almost certainly further exacerbate existing problems.

Demand is coming predominantly from younger couples, mainly newly or recently wedded. The most common age group among home owners is 30-34; in 22 cases both adult residents are in this category and in a further 13 cases, at least one adult resident is. In 24 cases there are

no resident children; almost exclusively these are households occupied by recently married couples. The average number of children, in households where children are present, is 2.2. In 30 cases all children are under 10 years of age. In 12 instances there is only one child. In virtually all of these, the age of the parents suggests that more children will arrive in later years. In only three cases did the household consist of only one person. Clearly, young married couples are the norm.

In just over one quarter of cases, all resident adults had been living with their parents immediately prior to moving into their current home. However, in many additional cases, one adult resident had been living with their parents immediately prior to their move. In 42 percent of cases, the house surveyed was the occupants' first home as a family unit.

By taking all employed occupants in the study and calculating each category as a proportion of the overall total, it can be seen that 21.9 percent are in the lower professional category, 17.7 percent in the intermediate non-manual category and 16.7 percent in the skilled manual group (Census definitions) when adjustment is made to allow for housewives and retired people. Other categories are much less well represented (Table 1). Thus, the majority of residents can be deemed to be in moderately well paid and secure jobs.

TABLE 1: Occupations of Residents

Category	Percentage	Adjusted Percentage
Lower Professional	15.2	21.9
Intermediate Non-Manual	12.3	17.7
Skilled Manual	11.6	16.7
Employers and Managers	8.0	11.5
Higher Professional	6.5	9.4
Salaried Employees	5.2	7.3
Housewives	18.1	-
Retired	12.3	-
Others	10.8	14.6

Having established a profile of the type of people building houses in ribbon developments, attention is now turned towards the origin of the residents. In 33 percent of households at least one adult resident was brought up within one mile of their current residence. Such people can

be termed as 'natives'. All of these could be regarded as 'rural-generated' housing and, while not forming the majority, the proportion is still somewhat higher than might have been expected, thus proving that ribboning is not solely due to urbanites, or 'newcomers', moving into the countryside (Table 2). This sizeable amount of locally induced housing helps to explain why just over half of the households involved did not look for a site at a location other than that at which they are now resident.

TABLE 2: Origin of Residents

Area	Percentage of Residents	
	Natives	Newcomers
Ballincollig	36.7	63.3
Glanmire-Riverstown	14.3	85.7
Midleton	50.0	50.0
North Cork	30.0	70.0
Total	36.2	63.8

Another factor contributing to this is the number of people who had lived locally prior to moving into their current residence, but who are not natives of the area. In 22 percent of cases, all adult residents had previously lived within one mile of their current residence. In a further 16 percent, one adult resident had lived within that distance. While there is quite a close correspondence between the figures relating to previous residence and those relating to childhood residence, by no means all of those who lived locally, prior to moving to their current residence, could be termed 'natives' of that area. The addition of these 'newcomers' to the 'native' residents means that in only 46 percent of cases did the household have no previous connection with the area. There is quite a close correspondence between the proportion of households with some previous connection to their area of residence and the proportion of households who did not search for a site in other areas.

Further evidence of a somewhat less mobile population, than might have been expected, is provided by the fact that of those who previously owned a house (32 households), in 10 cases all adult residents had previously lived within one mile of their current home although only two out of this total could be regarded as 'natives'. There is thus a sizeable amount of movement between houses, within relatively small areas. People who owned houses on more than one previous occasion were more likely to have moved to their current home from longer distances away. Housebuilding in these instances was due mainly to

changes in employment location. When considering the demand for sites, the question arises as to why people purchase sites rather than ready-built houses. Over 30 percent of respondents chose to build a house, rather than buy one, on the basis that it was cheaper to do so (Table 3). Greater choice, in both design and location, was the next most important reason cited for building, rather than purchasing a house. Choice assumes a much more important role among those who previously owned a home, accounting for almost one third of stated reasons within that category. Among those who owned a house on more than one previous occasion, choice was cited by 50 percent of owners as their reason for building. Getting married was the principal catalyst for building a new house (Table 4).

TABLE 3: Reasons for building, rather than buying, a house

Reason	Percentage of Households
Cheaper	30.4
Choice	24.6
No suitable houses	15.9
Given site	13.0
Occupant is a builder	5.8
Other	10.0

TABLE 4: Reason for building at particular time

Reason	Percentage of Households
Getting married	42.0
Needed a house	15.9
Needed a change	13.0
Had sufficient finance	8.7
Other	20.2

While not quantifiable, an attitude definitely exists which can be summed up as 'a house is not really your own unless you have it built yourself'. There is quite a definite feeling that to live in a house, not built and designed for the particular occupant, is somehow inferior. Given the uniformity of house size and design, evident throughout the areas of study, this is a somewhat unfounded belief. Nevertheless,

there appears to be a belief that by searching for and purchasing a site, the persons concerned are doing what nobody else has done before and are asserting their individuality.

The continuing sales of roadside sites by farmers is very obvious; almost half the sites in the survey were purchased from local farmers. In a number of cases individual farmers had obtained multiple planning permissions; the low take-up rate of these reflecting the decline in demand. This phenomenon would, to some extent, serve to generate its own demand.

Consumer Preference

In order to establish why respondents chose a particular site, they were asked to examine a list of 16 possible influencing factors and to rank in order of importance, those factors which affected their decision on where to live. The top five factors selected by each respondent were analysed. It should be pointed out that not all respondents noted five factors.

A weighting system was employed, thus allowing an index of factors to be constructed. First preferences were considered five times more important than fifth preferences, second preferences were considered four times as important as fifth preferences, and so on.

The results indicated that four factors are of central importance (Table 5). These are the desire to live outside town, land cost, the attractiveness of the area and accessibility to work. The first of these is by far the most important. Land cost assumes a prominent position due to the high proportion of local born residents - twenty percent of home owners obtained a site free of charge. Among non-natives the desire to live outside town and the attractiveness of the area take precedence over land cost as an influencing factor. The loan policies of financial institutions (where slightly lower loans are given in respect of houses in rural areas), might serve as a disincentive to ribboning. This factor is negated, however, by the lower site costs in rural areas and the fact that many people are given free sites.

TABLE 5: Reasons for choice of site (weighted index)

Factor	Score
Desire to live outside town	160
Land cost	117
Attractiveness of area	115
Accessibility to work	113
Privacy	76
Accessibility to schools	68
Brought up in this area	68

Isolation might also prove to be a problem, particularly among housewives who remain at home all day. Although no clear cut evidence of this was found, there are certainly a few cases where housewives would have opted for a more urban location if the opportunity were to present itself. There is evidence from some households, where one partner is a native of the area and the other is not, of a wish, on the part of the non-native, to move to what is seen as a less isolated setting.

All houses are detached and 84 percent are bungalows. Four bedrooms is the norm, which represents an increase in size for those who owned a house previously. Fifty seven percent of houses have a garage attached and, in a number of other cases, the occupants intend to have one built in the near future. Central heating is present in all houses.

In terms of the appearance of the dwelling, the majority are of standard design, few being what might be described as architecturally unattractive. The uniformity of design among bungalows, many of which were system built, makes something of a nonsense of the idea that by building, rather than buying, a house people are asserting their individualism.

There is evidence that those who previously owned houses are moving to larger dwellings with more modern household facilities. Thus, people are moving up in the housing market. For the majority it is their first house, while for those who owned a house previously they have built what could be regarded as better ones.

The average distance from each house to the nearest town or village is 2.04 miles, while the average distance between each house and the next nearest house is 17 yards. In terms of distance to work, the vast

majority of people working are living five miles, or less, from their place of work (70 percent). The vast majority of school-going children have three miles, or less, to travel. The car is the most commonly used method of transport for going to both work and school, being almost universal for the former. In the case of the latter, transport by bus is also quite important. The majority of respondents consider themselves very, or at least reasonably, accessible to work. It must be stated, though, that there are varying opinions as to what constitutes accessible. The answers to this particular query were quite subjective.

Very little dissatisfaction was expressed with present locations. Eighty three percent of households were very satisfied, with a further 13 percent quite satisfied. This is likely to be an overestimate, as people would tend towards justifying their own actions. Nevertheless, 61 percent expressed no dissatisfaction with any aspects of their residential and locational choice. Those who did, mentioned problems related mainly to distance from shops, social facilities, schools, work, lack of services and inadequate water supply. It must be stressed that little significance can be attached to these, as they appear to be very minor problems as far as the respondents were concerned.

Conclusions and Implications

Given the fall off in demand, especially for isolated 'one-off' houses in the countryside, any improvement in economic conditions is likely to precipitate renewed pressure for houses on the edges of towns and villages. The analysis has demonstrated that both natives and newcomers - young newly weds in secure jobs - are responsible for generating ribbon type developments. With regard to preferences it has been shown that the desire to live outside a town was more significant than land costs in motivating people to build houses on the outskirts of towns. The majority of people residing in these kinds of housing contexts belong to the lower professional and intermediate non-manual and skilled manual occupational categories. A service site policy may be employed by local authorities in their efforts to control ribbon development. Such a strategy would require an effective and vigorous marketing campaign directed at the target population which has been identified.

References

- Cork County Council, *Proposed Housing and Settlement Policies and Proposals*, 1985
- Cronin, N.A., *Changes at the Edge of a Middle-sized Town - The Case of Rahon (Mallow), 1970-1987*, Unpublished B.A. dissertation, Geography Dept., University College, Cork, 1987.
- Dixon, C.J. and Leach, B., *Questionnaires and Interviews in Geographical Research*, Norwich, Geo. Abstracts, 1978.
- Jennings, R., *Rural Housing and Housing Policy in Ireland*. Paper to Conference on Rural Housing, Glasgow, 1986.
- Jennings, R. and Bisset, S., *House Purchasers Survey - Tabulation of Results*, Unpublished Report, An Fóras Forbartha, Dublin 1986.
- An Foras Forbartha, *Urban Generated Housing*, Dublin, 1976.
- Suffren, P., *Housing in rural Ireland: An Alternative Approach to Sprawl*, Dublin, An Foras Forbartha, 1977.
- Shaffrey, P., 'Settlement Patterns: Rural Housing, Villages, Small Towns' in Aalen, F.H.A. (Ed.), *The Future of the Irish Rural Landscape*, Dublin, Geography Dept., Trinity College, 1985.

Acknowledgement

This work was part of a wider study commissioned by the Planning Department of Cork County Council. The authors also wish to thank Mr. Brendan Kelleher for his contribution to this research.

THE ENVIRONMENTAL IMPACT ASSESSMENT OF ROADS

**(The legal/administrative background to content
of E.I.A.'s and the roads covered by them)**

BOB BIDDLECOMBE

The Roads

Motorways and express roads (1) have to be subject to E.I.A.'s (2). Other roads may be subject to E.I.A.'s when the state requires them (3). Traffic management schemes do not appear to be covered by the Directive. General roads' policies which have significant effects on environment (for example, local distributor road standards) are also not covered. The Department of Environment Circular (4) states that a decision on whether an E.I.A. is required rests with the local authority carrying out the development, the criterion being whether the road would be 'likely to have significant effects on the environment'. (5) If the road is privately built, the local planning authority will require an E.I.A. where it would have significant effects on the environment by virtue of its nature, size and location (6). It is likely that many private ancillary road developments will come within the E.I.A. procedures as a result of the projects they facilitate.

The Minister for the Environment took three weeks to contradict his own circular when in a press release on 20/7/88 he stated that he proposed to make legislative provision for E.I.A.'s for

1. The construction, widening or realignment of a four lane road of not less than 8 kilometres in a rural area and 500m in an urban area.
2. Bridges of more than 100m.

He also stated that E.I.A.s will be required for the Dublin Inner Tangent Ring (Stage 2), the Dublin Port Access Road, (a road which is not in the Corporation's Development Plan) and road developments at St. Helen's, Booterstown (7).

The Directive

The European Council Directive which is the basis for the Assessment, requires it to identify, describe and assess the direct and indirect effects of projects on human beings, fauna, flora, soil, water, air, climate, land-

scape, material assets and cultural heritage (including archaeological and architectural heritage) and the interrelationship between them (8). The road developer, generally the Roads Authority i.e. the County Council, Corporation or Urban District may have to provide information concerning: the physical characteristics of the road, its land use requirements during construction and operation, an estimate of residues and emissions, the effect of the road on the environment including indirect, secondary, long term effects and effects caused by the use of natural resources and any measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment (9).

The Directive also covers general industrial projects and refers to the developer providing "a description of the main characteristics of the production processes, for instance the nature and quantity of materials used". (10) In a road context, the production process could be interpreted as the movement of goods and people, and the nature and quantity of materials used might be regarded as the means of transport, fuel, drivers and pedestrians.

The Developer is to outline "where appropriate" the main alternatives studied and indicate the reasons behind the choice of development, taking into account environmental effects and describe the forecasting methods used in the assessment." (11) The Central Government may require developers to provide much less information if they consider it sufficient for a particular type of project. (12)

The Circular

The Department of Environment Circular concerning E.I.A.'s emphasises the difference between environment and social/economic aspects of development (13). Presumably, in the view of the Department of Environment, the effect of projects on 'human beings and material assets' does not constitute social or economic effects, it will be interesting to see if the Courts agree with them. The circular refers to Annex III of the Directive, but when Department of Environment consent or approval is required i.e. almost all major road schemes, the Department of Environment should be consulted on the content of the E.I.S. (14) - thus the content can be modified behind closed doors.

The Regulations

The Department of Environment has made regulations applying the E.I.A. to motorways. (15) Other roads are still covered by the Directive and the Circular. The regulations set out the content of the Environmental Impact Study. They differ from Annex III of the Council Directive in the following respects:

1. Reference to land use requirements during the construction and operational phases is omitted. The effects on property away from the motorway during construction has been found to be significant in the past but this is ignored. The long term land use effects of a motorway, perhaps its most significant effect on a city, changing workplace, service and industrial locations, are also to be ignored.
2. The interrelationship between the parts of the environment effected by the motorway is not stated in the same way as in the Annex (16) reducing the interactive effects to be considered.
3. A description of the likely significant effects on the use of natural resources is omitted. Thus the effects of motorway development on the encouragement of private car use and discouragement of more resource efficient transport systems or land use solutions is not to be discussed.
4. The 'prevention, reduction, and where possible offsetting' of any significant adverse effects becomes 'avoiding, reducing and where possible remedying' (17) which may be more pragmatic but is quite different in meaning to the original Directive.
5. An 'outline of the main alternatives' becomes 'alternative motorway alignments' (18) i.e. the choice is between two motorways, not between two different types of road, different transport systems or alternative non transport related investment.
6. Reference to a description of indirect, secondary and long term effects are omitted again reinforcing the limited scope of the assessment as seen by the Department of the Environment.
7. The description by the developer of the forecasting methods used is omitted perhaps a significant omission in a period of relatively static population and car ownership.

The Problem

As the E.I.A. procedures were drawn up with private industrial schemes in mind, they tend not to fundamentally question the need for development - it being assumed that the market dictates the nature of the product - the main questions being the best location for the plant and controls on its operation.

Roads, particularly urban roads, differ from this model in four fundamental respects:

1. Roads are largely free goods with no price restraint.
2. Roads are only one of many alternative ways of meeting the demand for transport or more fundamentally, access. Thus the debate is closer to the nuclear/non-nuclear conservation debate in the energy area.

3. Roads, particularly urban roads, are part of transport networks. Current decisions on expanding the network will dictate further choices. Closing off future options based on current environmental considerations may be incorrect if longer term environmental costs of the network are greater. Thus it is not possible to evaluate a part of the road system in isolation from the existing and future transport network. Evaluations have to take place between different networks.
4. Major roads or transit systems have fundamental effects on urban structure and function. The choice of transport system has a profound effect on the future lifestyle of the city. The differences between a German tram-based city and an American freeway-based city illustrate the effects that transport choices can have on the built and natural environment, the social and economic structure and the culture of its citizens.

All matters relating to the Scheme

At present there is no public inquiry procedure for dealing with regional and sub-regional land use - transport plans. The Development Plan procedures do not force planning and transport authorities to justify their strategies and perhaps more important, their priorities, in the face of public cross examination and expert external assessors. It is possible that in urban areas, public local inquiries into contentious road proposals could become the focus for public debate on these matters. Despite their narrow view of the E.I.A., the regulations state that the inquiry is into all matters relating to the scheme (including the environmental impact of the proposed motorway) (19) - but are the social and economic aspects highlighted in the circular to be covered by the inquiry? Perhaps only the public can answer that question.

References

1. European Agreement on main international traffic arteries. 15/11/75. 'Roads reserved for automobile traffic, accessible only from interchanges or controlled junctions and on which, in particular, stopping and parking are prohibited'.
2. E.C. Directive 27 June, 1985 (85/337/EEC) Annex I S.7. and Article 4 S.1.
3. E.C. Directive Annex II S 10D. and Article 4S2.
4. Department of Environment Circular - E.C. Directive on E.I.A. 1st July, 1988.
5. Department of Environment Circular Paragraph 7.
6. Department of Environment Paragraph 8.
7. Irish Times 20th July 1988.
8. E.C. Directive Article 3 and Annex III.

9. E.C. Directive Annex III Sections 1, 3, 4, and 5.
10. E.C. Directive Annex III Section 1.
11. E.C. Directive Annex III Section 2.
12. E.C. Directive Article 5 Section 1 & 2.
13. Department of Environment Circular Paragraph 2.
14. Department of Environment Circular Paragraph 9 (ii).
15. European Communities (E.I.A.) (Motorways) Regulations 1988 (S.1 221 of 1988).
16. European Communities Section 3 (S. 4 (3) of the Local Government (Roads and Motorways) Act, 1974).
17. European Communities Section 4 (S. 3 (3A iii) of the Local Government (Roads and Motorways) Act, 1974).
18. European Communities Section 4 (S.4 (3Aiv) of the Local Government (Roads and Motorways) Act, 1974).
19. European Communities Section 8 (S.6 (1) (a) of the Local Government (Roads and Motorways) Act, 1974).

NATIONAL MONUMENTS AND THE DEVELOPMENT PLAN

- A Compensation Conflict

MARY DARLEY

Summary

Within a development plan the listing of buildings and structures for preservation may often include national monuments and monuments protected by listing order. These are included as they are recognised as monuments of national importance and their preservation is secure under the legislation of the National Monuments Acts 1930-1986. Occasionally, the monument may appear to the casual observer as a ridge in a grassed field or a small mound:- consequently the only probable restriction on a compatible development proposal is the fact that the site is one of archaeological significance.

This paper considers the argument that adequate environmental protection is provided for monuments under National Monuments Acts and that they should be included for reference purposes within the development plan framework as items protected by other statute. However, protection should not be included for national monuments directly in a development plan under the listings of items to be preserved. Within the framework of the National Monuments Acts there is no compensation for affected owners. By including monuments in development plan listing, compensation becomes a possibility under the Planning Acts. Is this in the interest of the common good?

National Monuments

A "National Monument" is a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, artistic or archaeological interest. Monuments are protected under the National Monuments Acts (1930-1986).

In the 1986 National Monument (Amendment) Act a "monument" is redefined as: "Monument includes the following, whether above or below the surface of the ground or the water and whether affixed or not affixed to the ground:-

- (a) Any artificial or partly artificial building, structure or erection or groups of such buildings, structures or erections.
- (b) Any cave, stone or other natural product, whether or not forming part of the ground, that has been artificially carved, sculptured or worked upon or which (where it does not form part of the place where it is) appears to have been purposely put or arranged in position.
- (c) Any or any part of any, prehistoric or ancient:-
 - (i) tomb, grave or burial deposit, or
 - (ii) ritual, industrial or habitation site and
- (d) Any place comprising the remains or traces of any such building structure or erection, any such cave, stone or natural product or any such tomb, grave, burial deposit or ritual, industrial or habitation site, situated on land or in the territorial waters of the State, but does not include any building or part of any building that is habitually used for ecclesiastical purposes." (1)

The Commissioners for Public Works advised and assisted by "The Historic Monuments Council" identify and monitor the protection of National Monuments. (2)

There are four levels of monuments:

- (1) Full State ownership - National Monuments Acts provide for the purchase by the State of monuments.
- (2) Guardianship - where the Commissioners of Public Works have responsibility for the maintenance and rights of access.
- (3) Protection by Preservation Order - where a licence is required from the Commissioners to carry out any development.
- (4) Listing Order - where no interference is permitted to a monument without 2 months prior notice. (3)

Lists of monuments which are considered by the Commissioners to be of national importance are maintained in "The Register of Historic Monuments". Additions and alterations to this list are published in Iris Oifigiúil. This list replaces the listing of National Monuments under Section 8 of the National Monuments (Amendment) Act 1954.

Where a monument is listed and the Commissioners consider that a monument is in danger of being or is actually being destroyed a preservation order may be placed on the monument. (4) Enforcement of the Sections of the National Monuments Acts is by liability to fines and/or imprisonment.

Compensation and National Monuments.

There is no compensation to owners of national monuments for any infringement of rights of use or development of their property as a result

of the restrictions placed by the National Monuments Acts on the sites listed or preserved. In a Supreme Court Judgement - O'Callaghan -v- Commissioners of Public Works delivered on the 31st July, 1984 the plaintiff challenged the validity of the preservation order on two grounds:

- (1) The statutory provisions under which the Preservation Order was made (S.8 of the National Monuments Act 1930, as amended) is invalid having regard to the provisions of the Constitution.
- (2) The Order is "ultra vires" as there is failure to create and carry out fair procedure in accordance with natural and constitutional justice.

The plaintiff's claim failed.

This specific claim relates to a 38.5 acre site in North County Dublin where there is an unexcavated promontory fort dating from the Iron Age. This is the only known example of a promontory fort on the east coast of Ireland. The interest to archaeologists is not only the form of construction but also the wealth of material available, at some future date, for excavation. (5)

The Development Plan

The entire philosophy of the Planning Acts is based on the intention that development plans should be positive, forward looking documents which, in the interest of the common good, would make provision for the proper planning and development of towns and countryside. (6) Under section 19(3) of the 1963 Planning Act a development plan may include provisions for the items listed in the Third Schedule of the Act which include:

- (1) Preservation of buildings of artistic, architectural or historical interest
- (2) Preservation of caves, sites, features and other objects of archaeological features.

Unlike the list in Section 19(2) of the Act where the word "shall" is used to indicate what is to be included in a development plan archaeological features are an optional inclusion. The word "may" relates to archaeological features. (7)

The Conflict

Where a structure is listed for preservation in a draft development plan and the owners have been notified in accordance with the provision of

the Act and the plan has been adopted by the Council, the decisions on planning applications are bound by the provisions of the plan. Accordingly if within the plan area items which are national monuments, and which are already protected as described above from any development which will interfere with preservation as a national monument, are the subject of an application for development, the Planning Authority must consider and decide on this application having due regard to the development plan provisions. However, it seems that the licence to develop, required from the Commissioners of Public Works is not an item required as part of the permission submissions. As the authority has listed the area for preservation, as it is a national monument, there is only one course open, to refuse the permission. However, there are no non-compensatable reasons for refusal which related to refusal of permission as an area is a national monument. Under S.56 (c) (iv) and Part IV of the Third Schedule of the 1963 Planning Act the payment of compensation is excluded in the case of conditions relating to the "preservation of caves, sites and features and other objects of archaeological, geological or historical interest". (8)

While a structure/site is listed in the development plan on the basis that it is a national monument there seems to be no opportunity to grant a permission subject to "a licence being obtained from the Commissioners of Public Works" if the Commissioners recommend that the development should not receive a licence during the 2 month consideration time.

Consequently, if an appeal on a refusal by the Council, is also refused by An Bord Pleanála, the situation arises that the Council, in following its development plan, albeit as researched by the Commissioners of Public Works has become liable for a valid Compensation Claim on lands which are excluded from compensation under the legislation (The National Monuments Acts) which originally identified and protected the site. The Council may also be excluded from the option to give an undertaking.

Conclusions

The above considerations raise the question of whether the Planning Legislation should protect monuments which are already adequately protected under their own legislation.

S.90 of the Planning Act 1963 states "Nothing in this Act shall restrict, prejudice, or affect the functions of the Minister for Finance or the Commissioners of Public Works in Ireland under the National Monuments Acts 1930 and 1954 in relation to National Monuments as defined by those Acts or any particular such monuments."

In not including national monuments as items listed for preservation under the Planning Acts the development plan is not in any way prejudicing the functions of the National Monuments Acts which preclude development in any case without the explicit permission and/or licence under the Act.

In the "interest of the common good", it would appear valid to limit the liability for compensation in instances where the initial protective reason for non development is not liable for compensation.

Where an application for planning permission is unduly close to an archaeological feature the Planning Authority under Section 25(c) of the 1977 Regulations must inform among others the National Monuments Advisory Council. (9) Consequently comments are received in relation to proposed developments adjacent to National Monuments and it is necessary for the Authority to be well informed of the location and extent of monuments.

While it is not intended to infer that if a national monument is not listed in the development plan, the planning authority can ignore the proper planning and development in considering applications adjacent to it, it is considered that more flexibility would be available in decision making if the monuments were outside the plan policy.

In conclusion, to include national monuments as structures to be preserved, by the policy of the Council, and listed in the development plan would seem to be a retrogressive step which may involve a local authority in the time and expense of a complex compensation claim. Especially when the original legislation, which has no compensation clauses, adequately protects the site from adverse development.

References

1. National Monument (Amendment) Act 1986, S.11 (a).
2. National Monument (Amendment) Act 1986, S4.
3. National Monument (Amendment) Act 1986, S.4 (8).
4. National Monument Act 1930, S.8.
5. Supreme Court Judgement 265/84.
6. *Irish Planning Institute Policy Papers* 1983 no. 2 pp. 5.
7. Hill, Gillian, 'Planning and Archaeology' *Journal of the Irish Planning Institute* Vol 1 no. 3 1983 pp 53.
8. Local Government (Planning and Development) Act 1963, S.56 (c)(iv) and Third Schedule Part IV 6.
9. Local Government (Planning and Development) Regulations, 1977 S.I. No. 65 of 1977.

TOWN PLANNING LAW AND PRACTICE AND ITS IMPACT ON THE LICENSED TRADE WITH PARTICULAR REFERENCE TO THE DUBLIN AREA

FERGAL MAC CABE

I am concerned in this article with the impact of the Planning Acts and their attendant Regulations, on the construction and operation of licensed premises particularly those in the Dublin area.

Unlike most other commercial uses, the distribution, extent and activity of licensed premises is controlled by two codes, both of which seek to restrict them for different reasons. In addition, recent Court decisions have limited the spread of licensed premises even further and the likelihood of appeals and increasing cost of planning and bye-law charges has made access to both systems increasingly expensive whilst the outcome of decisions has become more difficult to forecast. Meanwhile, the changing nature of the licensing trade has altered the character of the traditional pub with consequent implications for its planning status. Thus greater care is necessary in the selection of sites and the operation of premises in these present times than has been the case heretofore.

Firstly, let us examine the problems involved in constructing purpose built premises. This is a rare enough event these days but when it does occur, it is likely that it will be in the developing suburbs of County Dublin where up to recently a growth rate of well over 4% per annum was being experienced as opposed to 1% for the state as a whole. In 1971, Dublin County Council with a population of 231,182 persons had 132 public houses i.e. 1 per 1750 persons. An NESC Population projection of 1982 estimated the 1991 population at 645,600. The Development Plan worked on a ratio of 4,000 persons per public house, i.e. a requirement for a further 30 public houses at least, in the period 1971-1991. These population projections are probably not going to achieve the higher rates but nevertheless the provision of public houses has fallen far behind.

The current (1983) County Dublin Development Plan proposed to cater for this demand by designating specific sites as existing or future neighbourhoods or town centres. Public houses were to be specifically excluded from residentially zoned areas and in such locations could only be granted by a material contravention of the Development plan or

by an appeal to An Bord Pleanála (which would usually fail if there was an adverse impact on residential amenities). Public houses would not be permitted in agricultural, open space or high amenity zones, though they could be located in industrially zoned areas.

Within the expanding county area, the Planning Authority proposed a hierarchy of independent areas, the smallest being the neighbourhood unit. These units (where it was hoped a characteristic of community would develop) were planned to contain a range of facilities and include a primary school, and local commercial uses such as a pub and church with shared parking. Sometimes associated with these neighbourhoods were facilities which required a larger catchment such as post-primary school, major playing fields and a park etc. The theory was that basic neighbourhood facilities would be within walking distance of their neighbourhood catchment population, each neighbourhood having approximately 1,250 houses or about 5,000 people, all of whom would be within 400m of the local facilities, including the licensed premises.

This neighbourhood unit approach is founded on two different considerations:

Firstly, there are the functional considerations of convenience and safety. The possibility of having uses such as a pub within walking distance reduced the need to drive or to cross busy roads. Secondly, there was the subjective consideration that the neighbourhood was the appropriate physical format for suburban life which would imitate the small intimate structure of a rural village. This clustering it was hoped, would give the community a physical identity and promote social interaction. The particular value of a public house in such a neighbourhood centre would be the extension of the life of the centre beyond ordinary shopping and office hours making it more lively and inviting at night as well as being a focal point for community life.

The scale of the local licensed premises therefore was intended to relate to the catchment area served. Thus, the average gross size was somewhere between 400-650 sq m whilst the net retail area (the area to which the public actually had access and which is the principal indicator of the scale of the premises) tended to be about 270-280 sq m. Anything larger than this would have to be clearly justified. The locations of these centres were the subject of detailed plans to which developers would have to conform. In general, the licensed premises is close to church, local shopping, school and park whilst sharing a common car park but isolated from nearby housing by perimeter roads.

In the established areas of the county, potential licensed premises sites are more uncommon because of the licensing difficulties which I will

refer to later, but if a suitable site could be found, it would only be accepted if the zoning was correct i.e. neighbourhood, district or town centres designations. Conversion of existing commercial premises is a common option and the Planning Authority will usually scrutinise such applications in case of their possible impact on surrounding residential property.

Generally, therefore if one selects a site for a new premises in an area appropriately designated in the detailed action area plans, the principle of the development is automatically accepted and the argument will centre only around the details. In the established areas, the selection of a site needs more careful consideration but if the zoning is correct, a permission is probably achievable if properly presented.

However, one now approaches the Licensing Court where a different set of considerations come into play. One of the principal objectives of the Licensing Acts is to limit the number of licensed premises. Dublin County, though for the most part now effectively an urban area, is for the purpose of the Licensing Acts a rural area in accordance with Section 13 of the 1960 Act and Section 1 of the 1981 Act, apart from some small areas in civil parishes which are partially within the adjoining County Borough of Dublin. Section 20(2) of the 1962 Act states that in a rural area, a new license shall not be allowed within a mile from premises which were licensed before 1960 (what happens to old premises which extend themselves and achieve a new license is a different matter). This mile rule dates from the extinction of the "bona fides" and was intended to protect their catchment.

In 1960 urban expansion on the scale at which it occurred was simply not envisaged. The 'mile rule' referred to is the distance by the shortest public thoroughfare. The restriction is reasonable in a truly rural area with a relatively low population and relatively few public roads, but doesn't seem appropriate in a developing or developed urban area with an extensive established road network and a dense population.

In particular, throughout County Dublin, there are many pre 1960 licensed premises where the one mile by road rule would (and has) obliterate the potential neighbourhood structure which the Council tries to overlay on the previously rural area. On the basis of the one mile rule, a public house (given the density of population in the Dublin suburbs) could serve a catchment of up to 20,000 to 30,000 persons in contrast to the Council's vision of 1 per 5,000 persons. Should there be a pre 1960 license within a mile by road, even the projected town centres of Tallaght, Blanchardstown and Clondalkin couldn't accommodate public houses.

The most serious actual consequence of the non-provision of local licensed premises is the necessity it places upon patrons to use motor cars. It is not necessary to quote statistics to show that the highest number of drink related accidents occur between the hours of 9pm and 3am. Other consequences include the expansion and creation of other uses such as private clubs or licensed restaurants to take up this slack. Unreasonable restrictions in one area will usually result in unreasonable expansion in another.

However a site having been found which satisfies the Planning code and the mile rule - the Court is then approached for a Declaratory License to allow development to proceed. When considering whether or not to grant such a license under Section 13 of the 1960 Act, the Court can decide at its own discretion, not to grant a license on the ground of "... the unfitness and inconvenience of the new premises..." Such criteria in times past usually referred to the internal character of the premises but a decision in December 1983 by Mr Justice Finlay (1) defined unfitness and inconvenience as follows:-

"Inconvenience" I construe as meaning and including the location of the premises.' In that particular case, the Court decided that a license should not be granted because the intended location was wrong in relation to adjoining uses - the nearby open space, shopping centre and school. This decision was followed in June 1984 when the High Court decided not to give a license to Mr. Carey for a public house in the designated neighbourhood centre of The Park in Cabinteely on somewhat similar grounds. Both decisions were reinforced further in the case of Nutgrove Inns Limited when Mr Justice Barron, in the High Court decided that the premises were inconvenient because of the nearby large car park, proximity to old persons home and because of the teenage drinking problems in the area concentrated in the park, adjoining the proposed license.

In all of these cases, the proposed sites were appropriately zoned and planning permissions were granted by the Authority who saw the proposals as contributing to the achievement of the objectives of their Development Plans. However, the very reasons which were looked upon with favour by the Planners in granting permission in particular the surrounding land use mix, were those which the Court found anathema. The net result of these decisions is that a catch 22 situation has arisen. Because of the dual gauntlet of the two codes, intending developers should be ultra-careful in any proposals for new licensed premises in the expanding suburbs of Dublin (or any major town for that matter)

However let's assume that the mile rule is overcome and the premises convenient. The Court will still need to be convinced of the need for the proposed premises in terms of local demand. This is usually produced in evidence by offering clear maps showing recently constructed housing in the area, the existing road network, the other competing facilities and their ability to take up the expansion, car parking, adjoining residential areas etc. In view of the other aforementioned High Court decisions, a map showing other adjoining uses nearby would be essential. Future housing or planning consents do not matter - only the reality on the day of the application. The existing road network (which may temporarily evade the mile rule) as opposed to the future one is also an important criterion.

The problems encountered in the Dublin Metropolitan area are quite different. Here one of the necessary proofs is an increase in population in the appropriate Civil Parish since 1902. This doesn't necessarily prove difficult in the outer or middle suburbs but in the older parts of the City where the population has dramatically decreased, it is frequently an insuperable problem. The fact that a new market such as tourism or people coming back into the City at night for entertainment has emerged, is not a deciding argument. Ordinarily, the problem is overcome by the transfer of an existing license from one of the decaying parts of the City to the livelier one. A necessary proof required by the Court, however, is that the premises is being moved within the "immediate vicinity" of its previous location.

It is important to prove the similarity of the character of trade attracted by the license, both in its old and its proposed position. In theory, the same category of persons should not be a dramatic change in the intensity of trade. Thus, if a premises were to move from one side of a street to the opposite side, no difficulty arises. However as the locations diverge, the characteristics of the catchments subtly change and the concept of "immediate vicinity" becomes harder to define. I think that I am correct in stating that in the central Dublin area, it has proved difficult in recent times to move a license more than 400m from its previous location.

I should point out that it is not strictly necessary to have a planning permission in order to apply for a Declaratory License. It is possible, as the case of Thomas Kitterick (2) has demonstrated, that these proofs are not necessary as the Licensing Acts predate the Planning Acts. In theory, it would be quite possible to obtain a Declaratory License on the basis of plans lodged with the Court but before proceeding to build the premises, it would be necessary to ensure that the permissions obtained from all the other various Authorities didn't amend or restrict the plans in any way. This would be a rather substantial risk to take

as a third party appeal might well result in a substantial amendment or even a refusal of permission. Accordingly, it is safer to approach the Court with all the necessary consents in hand - planning, bye-laws, Fire Officer's approval, Medical Officer's approval etc.

In recent times, attempts are being made to apply the Water Pollution Act to licensed premises on the basis that their discharges constitute trade effluent. Should that be the case, a license for this would be necessary also (an appeal lies to An Bord Pleanála in the event of a refusal).

With a full grant of permission and a Declaratory License in hand, the first obligation is, as the preamble to each grant of permission usually states, to carry out the development "in accordance with the plans and particulars lodged". This is a very unambiguous statement which allows very little leeway and it might be argued that even the most trivial deviation puts the validity of the entire consent at risk. It is necessary therefore at the beginning of the exercise to ensure that one can comply with this obligation and for that reason, an accurate survey is always a good beginning. To avoid conflict with minutiae it might be best to restrict drawings for planning permission and the Declaratory License to the bare essentials or even to leave certain matters ambiguous. Bye-law drawings will require more detail. In the event of the premises being sold, it is common that a certificate of compliance be required from an Architect to the effect that the premises are built in accordance with the plans and particulars lodged and if there has been a substantial alteration, this may cause problems at the conveyancing stage, and call the entire premises to be considered once again under the Licensing and Planning codes.

The permission is not discharged until all conditions attached to it have been complied with and any necessary certificates or consents referred to in the Schedule of conditions obtained. Conformity with the planning permission takes on greater importance when the case of *Comhaltas Ceolteoirí Éireann* (3) is considered. Here, the Court held that convictions under the Planning Act may be taken into account as appertaining to the character of the applicant. Justice Finlay in his judgement stated that "if a club premises were habitually used in plain contravention of the provisions of the Planning Acts, it would in my view be habitually used for an unlawful purpose".

Premises once constructed can avail of the exempted developments, permissible under Section 4 of the principal Act or those available under the 1977 Planning and Development Regulations. Development is defined in the principal Act as "the carrying out of works, on, in or under land". Should there be any doubt as to what is or is not exempted

development or development, the matter can be referred to An Bord Pleanála on a Reference in accordance with Section 5 of the principal Act.

In my experience, the planning problems which most frequently arise in the running of licensed premises are material change of use, intensification and advertisements. As regards the first, it should be clearly noted that any internal works which effect only the interior of the structure and don't affect the external appearance are exempted under Section 4 (1) (g) of the Principal Act. For example, the re-arrangement of seating or bar counters or the taking down of partitions between two lounges would not require permission (though they might require by-law permission), but any material change of use would amount to development. On the other hand, where the retail floor area of premises (the part to which the public have access) is extended into a non-retail area as stores or living accommodation or by a reduced back bar area, this would be a change of use requiring additional ancillary car parking. Such a development has led to prosecutions and eventually applications for retention and return of the previous floor area by partitioning or reversion to the previous use.

The 1977 Regulations specifically permit certain changes of use within licensed premises - in particular a change of use of any part from use as a public house to use as a shop (Class II, Third Schedule, Part I of the Exempted Development Section). Thus, any part of a public house could be used as an off-licence without permission, though obviously a permission would be required for any ancillary shop front. Equally, as shops by implication are defined as restaurants in the Regulations, change of use of part of licensed premises to a restaurant would not require permission.

As regards the external appearance of licensed premises, Section 4 (1) (g) permits "the carrying out of works for the maintenance or improvement or other alterations of any structure ...which do not materially effect the external appearance so as to render such appearance inconsistent with the character, structure or the neighbourhood structures". This is a rather subjective criterion which in the ordinary small town or village probably wouldn't matter very much but should premises be located in a sensitive environment area, such as one designated as a conservation area, any external works such as awnings, shutters and lamps would certainly require permission as would a dramatic painting scheme.

The extent to which advertisements can be placed on commercial undertakings without permission is set out in Class 13 of the Regulations. Licensed premises however have a Section to themselves -

Class 4, which stipulates that any advertisement exceeding 0.6 sq. m. in area (about 0.7m x 0.7m) requires permission. It would appear that the Section only allows an advertisement which relates specifically to the premises themselves, i.e. the owner's name or the title of the premises. The advertisements referred to at Class 13 are not available as they relate to business premises which is defined at another part of the Regulations as not applying to "excluded premises" which include a public house. It would appear that the net impact of these Sections is that all advertisements on the front of public houses other than one not exceeding 0.6 sq m in area and referring to the title of the premises, i.e. "Murphy's Bar" requires permission. The implications for signs advertising products are obvious.

As regards the use of premises, the Regulations at Part 4 set out various classes of use within which use changes are not considered development. None of these use classes refer specifically to public houses and are not very helpful in clarifying which category accommodates newer uses, such as disco bars, singing pubs, function room etc. Each new use has to be examined on its merits. The recent ability of restaurants to serve spirits and beers is a case in point and I am aware of one Authority that takes the view that the service of spirits and beers constitutes development and requires a restaurant to apply for a new permission.

I am aware that Dublin Corporation is satisfied that disco bars (where the principal use is the sale of intoxicating liquor and no admission is charged), do not constitute a material change of use from ordinary public house use. The charging of admission is one of the indicators which moves a public house or part of it into a different category. As regards the use of bars or part of them for entertainment on a regular and intensive basis, which leads to substantial traffic and the drawing in of customers from a larger catchment area or to attendant noise, I feel that a case could be made by objectors that such a use was a material change of use from that of an ordinary licensed premises. Such an assertion would of course have to be proven by reference to the number of customers, their origin, traffic and noise etc.

I refer to the decision in the case of Carrick Hall Holdings Limited (4) in which the owners of a small hotel on acquiring an ordinary seven day license opened a public bar. Prior to this, the hotel had a hotel license only and there was no public bar in the premises. The opening of the bar resulted in a substantial increase of traffic in the area. On a Reference to An Bord Pleanála as to whether or not the change of use as hotel without a public bar to use as a hotel with a public bar, was development, the Bord decided that such a change was development and the decision was upheld by the High Court and the Supreme Court

on the basis that the character of the business carried on had changed and that intensification of use was a material change of use.

Finally, it is evident that the interaction of the planning and licensing codes, principally because of their differing objectives are creating problems unforeseen by our legislators. The Licensing Codes date mainly from the period before massive urban expansion and central city decay and are concerned more with the extinction of surplus licenses than with their provision in appropriate locations. Involvement in these areas puts the Courts in the role of Planning Authorities and leaves them with the ultimate say on the location of the premises. This, I suggest, is a matter more appropriate to the Planning Acts, which through the process of Development Plans, with their public participation procedures are better devices for deciding such matters at the initial rather than the final stage. Possibly, these recent difficulties could be overcome by amending statutes, suspending the one mile restriction in areas zoned for development or ensuring that the production of a planning permission is evidence enough of the "convenience" of the premises. The Courts are the most appropriate forum for regulating the conduct of premises but I suggest that the Planning Acts are more appropriate for deciding on their location and scale.

References

1. Centennial Properties Ltd.
2. Kitterick Thomas (application by ILT 105p105)
3. Comhaltas Ceoltóirí Éireann (High Court) 1977 No 299SS
4. Carrick Hall Holdings v Dublin Corporation (1983) ILRM 268

PLANNING IN THE UPLANDS

PATRICK EWEN

In this country planning, both in its legislative basis and in its application by public authorities has tended to move from the particular and detailed towards the general and overall. We tend to plan our towns by amassing an amalgam of small planning units rather than by starting from overall principles and working down to the smaller scale. We seldom seem to view the whole. Added to this is the inconsistency that the various planning agencies adopt different starting points and areas and different criteria in generating their planning policies. Around urban areas there is a reasonable degree of overlap and consistency, but as one progresses outwards and away from centres of population, coherent policies for the short and long term use of land and its resources tend to diminish to a point where few people seem to know or care what happens. Nowhere is this more apparent than in the uplands and in this brief paper I want to look at some of the issues which have recently arisen in the mountains and hills of Ireland.

Ireland has often been likened to a saucer - a flat centre rimmed with hills and this is a reasonable analogy. We have, in fact (and this is a crucial point), very little upland compared with neighbouring countries like Scotland and Wales. Human settlement and agricultural activity seldom went higher than the 300 metre contour. Between this height and the 600 metre contour (the accepted upper limit of woodland development) is known as the submontane region by geographers. Above 600 metres (1970 feet) it is regarded as montane. In this island there is a total of 4100 square kilometres of submontane and only 240 square kilometres of land above 600 metres. (1) In other words about one twentieth of the total area of the island is upland.

In Ireland we have, traditionally, held mountains and uplands in very low esteem as places for human activity. Even in the pre-famine period of great population pressure settlement moved in other directions to more marginal areas of the abundant lowlands, to islands and to the developing towns. Nineteenth century extractive industry passed us by so we do not have the slagheaps, the abandoned mineshafts and the industrial wastelands of the uplands of Cornwall, Wales and Yorkshire. Mountain areas have, generally, been regarded as "wild", "dreary", "waste", "unprofitable" places and we have in the past tended to avoid them so that they remained relatively unspoiled wilderness areas.

Our twentieth century urban based culture has, in recent years, spawned a number of new pressures in the uplands. The size and scale of some of these activities threaten the continuance of the upland landscape and environment. Changes have been taking place in our hills over the last twenty years or so which alter the appearance and nature of those areas in a very fundamental way.

These activities can be grouped into a number of categories.

Extractive Activities

This includes operations like the mechanised winning of turf where technological development has produced machinery which can quickly and easily remove turf from blanket bog hillslopes. The habitat destruction which this produces can be vividly seen along the Military Road near Sally Gap in the Wicklow Mountains. The difference from both a visual and an aesthetic point of view between this destruction of mountain ecology and the older, traditional method of hand cutting is clear for anyone to see. Yet a recent and almost unbelievable decision by An Bord Pleanála (2) ruled that the mechanised winning of turf did not constitute development and was therefore exempt from planning control. It is therefore possible for a person who assembles the turbary rights over the side of a mountain, in an area of high scenic or ecological value, to extract all the turf and in the process to destroy the vegetation, the habitat and leave an ugly scar on the mountainside which will quickly erode down to the underlying gravel. More serious is open-cast mining and the associated prospecting operations. A byrites open-cast mine has left the northern slopes of Dartry Mountains in Co. Sligo a wasteland littered with spoil heaps and abandoned rusting machinery and in the last year gold prospecting in the Doo Lough area of Co. Mayo has produced a large industrial scar in a highly scenic area. As the world demand for certain minerals, and particularly precious metals, increases, marginal deposits become viable. A number of these are located in the Irish uplands. Open cast mining, which is the usual extraction method for precious metals, is highly destructive to the landscape. This is not only through visual intrusion and the physical removal of the land surface but also the extracted ores are crushed on site and large quantities of dust and toxic spoil are liberated into the air and into local water courses. Gold prospecting is a current threat to large areas of the counties of Mayo, Galway, Kerry and Wicklow, with most of the prospecting sites in upland locations.

Energy Producing Activities

Here I am mostly thinking about the generation of electricity by hydropower. The most recent manifestation of this activity is a scheme using

E.C. funding to construct a number of very small (1 megawatt) hydroschemes by damming (what an appropriate word!) and piping several corrie lakes in the mountains. Installations of this type cannot be constructed without considerable environmental damage caused by the dam itself, pipelines, access roads and power houses. The road scar on the western slopes of Carrantoohill Mountain in Kerry, which gives access to the only one of these schemes yet to be constructed so far, is a clear and frightening indicator of the impact of these schemes on the landscape.

The generating capacity of this type of installation is so small as to be unable to pay for its construction and yet the E.S.B. (which already produces a surplus of electricity) is obliged to buy (at public expense) the trickle of energy produced by the private owners. Because they are neither nuclear nor fossil fuel burning this type of generator is perceived to be more publicly acceptable and they consequently receive considerable political backing. This was clearly evident in the recent Planning Appeal concerning a proposed small-scale hydro-scheme at a beautiful lake (Lough Coomacronia) in the Coumasaharn mountains near Glenbelgh in Kerry. The principal appellants against Kerry County Council's decision to grant planning permission was Bord Failte whose case was based largely on the destruction of a valuable scenic and tourist resource and the resultant damage to the environment. On the morning of the Oral Hearing a political directive from the Ministers of Transport and Power and of Tourism resulted in the last minute total withdrawal of the Bord Failte objection to the hydroscheme. Due to the foresight of those concerned with environmental protection, a second-string appeal team in the shape of the Federation of Mountaineering Clubs of Ireland, who could not easily be politically murdered, stepped up and conducted the defence of Coumasaharn with such skill that the appeal was upheld and the lough saved . . . for the time being (3).

Other Activities

Here we can include commercial forestry both by the State and, increasingly, by private entrepreneurs. Ecologically, large coniferous plantations are a disaster; being virtually a monoculture there remains on a tiny fraction of the species of plants and animals which formerly inhabited the open hillside. Visually, the regular rows of equally aged trees is monotonous and unnatural as are the sharp straight edges of the planting blocks. Large scale forestry is also intrusive and destructive of upland areas because of the many miles of road which introduce vehicular traffic higher and higher up the hills and overload local public roads with very large transporter lorries. Also in this category could be included military activity such as Army camps, training grounds and firing ranges where non-army personnel are generally excluded.

The Glen of Imaal firing range in Co. Wicklow is typical. Public access to a very large area of Lugnacoffe mountain is prohibited and the hillside is littered with numerous targets, roadways, abandoned vehicles and unnecessary fencing. Other recent developments in upland areas which have significantly altered their character include the construction of radio, television and other communication masts and their access roads and the extensive fencing and fertilising of mountain land in connection with sheep pasturing. Grazing, or more particularly overgrazing by these animals has in many locations destroyed the vegetation cover and caused severe erosion of the underlying blanket bog. "One-off" housing in very prominent locations is probably the best known 'new development' in upland areas.

Modern architectural practice seems to prefer "high profile" exposed sites to maximise the view of and from the house and eschews the traditional and aesthetically superior use of natural hollows and shelter. Thus far fewer modern houses can be satisfactorily accommodated in a given area of hillside - this problem is exacerbated by the modern preference for white painted fencing and dislike of tree planting. The problem of the design and location of houses in the countryside has been much more thoroughly and much more ably discussed by others (4) so I will not labour the point here.

A final and in many ways different "new use" of uplands which has reached significant proportions only in the last ten or twenty years is recreation. It appears that the intensity and artificiality of late twentieth century living has resulted in an increased need for close contact with natural things and environments in a great many people from all walks of life. This has expressed itself by the desire shown by very large numbers of urban dwellers to visit the countryside, and especially the upland areas, to take part in a variety of recreational activities both active and passive. Recreational Planning is a subject in itself but one general characteristic which sets this upland use apart from others that I have mentioned is that the landscape and the environment remains relatively unaltered after the recreational use has taken place. Recreational impact differs from use to use, obviously: simply looking at a hillside and admiring the view has no effect whatever on the hill, horse riding across moorland clearly does mark the terrain, but much less than a gold mine or a hydroscheme . . . A given piece of upland can be used repeatedly for recreational purposes.

And now a couple of myths. I think that built into most Irish minds is at least a subconscious awareness of the rural unspoilt environment. Look at a lot of advertising material - It's full of fields, and lakes and mountains. It's what we sell to tourists. Most of us can claim some rural connections in our recent ancestry. It is a kind of background to

the national psyche . . . "down the country", we say "down home" . . . The myth is that there is an awful lot of this unspoilt rural terrain - an almost unlimited supply, and that we need not worry too much about its well being. The "eternal hills" as people call them are well able to look after themselves. The fact is, and this is the most important point I want to make in this article, that there is very little upland of any kind in this country and considerably less unspoilt and unaltered mountain and hill land left. Start with the meagre 5% of the island's land area which is technically upland and remove or subtract all those parts which are blighted by extractive industry, hydroschemes, commercial forestry, military operations, radio and T.V. masts and various access roads. Now also make allowance for the adjacent uplands which are also blighted by these operations either visually, or by noise or by various effluents.

Now consider the effect on the "wilderness" value of what is left caused by heavy lorries, other traffic, power lines, access roads. The resulting amount of unspoilt upland left in an approximately natural state is very small indeed. Alarminglly small. At the present rate of consumption it will all be gone before the end of the century. It is essential that we, corporately as a nation, individually as citizens and professionally as planners bring immediate pressure to bear on our politicians and decision makers to realise the national value of a stock of unspoilt wilderness areas in our uplands. There is very little of this heritage left and soon there will be none.

The second myth is that the upland and mountain environment is very robust and can absorb development pressures and recover. Nothing could be further from the truth. Mountain ecology is one of the most fragile that there is and human activity, especially mechanised activity, almost invariably scars and alters it permanently. Much upland terrain has a surface layer of peat held together by the overlying vegetation. Peat is no longer being formed under current climatic conditions and once it is removed it is not replaced. The underlying mineral is frequently an acid gravel or bedrock which on exposure, being sterile does not support vegetation growth. Uplands are colder, wetter and more exposed than lowland situations - all factors which are inimical to the re-establishment of plant growth following disturbance. The turf cover is often thin and once the vegetation layer is removed the underlying turf is highly susceptible to water erosion. What this means is that once upland ecology is disturbed by development which damages either the vegetation cover or the underlying soil it is unlikely that it will be able to recover and re-establish itself. Permanent scarring is the result.

So at this point I hope that we have established that we have a very small amount of upland environment, that increasing numbers of large scale commercial activities are taking place in the hills and mountains with devastating effect on the visual and ecological values. Two inaccurate but commonly held views are that there is a large area of upland in the country and that it is very robust and that development will not affect it adversely.

In and along the fringes of most upland areas are scattered human settlements, isolated farms, small villages and towns. Often these are remnant populations of former and more viable agricultural communities now existing on a mixed economy of subsistence agriculture, state and part-time employment. By comparison with urban populations these scattered rural dwellers are highly disadvantaged when judged against most of the indices by which present-day western capitalistic society judges its successes. Consequently, and correctly, upland regions are seen as worthy recipients of state aid in the form of grants, employment assistance, etc. This together with a vote catching attitude which pervades much thinking of both Central and Local Government, puts a very high premium on job creation at any cost in rural areas. There is a strong temptation to extract and use up the most readily available natural resources in the cheapest possible way in order to satisfy this demand for employment.

Two consequences follow from this unreasoned short term strategy. One is that great environmental damage occurs as the easily available resource is used up over a wide area. The other is that the employment is both short term, lasting only while the easily available resource is extracted or while the construction work is being done, and is of a low skill and consequently low return type. The use of increasingly heavy machinery in forestry, mining and their engineering work significantly reduces the levels of employment. Having a few bulldozers and JCBs hacking away at a mountainside does, however, create an illusion of great development and tends to keep the voters off the politicians' backs. An established commercial forest, a hydroscheme or mechanised turf extraction are among the lowest employers of labour.

So the problem becomes not just a physical one of the protection of a natural and irreplaceable environment. - it is a human one also - the employment, and other, needs of upland communities have to be considered as well. In the short term, and, I stress short, it is impossible to argue against creating jobs locally by almost any means. It is the long term effect of such a policy both locally and nationally that is wrong. Development in sensitive upland areas should concentrate on exploiting those resources which are not destroyed by the development itself. Two development areas are clearly in this category - Recreation

and tourism. Ireland is becoming an increasingly more urbanised society and the consequent demand for outdoor recreation in rural areas (especially upland parts) is growing very rapidly. Another consideration enters the argument here. To what degree should rural communities, already disadvantaged by size and location, be expected to cater for the recreational aspirations of large numbers of urbanites? Quite a lot, I would suggest - recreational use is an excellent renewable use of sparsely populated mountain land - It offers considerable development and employment potential. The value of the upland areas, a national recreational resource, should be recognised and given the same incentives as extractive or destructive industries.

Tourism is one of this country's major industries. Survey after survey in client groups has shown that unspoilt scenery is one of the prime attractions to visitors from overseas. It is in the mountains and uplands (as well as the coast) that our unique undeveloped landscapes are best seen. They are the backdrop to most of our other scenic areas as well and their empty, unspoilt, wilderness quality is sought after avidly by visitors from densely populated areas of Europe and America. If we do not control random development in the uplands this vital and valuable tourist asset will be lost. Opposition to large scale development in upland has, up to recent times been scattered, uncoordinated, and seen as the preserve of special interest groups, mostly urban based, such as ramblers, nature enthusiasts and mountaineers.

Such people are often considered cranks by those who are antagonistic towards their aims. Aided by a growing general awareness in environmental awareness several of these groups have been acting in concert over the last few years in an attempt to control intrusive upland development. Development such as the proposed hydroschemes above Glenbeigh in Kerry and at Lough Belshade in Donegal, mechanised turf cutting in Wicklow and gold prospecting in Mayo have been issues of such potential environmental destruction that groups such as An Taisce, the Federation of Mountaineering Clubs of Ireland and, significantly, Bord Failte Eireann have entered the debate on the future of the uplands. The latter body's involvement is, I think, to be especially welcomed. It suggests that a major semi-state body has at last recognised that participation in controversial debate about the protection of the environment is a justifiable activity and notwithstanding the politically engineered destruction of the Bord Failte Appeal in the Glenbeigh hydroscheme Hearing the outspoken and independent line adopted by the planning division of the Bord is to be applauded. Another significant feature of the same planning appeal was the remarkably professional and effective case put up by the Federation of Mountaineering Clubs of Ireland whose concise presentation of sustainable facts undoubtedly influenced the Appeal Board's decision to reject the hydroscheme. (5)

Probably nowhere in Ireland is the conflict of recreation, tourism, extractive industry, commercial forestry and housing development more acute than in the Dublin and Wicklow mountains which extend right up to the southern suburbs of the largest urban area in the country. This has resulted in the formation of a body - the Wicklow Mountain Environmental Group (W.M.E.G.) - whose aim is to conserve and protect the environment of the Dublin and Wicklow mountains. Based in both conservationist (An Taisce) and recreation (The Ramblers Association) backgrounds this group also involves a technical input from the Environmental Sciences Unit of Trinity College, Dublin.

The proposals of the W.M.E.G. for the Wicklow Mountains (which could serve as a model for most of the country's main upland areas) seek the establishment of a National Park, with Special Amenity Area Orders for the most threatened areas and revised and more appropriate planning controls throughout. Crucially they seek the establishment of a single co-ordinating authority - a Mountain Council - to administer the entire upland area rather than the range of unconnected and competing bodies and an overstretched County Council which is the case at present. The W.M.E.G. seeks involvement both from the resident population and from other, outside, user groups (6).

To many people the idea of prospecting for precious minerals conjures up the image of a 'forty-niner' with wide hat and shovel panning the gravel in a stream for specks of gold. Currently the eastern slopes of Mweelrea mountain in Mayo above the beautiful Doo Lough in one of the most important mountain wilderness areas in Ireland are being prospected for precious metals. It is not being done by a miner with a pan but rather with massive earthmoving machinery, dynamite and all the resources of Messrs Glencar Exploration and Andaman Resources, p.l.c.

The environmental destruction is already disastrous - and this is only the prospecting stage. There is massive visual intrusion into a wilderness landscape as well as significant habitat destruction caused by blowing dust and toxic run-off into streams and rivers, one of which, the Bundoragha, is a prime salmon fishing river, which empties into Killary Harbour close to an extensive shellfishing area. This quite uncontrolled and potentially disastrous invasion of the upland environment has resulted in the formation of a pressure group - Mining Awareness - whose aim is to increase public understanding of the potentially catastrophic effects of large scale opencast mining in mountain areas (7).

Where do the local authorities stand in this debate? The answer is that they are rather in the capacity of the hurler on the ditch. Upland areas

frequently straddle more than one County Council area, few people live in them, they are remote, difficult and expensive to administer and until recently nothing much happened in them. All good reasons why the majority of County Development Plans contain little more than passing reference to mountain and upland parts of their administrative areas. The 1963 Planning Act and its subsequent amendments is not forthcoming except in the most general way, on the preservation of sensitive landscapes and habitats. Planning Control where it has been applied to upland development has not been enforced sufficiently strongly either because of a lack of people to do so or a lack of inclination on the part of the local authority management. Neither are the Courts sufficiently flexible or understanding of environmental issues to be effective prosecutors of Planning Control where it does exist. Two other factors frequently obtain in rural Local Authorities which are inimical to effective environmental safeguards. Political guidance/direction/interference (call it what you will) is an ever present factor in planning decisions and a "get development going at all costs" attitude can frequently override the inclusion or implementation of environmental controls. The operation of rural Local Authorities has a considerably stronger bias towards the engineer's viewpoint. The "engineering solution" which usually embraces large scale physical alteration and a favourable attitude towards the built environment is conducive to and approving of large scale operations such as mining, hydroengineering, road building and the like. The position of the County Engineer which in some authorities is a very influential one has a highly significant effect on the authorities' attitudes to large scale development. The environmentalist planner is regarded rather as a voice in the wilderness and a potentially subversive crank as well. The requirement that Environmental Impact Assessment studies be carried out, before major development in sensitive areas takes place, as required by a recent E.C. Directive has had very little effect because it has not passed into Irish legislation but was issued to local authorities as an advisory circular only. Many developments such as mining fall into discretionary categories where the County Council is not obliged to require such a detailed study to be carried out.

Indeed, even if it does, there is frequently neither the expertise or the resources, to carry out the necessary follow up. The legal skills and resources of large multi-national developers are generally more able to protect themselves against subsequent litigation than the Local Authority is to successfully prosecute them for environmental damage or non-compliance with planning conditions.

What is to be done? The protection of such a very scarce resource as unspoilt upland landscape and its long term conservation and availability for sympathetic recreational use is a legitimate and economical-

ly justifiable national aspiration. The succour of disadvantaged communities in upland areas is a national obligation. The selling off of irreplaceable national assets such as the mountains to make a "quick buck" and to absolve political consciences is wrong and will be condemned by subsequent generations who will have to suffer the consequences. As planners with environmental consciences the heightening of public awareness of the issues - short term, long term, actual and perceived is a duty. The public must be made aware of the scarcity of upland environments, of their value as part of our heritage and of their incredible fragility and susceptibility to damage from most human activity. The needs of upland communities must be clearly recognised and real, lasting, environmentally and socially acceptable development introduced which is not simply a short term expedient or a sop but which will equally benefit succeeding generations of those communities. The required changes in the administrative structure of the uplands - one Mountain Authority - and National Parks together with the necessary legislative framework and resources must be sought. As planners we must press for, and be part of these changes, not just spectators.

References

1. "The Mountains" Sean Ryan *Wild Ireland*, edited by Eamon de Buitlear. Amach Faoin Aer 1984.
2. Section 5 reference to an Bord Pleanála pl 27/8/4/4 3 April 1987.
3. "Hatchet Job" Dermot Somers *Journal of the Federation of Mountaineering Clubs of Ireland* No. 7 Summer 1988.
4. *Building Sensitively in Ireland's Landscapes* Bord Fáilte and Others 1986.
5. "Anatomy of successful planning Appeal" - Mick Keys *J.F.M.C.I.* No. 9 Winter 1988.
6. "Conservation of the Wicklow Mountains - An Uphill Battle?" David Herman - *J.F.M.C.I.* No. 8 Autumn 1988.
7. "In the Mines Eye" - Leslie O'Dowd *J.F.M.C.I.* No. 9 Winter 1988.

GREENPEACE:

Commandos of Conservation or Environmental Alarmists?

NEIL O'BYRNE

The name 'Greenpeace' has become quite familiar in the past decade. An image it often evokes is one of a small inflatable boat speeding across the sea in a 'David and Goliath' confrontation between environmentalists and seemingly faceless polluters who have no concern for the environment. Is this an appropriate image? What or who are Greenpeace? Having some limited knowledge of Greenpeace from the 'inside' I shall try to answer these questions.

Greenpeace is basically an international, non-governmental, non-political, environmental pressure group. The focus of Greenpeace campaigns are gross abuses of the environment. Funding comes from individual subscriptions, donations, and the sale of merchandise. This gives Greenpeace autonomy from any government, political party or other group. A board of Trustees oversees an international organisation, and this organisation in turn oversees and coordinates the campaigns and resources of the 17 national offices through the world.

Greenpeace sees the environment in its widest possible context - the planet earth, and all its complexity, but without frontiers. Greenpeace argues that mankind's philosophy towards the environment should be based on the 'precautionary principle'. The Precautionary Principle, and the underlying reasons for its emergence can be summarised thus:

The problem:-

- Logically, no matter how sophisticated the techniques, there can be no guarantee that the time scale for the prediction and prevention of environmental problems will be shorter than the realisation of these problems.
- Practically, past experience tells us that action usually occurs only after harm, often very significant harm, has been done.

Therefore

- If the risk of further damage is to be minimised, a precautionary approach is required; this can only mean taking action as a precaution, i.e. where it is acknowledged that a substance could cause harm, without scientific proof that it actually does cause harm.

- As such it requires stronger action than a preventative approach, which implies preventing damage by a substance which therefore must mean that it is already known to cause harm.
- A shift in policy from prevention to precaution can only mean a shift from proof of harm to proof of safety.

The realisation that the only hope of reducing the catalogue of past environmental disasters is a shift in the burden of proof is the most significant hallmark of the precautionary principle.

The alternative approach of having to prove environmental harm runs the risk of having to 'monitor' and constantly test the environment, risking testing the environment to its destruction.

As a voluntary organisation of limited resources, Greenpeace cannot campaign against all abuses of the environment. The marine environment is perhaps the least studied, and people in general tend not to be familiar with what happens at sea. It is perhaps as a result of this that the marine environment is particularly abused, prompting Greenpeace to be concerned with marine ecology issues. A rigid marine-terrestrial distinction is not implied however as abuse of the sea starts from the land. Greenpeace's main campaign issues have been dumping of waste at sea, air pollution (most acid rain falls at sea), and the continuing threat of extinction for much of marine wildlife, e.g. whales.

The first stage in any Greenpeace campaign is to determine the issues and what is happening. Research is a key element in any campaign, and considerable effort is expended either commissioning independent research, or in conducting research from Greenpeace's own resources (1). Greenpeace demands of itself that the research be comprehensive, and of high quality to support its case and this approach has won widespread respect. Campaigns are then planned with clear objectives and criteria for achievement. It has been found that the public should be the ultimate target of campaigns. Many abuses of the environment occur while the general public are unaware, often until it is too late. Peaceful direct action, coupled with media coverage has proved a powerful tool to generate the popular will to bring abuses to an end. Although direct action may have the appearance sometimes of law breaking, such actions are well planned and carried out by well trained and experienced volunteers. Any danger which arises is only to the volunteers themselves. This approach, in the cause of protecting nature, can be likened to other instances of civil disobedience, the moral justification for which has been much written about elsewhere. The publicity generated from Greenpeace actions in turn motivates the popular and political will to bring change about. To some the approach seems like hype or alarmism. To others however, the approach has proved an inspiration.

In Ireland, Greenpeace has a relevance at three levels in philosophy, campaigns and participation. As philosophy there is our approach to the environment. There seems at present a widespread belief that the environment in Ireland is in fairly good shape, while there is little concern for the 'environment' outside Ireland. This is in part due to a lack of general awareness of environmental issues, which in turn may be due to there not having been a major environmental disaster in the country. Despite smog and Chernobyl, the state of the environment is not highest in our priorities. This is reflected in rigid separation of responsibilities towards the environment between the Government Departments of Agriculture, Education, Energy, Environment, Industry and Commerce, Finance, Marine and Tourism. Planning also has not yet fully recognised the complex entity which is our environment, (is it really too expensive to prevent pollution in Cork Harbour or Moneypoint?) The impact of Greenpeace and other environmental groups however has been to generate greater publicity for environmental issues and to improve awareness. There is still a long way to go (e.g. reasonable quality Irish recycled paper is hard to find).

Greenpeace's campaigns in Ireland are a second level of relevance. In the mid-seventies there was little awareness in Ireland that radioactive waste was being dumped in the Atlantic, 300 miles approx. off our south-west coast. Greenpeace was instrumental in bringing the dumping operation to a halt. There are three current campaigns in Ireland. The reprocessing campaign is focused on the nuclear industry and on Sellafield in particular. Although the level of radioactive waste discharges into the Irish Sea have been reduced following campaign pressure, continued discharges represents an abuse of a relatively narrow, shallow and slow draining sea. The plant itself is a threat to our environment, particularly given its accident prone record. The operation of the plant gives rise to the Irish Sea being used as a route for the transport of radioactive waste. Any accident involving such traffic could destroy the ecology of the Irish Sea and along with it the economy of many Irish Sea communities. In a wider context reprocessing is a threat in that it is a source for weapons grade plutonium, and it provides only an interim solution for the waste from nuclear power generation. Can mankind morally justify dealing with an industry where there is no known way of safely dealing with its waste, a waste which will plague future generations as it will be dangerous for over twenty thousand years?

The toxic waste campaign in the Irish Sea follows on from a similar North Sea campaign to highlight the threat of environmental disaster from the dumping of toxic waste. The fate of the seals is ominous. Large amounts of domestic and industrial waste are being dumped in the Irish Sea, particularly along the U.K. coast. Unlike the North Sea

where an international conference regulates dumping, the regulation does not currently apply to the Irish Sea. Greenpeace's current campaign seeks to identify and highlight pollution. Independent research into fish disease has been commissioned. Greenpeace is also seeking to have the Irish Sea included in the 1990 North Sea Ministers Conference. For Greenpeace, there is cause for concern about the Irish Sea. Its environment is too precious to take chances with.

Another cause for concern is the status of Cetaceans e.g. whales, dolphins etc. in Irish waters. Records in the North Sea and around the U.K. since before 1940 indicate a significant decline in numbers. Pollution is suspected. Preliminary research would seem to indicate a similar decline in numbers in Irish waters. The cause, currently unknown, may be different from the North Sea situation. Cetaceans are air breathing warm blooded mammals on the top of the marine food chain. These mammals are sensitive therefore to the conditions of the marine environment. Any change in the status of these mammals should be a cause for concern as it may indicate a potential environmental disaster or even a threat to mankind. Irish legislation since 1982 effectively declares Irish waters to be a cetacean sanctuary. In Irish waters however, cetaceans are encountering intensive fishing which affects their food supply, and, as in other areas, growing pollution problems. Urgent research is needed into the current position. In Ireland we are not yet fully aware that at present these highly intelligent mammals are widely distributed in Irish coastal waters, and that they are under threat. Is it time we considered areas of conservation in our territorial waters - for instance the spawning grounds?

A further relevance for Greenpeace in Ireland lies in the opportunity it gives for participation in a world-wide environmental movement. The global perspective is crucial to the work of Greenpeace. The organisation has achieved a status and respect which is fundamental to its effectiveness. The effort however depends on individuals who make donations, in terms of either money, time or expertise. Donations are valued both in terms of enabling the effort and as expressions of support. For some a contribution to the world-wide effort can be to organise fundraising. For a few there could be the unique opportunity of participating as a totally committed volunteer on the crew of a Greenpeace ship. In return there may be a kind of satisfaction associated with the feeling of "at least I tried to do something about environmental problems" whether these problems are nearby or as far away as Antarctica. Involvement directly with Greenpeace can at times be frustrating or even depressing, particularly when you become fully aware of the details of environmental abuse. Very frequently however encouragement is obtained from expressions of public support, the numbers of willing volunteers, and the occasional campaign successes.

References:

R. Allen & B. Edwards "Water Pollution and Sea Dump Operations in Cork Harbour: A Preliminary Report" from Greenpeace Ireland (Nov. 1988).

Further Reading:

Greenpeace: *Coastline: Britain's Threatened Heritage* (200p.) 1987.

J. May: *The Greenpeace Book on Antarctica* Dorling-Kindersley (192p.) 1988

R. Hunter: *The Greenpeace Chronicle* Picador (152p.) 1982.

R. Morgan & B. Whitaker *Rainbow Warrior* Arrow Books (302p.) 1986

R. Allen & B. Edwards: *Water Pollution and Sea Dump Operations in Cork Harbour: A Preliminary Report* Greenpeace Ireland (41p.) November 1988.

Greenpeace Ireland can be contacted at:-

29 Lower Baggot Street, Dublin 2. Tel: 01-619836 Fax. 01-610814

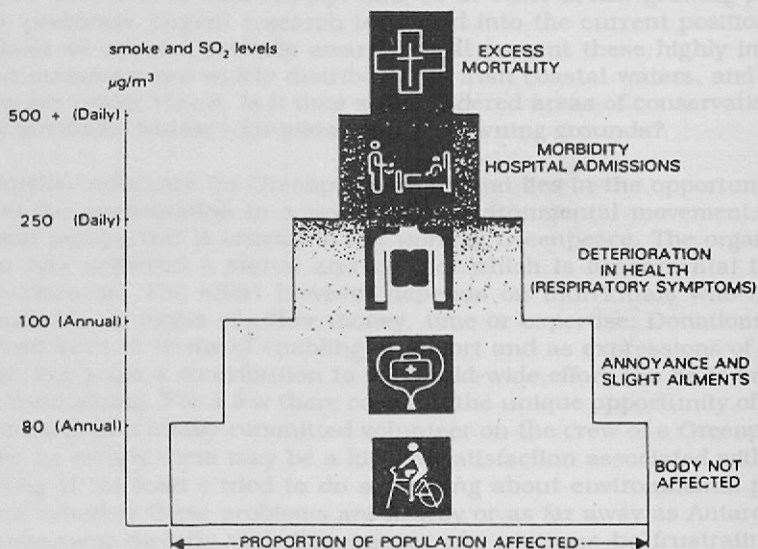
DUBLIN'S SMOG CRISIS: A PLANNER'S RESPONSE

JOHN FANNON

Introduction

There is now evidence available which points to a deterioration in Dublin's air quality in terms of smoke pollution (predominantly emanating from the domestic sector) to a present position at which measurable health effects can be expected in an average winter. (1)

The findings of a study undertaken in St. James Hospital after a severe smog episode, January, 1982, would indicate that it is likely that the present air pollution levels, in periods of temperature inversion, will lead to significant excess mortality. (2)



Expected Health Effects of Smoke and SO₂ and Spectrum of Biological Response. (Based on World Health Organisation Criteria).

The recent experience in Dublin, November 1988, where smoke pollution levels reached almost seven times the maximum limit laid down by the E.E.C. (250 ug/m³) and where people were driven to wearing face masks in the streets, can leave us in little doubt as to the seriousness of the problem.

Furthermore, despite providing data which clearly shows that we do not comply with E.E.C. air quality standards, the existing monitoring network (14 monitoring sites) exhibits severe spatial bias towards the eastern inner city, with the heavily populated western parts of the city poorly represented. To assess the level of exposure to a pollutant, a monitoring network reasonably representative of conditions throughout the area it extends over, is required. It has been estimated that a monitor at least every 1km² is necessary to estimate daily pollution levels within $\pm 20\%$. In view of this it would seem that we do not have a reliable picture of the extent of the problem throughout the greater Dublin Area. To illustrate, Dublin City Centre produces almost 2.5 times as much smoke as the same area of Glasgow City, yet observed concentrations are almost identical. So underestimation of smoke concentration by a factor of up to 2.5 is likely.

The planning implications of Dublin's atmospheric pollution can be considered on two levels. On one, the implications of the continuing problem of smog on the amenity value of the Dublin Metropolitan Area, both for present inhabitants and for future inhabitants arising from new development. Given the present settlement strategy for future development the air pollution problem is likely to be reproduced, as it has been in the new suburbs of Tallaght and Clondalkin, some of the worst affected areas of the City. On the other level there are the planning implications of implementing a solution to the problem of polluted air, or how the planning system can facilitate any such steps to solve the problem.

Smoke Control

Belfast suffered a similar problem to that which Dublin experiences now - the source of the problem in both cities being the domestic chimney. Belfast successfully addressed itself to its air pollution problem through "smoke control", which was based on the British experience and success with this approach. The present pollution levels in Belfast are low and falling and it is intended that Belfast will be in total compliance with E.E.C. Directive standards by 1991. The Belfast approach could be feasible in Dublin given the necessary legal, administrative and financial provisions. The Air Pollution Act 1987 has enabled such an approach to be commenced. However, the new legislation has already come in for severe criticism.

The 1980 European Council Directive on air quality 80/779/E.E.C., made it mandatory for Member States to take appropriate measures to ensure that as and from 1st April, 1983 the concentrations of SO₂ and smoke would not exceed the limit values given in the directive. These limits have been exceeded on a significant number of occasions since then, in Dublin. Yet the Air Pollution Act does not specify any minimum levels where action must be taken. It is merely enabling legislation, there is no compulsion on a local authority to introduce 'smoke control orders'. If they do so decide, an elaborate brief justifying such a move has to be prepared (this is because of an amendment to the Act, introduced by the Minister under pressure from the powerful coal lobby), and other procedures gone through. The process is similar to the laborious and lengthy C.P.O. procedure. The pertinent case in point is the proposed smoke control zone in Ballyfermot. This area was targeted shortly after the Air Pollution Act came into force in September 1987, but the 'control zone' will not come into effect until May 1989.

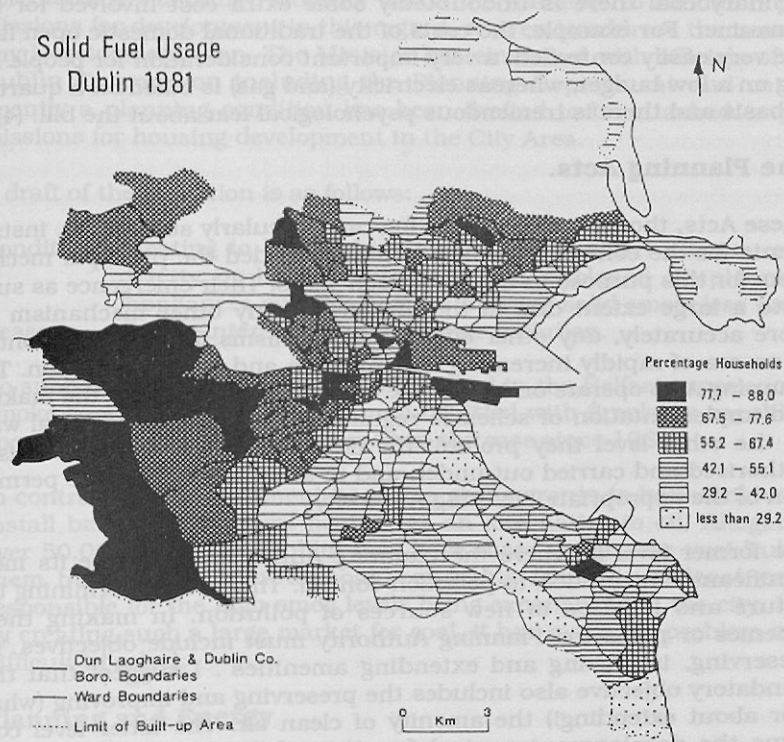
There is no provision in the Act for the establishment of an adequate monitoring network - to give reliable information so that action could be taken when needed. Neither is there provision for 'Smog Alerts' or for the contemporaneous publication of pollution statistics.

A simple extrapolation of the time it is taking to convert Dublin's first houses to smokeless results in a total of 120 years to convert Dublin's 200,000 houses.

Other criticisms of the new legislation include:- grant aid to convert one fireplace per house only, where two or more fires may be used; - the inclusion of non-smokeless fuels such as milled peat as acceptable fuel alternatives to coal; - and the inclusion of the new C.D.L. 'full burning fire' as an acceptable apparatus for the burning of non-smokeless fuels where the effectiveness of such apparatus in reducing smoke emissions remains largely untested.

The socio-economic implications of a smoke control type solution warrant due consideration. It has been established that the people most likely to have to convert to smokeless fuel burning appliances are those in the lower socio-economic groupings in the Western suburbs and Northern fringe of the city (3).

Solid Fuel Usage Dublin 1981



Source: Brady (1986)³

These people are the least able to afford any extra expense in fuel costs. There is no provision for compensation for change of fuel use in the new legislation, merely for the conversion of appliances. While smokeless fuels and heating systems are invariably more efficient than ordinary coal there is undoubtedly some extra cost involved for the consumer. For example, the costs of the traditional domestic open fires are very easily controlled, a very important consideration for people living on a low budget, whereas electricity (and gas) is billed on a quarterly basis and there is tremendous psychological fear about the bill. (4)

The Planning Acts.

These Acts, though not designed for, or particularly suitable as, instruments for the control of pollution, have provided the principal mechanism for this purpose in the last fifteen years. Their emergence as such is to a large extent due to the absence of any other mechanism or, more accurately, any other effective mechanisms for pollution control in an era of rapidly increasing urbanisation and industrialisation. The Planning Acts operate on two levels: on one they provide for the making and implementation of schemes regulating land use in a general way; on the other level they prohibit the development of land unless it is authorised and carried out under, and in accordance with, the permission of the appropriate Planning Authority.

The former level is where the Planning Authority can make its most significant contribution to pollution control. This is by determining the nature and location of new sources of pollution. In making these schemes or plans the Planning Authority must include objectives "for preserving, improving and extending amenities". I suggest that this mandatory objective also includes the preserving and improving (whatever about extending!) the amenity of clean air. The latter level concerns the development control function of the Planning Authority, which may refuse permission, grant permission unconditionally, or grant permissions subject to conditions, when dealing with an application for development. The Planning Authority, in considering the application, "shall be restricted to considering the proper planning and development of the area" - "including the preservation and improvement of the amenities thereof. Scannell suggests planning authorities have interpreted the discretion conferred by Section 26 as being wide enough to permit the imposition of conditions to control all types of pollution. (5) This interpretation has been confirmed by a report of the Inter-Departmental Environment Committee (6).

The Minister for the Environment has actually advised Planning Authorities to 'consider attaching suitable conditions in relevant cases to ensure that the best practicable means are adopted to minimise the

emission of dust and grit' and he has also emphasised the necessity for controlling emissions from fuel-burning plants and chimneys. (7) Up until the recent severe smog conditions (Nov. '88) he had not issued any advice concerning the emission of smoke from domestic chimneys, nor had any Planning Authority taken the initiative to condition permissions for development in this regard, or even to address the issue in any Development Plan. The Minister has since met with officials of the Dublin Corporation including the Planning Department and consequently a planning condition has been drafted to be attached to permissions for housing development in the City Area.

A draft of the condition is as follows:

Condition: Heating to be provided by the use of either oil, gas, electricity or by smokeless fuel in enclosed fireplaces or appliances suitable only for burning solid smokeless fuels.
Reason: In the interests of reducing air pollution.

No such condition needed to be considered in the Belfast experience of smoke control, all new houses must be fitted with fireplaces capable of operating smokelessly. (This has been the case since 1968).

In contrast, the Government here was giving grants to householders to install back-boiler central heating as an alternative to oil. Altogether, over 50,000 houses in Dublin now have these units - the vast bulk of them burning bituminous coal - and this factor is at least partly responsible for the high smog levels being experienced in the city. (And by creating such a large market for coal, it has made the problem more difficult to solve).

Planning and Energy

It is in the inefficient use of energy that pollution is caused. That part of the fuel not converted to usable energy (or heat) is released as waste (smoke and sulphur dioxide, SO₂). It is the concentration of this waste in the built up areas that causes the planning problems of reduced air quality which endangers public health and amenity. Fifty-six percent of all delivered energy is for low temperature heat (the bulk of which is for the space heating of buildings) and for transport (almost three-quarters of which is for land-based transport in the U.K.) (8). Since buildings and transport networks constitute the built environment, the development and use of which planners are concerned, it would seem that planners could have a significant influence on future energy use and ultimately effect cleaner, more efficient energy consumption.

Energy is another consideration in the spatial allocation of land uses and the optimum use of resources in the development of the physical environment. Specifically of planning concern in the context of Dublin's air pollution problem is whether we should use the "lower grade" inefficient fuels, e.g. coal for domestic/household use where it is difficult to control their effects on the environment or to use them for primary energy generation or district heating where it is more feasible to control emissions into the atmosphere. Settlement planning has led to a land use pattern which has locked people into lifestyles of high energy consumption and inefficient energy use. We can now say that housing at the densities predominating in the greater Dublin City Area which rely on bituminous solid fuel as the primary source of heating, will cause serious air pollution.

Energy Conscious Planning

The implementation of some energy conserving/clean technologies may be facilitated or prejudiced by the structure of the built environment and this clearly has implications for all new developments. Such technologies include District Heating and more specifically CHP/DH (combined heat and power/district heating), where reject hot water from power stations is used in space heating. The concept that the abundant heat currently lost in the generation of electricity can be redistributed to heat whole cities is not yet widely known or accepted, even though CHP is potentially the most significant energy-saving technology of the 20th and 21st centuries. (9)

In a CHP/DH system a central chimney serving a single large boiler plant, where emission can be easily controlled is obviously a clean alternative to the open coalfire. In Denmark (where at present CHP serves 10% of homes and there are plans to extend this coverage to 35%-40% by 1995), in order to facilitate such energy conserving technologies there are planning objectives for the centralisation of development in towns of sufficient size to sustain a combined heating system.

The U.K. has come up with findings that increases the credibility of CHP/DH even more. *Energy Paper 35* concluded that DHP/DH could in the long term, be the cheapest method of heating buildings and could also make a significant contribution to meeting energy demands when oil and gas supplies decline. (10) The more recent *Energy Paper 53*, in its "lead cities" programme, confirmed the conclusion for the actual establishment of a CHP/DH scheme in 9 British cities. (11) Belfast, of the nine, proved to be the most potentially promising. Other benefits of CHP/DH highlighted by *Energy Paper 35* were increased air quality and potential for inner city renewal (through the availability of cheap heat source to prospective developers).

In 1982 the E.S.B. in conjunction with a Danish Consulting Firm undertook a feasibility study of District Heating and CHP for inner city Dublin (12). It was established that CHP/DH is technically feasible for Dublin, but more importantly that it is economically viable as well as offering a part solution to the problem of atmospheric pollution. It also offers possibilities for inner city renewal and general social, economic and environmental improvements. The overall recommendations of the study was that the proposed scheme should be incorporated into a Government backed integrated energy policy for the Dublin City Area. The study team were confident enough in their findings to also recommend that the E.S.B. should seek Government approval and the legislation necessary to enable it to proceed with the implementation of the scheme.

CHP/DH requires relatively high density development and a good mix of land uses to be feasible. These factors determine the heat load density or heat consumption/year/km², this is a measure of the suitability of an area for district heating. It is dependent on the planning system to ensure that an environment that it can work in exists. Also it offers possibilities in achieving other planning objectives, i.e. inner city renewal. A 1986 Dublin Corporation Planning Department survey points to 155 acres of derelict land in the inner city. These lands could be developed at densities and in uses that would increase the viability of potential of CHP/DH. As the existence of high heat load densities would increase the attractiveness of CHP/DH, so also would the availability of a cheap and clean source of heat encourage inner city redevelopment.

Suburban housing development could be redirected from the suburbs, themselves the source of serious air pollution, to the inner city and underutilised dockland areas close to the power stations at Ringsend. The possibility of combining "energy efficient" and "air quality" objectives with other planning objectives begins to become a possibility.

Solving the Problem and Preventing its Reproduction

There are two aspects to the smog crisis, eliminating the high pollution levels that exist and avoiding the reproduction of the problem in new development areas. Smoke control is an obvious approach as it has proved very successful both in Britain and in Belfast. On the basis of the Belfast experience it is estimated that 9,000 houses would have to be converted annually if appreciable progress is to be made towards a smokeless environment. At an estimated cost of £500 per house that would take £4.5 million annually and it would take 20 years to achieve. But unless an equally cheap and amenable fuel source/heat-ing alternative is available, then the lower socio-economic groupings

will suffer the burden of extra costs. Whether or not the new legislation can and will effect smog abatement, remains to be seen.

It is clear that the mandatory objective to be included in all Development Plans - that of preserving, improving and extending amenities - has not been fulfilled with respect to the amenity of 'clean air' in the Dublin context. Yet, this is necessary if the Planning Authority is to use its 'development control' function to avoid future emissions into the atmosphere through the conditioning of permissions for new and particularly residential developments.

The task of the physical planner in the 'smoke control' context is to facilitate alternative energy systems to domestic coal burning, by creating a suitable environment for such alternatives. Oil, electricity, fuels with lower volatiles and smokeless fuels are alternatives to coal which can be introduced by regulation. The development control process could play a role in the changeover also. It is argued though that these alternatives are more expensive than coal and they are not necessarily available in the quantities necessary to replace coal. CHP/DH is a more attractive alternative from a planner's perspective as it offers possibilities for achieving other planning objectives besides that of clean air. We know that CHP/DH is already viable for the inner city and to expand the area of viability we need to secure higher building densities and a better mix of land uses - so that head load densities can be raised to CHP/DH threshold levels. This argument applies for natural gas also which has its own viability threshold level.

Clean air and energy conscious objectives can be part of the normal planning process. They need not receive any added importance in themselves but they should be constraints in the overall planning of the physical environment.

References

1. Sweeney, J. "Air Pollution in Dublin City". Paper delivered to conference - Geographical Perspectives On Dublin Region, Dublin 1985.
2. Kelly, I., Clancy, L. "Mortality in a General Hospital and Urban Air Pollution", *Irish Medical Journal*, Oct. 1984, Vol. 17, No. 10, pp322-324.
3. Brady, J.F. "The Impact of Clean Air Legislation on Dublin Households", *Irish Geography* 19, (1986)
4. Strauss Eric, "Fuel Poverty and Public Housing in Northern Ireland", *Pleanail*, vol. 1, No. 5, 1985, pp19.
5. Scannel, Y., *The Law and Practice Relating to Pollution Control in Ireland*, 2nd edition 1982, pp61
6. Warner K. "The Control of Industrial Water Pollution". M.R.U.P. Thesis, U.C.D. 1984, pp93.
7. Scannell, op. cit. p.73.
8. Owens, S., "Spatial Structure and Energy Demand", from *Energy Policy and Land Use Planning*, Pergamon 1984, pp217.
9. Orchard and Sherrat, "Combined Heat and Power", *Whole City Heating - Planning Tomorrow's Energy Economy* 1980, pp ix.
10. *Energy Paper* 35, H.M.S.O.
11. *Energy Paper* 53, H.M.S.O.
12. E.S.B., "District Heating/Combined Heat and Power Schemes in Dublin and Cork - Feasibility Study", E.S.B. 1982.

For extensive bibliography, see Fannon J., "A Planning response to Urban Atmospheric Pollution", M.R.U.P. Thesis U.C.D. 1986.

REDEVELOPING THE SITE OF DUBLIN'S MEDIEVAL SETTLEMENT

- the search for a suitable form

TONY MULHALL

In the light of the recent interest in the redevelopment of the area formerly enclosed by Dublin's city walls this paper addresses the issue of appropriate architectural form in the authentic conservation of the site of the medieval settlement.

The realm of urban conservation penetrates every aspect of political and public administrative life in the city. Its impact on the property development industry is no less pervasive and its potential for generating diverse community reactions enormous. In projects which generate controversy a great deal of human energy may be bound up in the issues raised in conserving the historic city and serious delay may be encountered in the achievement of other meritorious goals. There is therefore a great need among those who would conserve the historic city to be clear about what that means at the end of the twentieth century.

The city of Dublin is no stranger to conservation controversy. The battles fought over the Georgian heritage during the sixties were some of the most acrimonious and have left their mark not just on the city but on developers, public authorities and conservationists alike. The nineteen seventies saw Dublin awaken in controversial circumstances to its archaeological heritage dramatically changing the public perception of the city's origins. Even as the city adjusts to cope with redevelopment over the extensive evidence of its historic past the focus of concern has shifted again to the devastating effect of inner city road proposals on the urban fabric.

The 'devastation of urban space' which has taken place in the redevelopment of European cities since the war is well exemplified in Dublin's historic core. The redevelopment of the area formerly enclosed by the old city walls presents many of the characteristics complained by Krier (1) in his work *Urban Space* - the erection of buildings isolated in space; the opening up of vast areas through the creation of extensive new roadways - all promoted and supported by the due process of municipal approval.

The conflicting challenges which the old city has to meet underlines the importance of a clear concept for the redevelopment of the historic core. Although the worst excesses of development in accordance with the anti-historical philosophies of the modern movement are probably behind us there now emerges the danger of moving too far in the opposite direction - the re-creation of historic urban form.

Current Trend

Dublin within the old city walls has been steadily decaying for over three hundred years and has only sporadically fought back through the activities of publicly oriented bodies. The recent return of private development interest to the historic core of Dublin is a significant step towards its removal and one which will be applauded by all concerned with the redevelopment of the site of the medieval settlement. Although the more human form in which these proposals emerge is a substantial improvement on the alienating forms generated by modernist dogma there are clear indications of a tendency towards a Utopia of the past. The imposition of picturesque tower features in the redevelopment of the High Street site at Tailors Hall is just one indication of this trend. Not far away and in a similar vein is the Victorian pastiche development approved at Winetavern Street.

The trend towards the prosaic reuse of historic forms in the creation of contemporary architecture at the end of the twentieth century is one of the most disturbing responses of architecture to its recent past. There may be a number of explanations for this trend.

1. Since the collapse of the modern movement architects have sought refuge in historical forms and have reproduced and re-interpreted them in a wide variety of ways.
2. Because of the apparently greater facility with which these forms may be integrated with existing form planners have found it easier to recommend such solutions.
3. Broadly based environmental groups have also welcomed the respite which these 'new' forms have given the city from the excesses of the modern movement and have also recognised a familiarity which was absent from the vocabulary of the movement.
4. The recognition by developers that such forms open a clear and speedy passage through environmental controls confirms their adoption.

While individually each of these development proposals may contribute to the renewal of the old city the summation of these separate parts may not add up to the authentic conservation of the site of the

medieval settlement. It is to establish the ultimate priority of a compatible urban form in the context of the historic city that this paper is devoted.

The Realm of Urban Conservation

Before proceeding it is helpful to recall Bacon's discussion of 'form' and 'space' in which he defines 'architectural form' as 'the point of contact between mass and space'. Where the philosophical interrelationship between these two elements is unclear so will form of the architecture be unclear. In our culture the preponderant preoccupation is with mass, to such an extent that many designers are "space blind". (2)

The image of the city is a physical perception of the point of contact between these masses and spaces. The city is therefore perceived as a work of architecture, engineering and planning. The environment created is firstly a physical one, judged on the quality of that physical environment. The image of the historic city is one based on the accumulation of a physical form whose architectural and historical qualities are highly valued.

The realm of urban conservation is therefore a qualitative one concerning these characteristics of the physical fabric and the future urban form in the historic city must reflect this. The conservation goal as achieved through the urban design process must therefore be based on mutual respect between old and new fabric which recognises the irreplaceable quality of the historic environment.

Urban design in the historic city should therefore be dictated by architectural and historical considerations - the starting point in a historic city must be its historic quality and visual character - and not secondary social or economic arguments. However once the choice is made the solution can no longer be considered in purely architectural terms.

Reviewing twenty years of decision-making there is evidence of a growing understanding of the conservation demands of the historic area. However the pursuit of major urban road proposals and the concomitant desire to retain the 'character' of the historic core present irreconcilable objectives whose divergent personalities lead to that philosophical confusion to which Bacon refers and to which a disjointed city testifies.

Historical Sources

Medieval Character

In seeking a formal basis for the redevelopment of the historic city a term which constantly recurs in the review of events over the last twenty years is the concept of 'medieval character' a concept which everywhere has lacked definition.

The medieval period in European History spanned a thousand years between 500 A.D. and 1500 A.D. of which Dublin's experience as a settlement is confined to the last 500 years. At the end of that period the medieval urban landscape differed as greatly from its shape at the beginning as the city of the twentieth century differs in concept from the city of the late medieval period.

From what point then on the medieval continuum do we take our reference? The most powerful images of medieval Dublin have come from the archaeological reconstructions of the Viking settlement. Yet in terms of three dimensional form is there much that can be derived from the wattle and daub of a thousand years ago to be used as inspiration for contemporary design in Dublin today?

Evidence of the three dimensional form of the late medieval Dublin though scant suggests a timber frame construction along the lines of London before the 'Great Fire'. Facing the challenge of redevelopment in this the most historic part of the city what is its relevance?

Post Medieval.

The 'Dutch Billy' which succeeded these Elizabethan cagework houses and the Georgian elevations which were later applied all submit for consideration in this search for inspiration. Nor are these to deny the claims of the Victorian revivalists on an input to the creation of a contemporary form. Perhaps also the search should not just be confined to the historical forms generated in the area within the old city walls.

Nevertheless the continuity of form from the earliest days of the settlement to today which rests in the street pattern is the most potent link with the medieval city of Dublin. While many of its streets can be traced to Viking and Norman patterns of movement others have changed many times a continuous process of widening, straightening and opening to ventilate a congested city. How coercive then on modern development are street patterns which were unsuitable for the movement of people and goods even in their own day?

The City as a Palimpsest.

Orwell's declaration that 'all history was a palimpsest, scraped clean and re-inscribed exactly as often as was necessary' (3) provides a fitting analogy for the continuous erasing and replacing of the urban form on the site of the medieval settlement. Dublin's historical document - on which some of the earlier inscriptions of Castle, Church and tavern come through as strong reminders of those who have marched across this page of history recording the formative events in the evolution of the city - now awaits rewriting.

The Search for a Suitable Form.

'I want' said Joyce 'to give a picture of Dublin so complete that if the city one day suddenly disappeared from the earth it could be reconstructed out of my book' (4). But would we really want to mimic Dublin as it was in the past and why choose Joyce's peculiar image of 1904 or Rocque's precise observation of 1756 or Speed's bird's eye view of 1610 or any other representation of the past as the ideal city form? And if we would, should we?

In seeking an appropriate formal expression for the old city area it is worthwhile initially to establish the limits of acceptability in urban form, in terms of the insertion of modern buildings at one end of the spectrum and in terms of the reproduction of historical form at the other.

The Alternatives

Modern Architecture

The argument against modern architecture on the grounds of denial of history and the erosion of space would seem to have been unequivocally stated in the partial realisation of the Civic Offices project. It was the modern movement's insistence on the programme as the source of design integrity which validated such design solutions in historic areas to deliver a form isolated in space.

The obvious incongruity of such buildings with their historic counterparts has forced contemporary architectural thought to the belief that design derived from the programme alone could no longer be sustained as an authoritative basis for the redevelopment of the city (5).

'disintegration of the street and the organised public space which began between the two world wars was spurred on by rationalised building techniques and new traffic circulation requirements' (6).

It is therefore easy to reject this form of development as being appropriate to the proposed site. Nevertheless there are still points of view which strongly oppose intervention in the creation of architectural form.

'The current belief that buildings should be "in keeping" with adjoining earlier buildings is a curious and new idea enforcement of which is making our streets uncharacteristically dull and dreary where they had formerly been full of variety and contradiction. Intervention . . . in building design has been counterproductive and has held back the natural development of new expressions in architecture' (7).

Manser's concern with the dangers of intervention as perceived in an English environment is valid; Dublin too has experienced the 'dead hand' of planning intervention. Mount Street Lower, formerly a Georgian street of some character, was converted into a spiritless corridor in adherence to standardised solutions. However there still remain too many reminders of the insensitivity of the Modern Movement to see the formal solution in that direction.

Historical Reproduction

The rejection of modern architectural philosophies in the historic city should not however be replaced by the ideas of those so radically committed to past form that they would reproduce the historic city. Lowenthal's assertion that 'the landscape of the 1980's seems saturated with "creeping heritage" mansarded and half timbered shopping plazas . . . and . . . heritage villages confirms the spread of popular historic forms throughout the United States'. (8)

One derivative from the historic settlement is a 'picturesque' form of architecture which is currently finding favour as a reaction to the brutalist excesses of the modern movement.

'townscape with its picturesque images of English villages and Mediterranean hill towns is still often put forward as an alternative response to the failure of modern architecture to deliver the promised goods' (9).

The Picturesque

As early as 1924 Trystan Edwards cautioned against 'the vice of prettiness'

'It is unfortunate that many of the devotees of what is commonly called "picturesque architecture" interpret the phrase in a narrow

sense. To them it denotes prettiness and an assembly of small features, such as gables, dormers, turrets, oriel windows and so on. All these elements of composition can be very beautiful and have a distinct merit of their own. But the theorists whom we are now considering have this conspicuous defect: they have eyes for the small picture, but they have no eyes for great picture, the picture which includes not merely one building or small part of a building but a whole street or even a whole city' (10)

Prettiness may be said to consist in:

'an assertion of the parts at the expense of the whole but in this case the parts are themselves beautiful' . . . 'prettiness sometimes causes us greater irritation than the utmost crudeness in design . . . because our first glance leads us to expect an excellence which we afterwards find to be lacking'.

'In this case there is a kind of spottiness which nevertheless appeals to people whose aesthetic sense has not been trained; for such beauty as belongs to it can readily be apprehended without the employment of any critical faculty' (11).

Though Edwards' opinions are expressed in a somewhat frothy manner, writing at a time when architecture was in its pre-modernistic state of flux there is a certain symmetry with conditions prevailing today. His views were formed in the aftermath of the Romantic Victorian period which sought refuge in the Modern Movement. Conversely, emerging with the scars of the Modern movement, society is today seeking the comfort of a romanticised past.

Examples of a return to the picturesque in the city streets occur increasingly in Europe. The mural work of Paul de Gobert particularly in the old working class district of the Marolles in the heart of Brussels combines the painting of protest with the creation of colourful pictorial images (12).

Friedensreich Hundertwasser's demand for a more human city and a radical return to an ecological way of life led him eventually to a city sponsored project to build a residential block whose elevational modelling and colouring support the trend towards an ideal past (13).

In England the classical revival work of Quinlan Terry threatens 'to see such architecture taking over the present on behalf of the past' (14).

Dublin's ubiquitous Victorian and Edwardian pastiche shopfronts erase the visual chaos of the sixties and seventies but like the ornamental

parks and gardens of the historic city must be seen as a resting point on the road from visual dereliction to good contemporary design.

'Do not let us talk of restoration. The thing is a lie from beginning to end' (15).

The Historic City as Generator of Form

In rejecting both the modern architectural philosophy and the case for nostalgia in rebuilding the historic city we now move on to consider what is probably the most promising philosophical basis on which to carry out this reconstruction.

The Third Typology.

Vidler in his essay 'The Third Typology' proposed that whereas first nature and then the machine had proved legitimising models for architectural design in the past, so now the city offered such a source. In this case type was no longer to be the product of function and economy but rather the outcome of history. But this did not mean the denial of function in the sense of the modernist denial of history. It merely meant that function and economy would no longer be the ultimate generators of form but that the historic city itself as the context of future form would provide the ultimate source (16).

The recognition that the third typology does not just imply the reproduction of historic urban form was established in Rossi's *The Architecture of the City* where he used Quatremere de Quincy's definition to make the important distinction between 'type' and 'model'.

'The word 'type' represents not so much the image of a thing to be copied or perfectly imitated as the idea of an element that must itself serve as a rule for the model . . . The model understood in terms of the practical execution of art is an object that must be repeated such as it is; type on the contrary is an object according to which one can conceive works that do not resemble one another at all. Everything is precise and given in the model; everything is more or less vague in the type. Thus we see that the imitation of types involves nothing that feelings or spirit cannot recognise' (17).

We therefore have contained in the 'third typology' a philosophy which perceives the solution to design problems as being ultimately resolved by their context.

Architectural Challenge

The identification of a possible philosophical basis for the authentic redevelopment of the site of the mediaeval settlement is a preliminary but essential step in the redevelopment process. However while the concept may be clearly expressed the process of divining design solutions from the site of the medieval city on the basis of that philosophy is complex and the outcome uncertain. The creation of a new three dimensional form and the articulation of the external space without offending the integrity of the site or denying the origin of the building is the challenge for architecture in the historic city today. But to issue this challenge is to raise a number of questions about the possible outcomes of such an objective.

To what extent can the design solutions deviate from the historical plan form without offending the essence of the historic city?
How far can the programme in this situation be expressed to reflect its function?

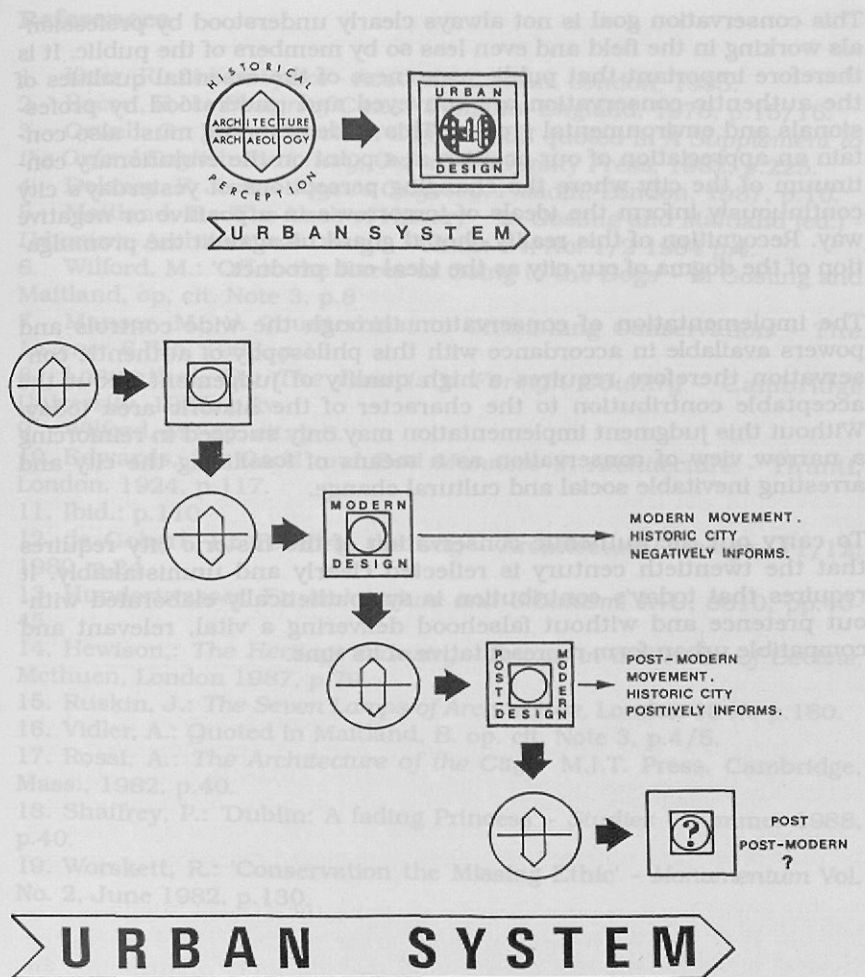
How can the resultant form be articulated so as not to deny its own purpose and yet convey the sense of the underlying history?

With few exceptions the answers to these questions have come most stridently from archaologists, historians and historical geographers whose allegiance is to the city of the past. But combined with this valuable understanding of the past must be a realisation of the needs of the living city organism today and a perception of the ideal city of the future.

A Conservation Ethic

What is sought is a judgement which avoids the worst effects of ruthless redevelopment without descending into narcissistic conservation. Nevertheless the difficulties in establishing the preconditions for the generation of a contemporary form in the current reactionary conservation climate cannot be ignored. Shaffrey's recent assertion that 'we are all belted earls now' confirms the transformation in conservation perception over the last twenty years in Dublin but also contains an element of danger for the authentic redevelopment of the old city (18).

Urban conservation is not a means by which the present is masked by a reiteration of the past. Conservation is a means by which we can engage the present by articulating the true nature of past experiences (19). This means not only saving old buildings but also constructing recognisably modern ones in order to enhance the old and not by reproduction to devalue it.



The Dynamic Realm of Urban Conservation.

This conservation goal is not always clearly understood by professionals working in the field and even less so by members of the public. It is therefore important that public awareness of the essential qualities of the authentic conservation are conveyed and understood by professionals and environmental groups. This understanding must also contain an appreciation of our position at a point on the evolutionary continuum of the city where the changing perceptions of yesterday's city continuously inform the ideals of tomorrow's in a positive or negative way. Recognition of this reality should guard us against the promulgation of the dogma of our city as the ideal end product.

The implementation of conservation through the wide controls and powers available in accordance with this philosophy of authentic conservation therefore requires a high quality of judgement about the acceptable contribution to the character of the historic area today. Without this judgment implementation may only succeed in reinforcing a narrow view of conservation as a means of fossilising the city and arresting inevitable social and cultural change.

To carry out the authentic conservation of the historic city requires that the twentieth century is reflected clearly and unmistakably. It requires that today's contribution is sympathetically elaborated without pretence and without falsehood delivering a vital, relevant and compatible urban form representative of its time.

References

1. Krier, R.: *Urban Space* - Academy Edition, London, 1985.
2. Bacon, E.N.: *Design of Cities* - Penguin, England, 1978, p.15/16.
3. Orwell, G.: From 'Nineteen Eighty Four' quoted in *A Supplement to the Oxford English Dictionary*, Oxford University Press, 1982, p.225.
4. Delaney, F. *James Joyce's Odyssey*, Paladin, London, 1987, p.10.
5. Maitland, B.: 'The Uses of History' - in Gosling and Maitland (ed.) - *Urbanism, Architectural Design*, Volume 54, No. 1/2 1984 p.4.
6. Wilford, M.: 'Off to the Races or Going to the Dogs' - in Gosling and Maitland, op. cit. Note 3, p.8
7. Manser, M.: 'A Counterblast to Unthinking Conservation' - *The Listener*, 6 Feb. 1986, p.15.
8. Lowenthal, D.: *The Past is a Foreign Country* - Cambridge University, 1985, p.xv.
9. Wilford, M.: op. cit. p.8.
10. Edwards, T.: *Good and Bad Manners in Architecture* - Tiranti, London, 1924, p.117.
11. Ibid.: p.110
12. de Gobert, P.: *Painting the City* - *Architectural Design*, 11/12, 1980, p.24.
13. Hundertwasser, F.: *Architecture and Urbanism*, A+U, 8610, pp.40-45
14. Hewison, J.: *The Heritage Industry - Britain in a Climate of Decline*, Methuen, London 1987, p.79.
15. Ruskin, J.: *The Seven Lamps of Architecture*, London 1849, p.180.
16. Vidler, A.: Quoted in Maitland, B. op. cit. Note 3, p.4/5.
17. Rossi, A.: *The Architecture of the City* - M.I.T. Press, Cambridge, Mass., 1982, p.40.
18. Shaffrey, P.: 'Dublin: A fading Princess' - *Studies* - Summer 1988, p.40.
19. Worskett, R.: 'Conservation the Missing Ethic' - *Monumentum* Vol. No. 2, June 1982, p.130.

AN ENDANGERED LEGACY -

Dublin's Inner City Churches

PATRICIA HYDE

Introduction

In October 1988, I completed a twelve month course in the School of Architecture, U.C.D. This was a post-graduate course, leading to a master's degree in Urban and Building Conservation. The last five months of the course was spent on a dissertation. My chosen topic was on Dublin's Church of Ireland inner city churches which have closed or which are in danger of closing. All denominations are affected by the decrease in inner city congregations and by the decline in religious practice but the Church of Ireland has suffered more than any other because of the change in its relative status and position between the eighteenth and twentieth centuries.

The problem is not confined to Dublin - nine of the thirty-five Church of Ireland churches in the dioceses of Tuam, Killala and Achonry may close under a moderate reorganisation. The proposed closures were recommended by a Commission on Church buildings set up in 1986 by the Church of Ireland authorities, to help dioceses dispose of redundant churches. The same commission recently recommended that more than a third of the eighty-nine churches in Meath and Kildare be closed. The same commission is now preparing a recommendation about the future of the ninety churches in Cork, Cloyne and Ross. In the Killaloe diocese nineteen churches were closed recently.

Finding suitable alternative uses for churches in isolated rural areas is difficult. It is also a problem in those areas of inner cities where the physical environment has deteriorated making them unattractive for investment.

Landmark and Townscape Value of Churches

An important element in the visual character of Dublin's Inner City is the impact made by the concentration there of church buildings. These buildings form landmarks and focal points in many of the street scenes and long distance views particularly in and around the older parts of the city. Being larger buildings with a formal or stone face, they are

frequently given a particular emphasis and interest by the use of a tower or spire. Apart from their landmark and townscape characteristics, churches have an important "community" value. They represent the survival of the community's greatest visual expression of itself across the centuries. Dublin's Inner City churches were erected when the numbers of people which they served lived in close proximity to them. They catered for the needs of their parishioners, Catholic, Protestant and others, but also they were attached to houses of religious congregations.

Inner City Population Decline

With the passage of time, the demographic profile which justified the locations and numbers of these churches has greatly changed. The population of Dublin's Inner city, in common with other cities, has been reducing in numbers and density over the years. This process goes as far back as 1926. In recent times the population has fallen from approximately 150,000 persons in 1966 to approximately 85,000 in 1985. This trend has had its effect on the viability and need for such facilities as churches, schools and hospitals.

In 1926 over half the metropolitan population resided in the inner city area (in the area encircled by the canals). Since 1966 the population of the built up area has doubled to around 1.1 million. But the population of the inner city declined from 260,000 to under 100,000 - from more than half the total in 1926 to less than one eleventh of the 1981 population. Up to 1966 that change was gradual and incremental. Since 1966 the process has accelerated. From a small, compact and high density city, Dublin has become a low density sprawling metropolis.

Dublin's Protestant Legacy.

Georgian Dublin was a protestant city and its institutions from Trinity College to schools, hospitals and trade guilds came under the patronage of the Church of Ireland. Even today, although over ninety percent of the cities population is Catholic, the Church of Ireland has maintained both medieval Cathedrals, Christ Church and St. Patrick's while the Catholics have the nineteenth century Pro-Cathedral. In addition to the Cathedrals there are ten Church of Ireland churches still in use within the areas bounded by the canals. Many of these are of great importance from the historical and architectural standpoint and they contain carved woodwork, marble memorials, organs, and silver of great artistic value. The numbers attending these churches amount to 50 people on average. The legacy of having once been the church of the upper classes in Dublin and of the government and armed forces in

British days, is a series of magnificent buildings which are architecturally beautiful and valuable but which are lacking the worshippers who might sustain them. The small numbers attending at services are caused by a reduction in the number of Church of Ireland members nationally and the general decline in the inner city population.

Growth and Decline of Church of Ireland Inner city Parishes

At the end of the seventeenth century, expansion of the city's population required the reorganisation of its parishes. Parishes, like St. Michan's, St. Andrew's, St. Michael's and St. Kevin's were subdivided into three or more parishes. The inner city parishes grew and reached their peak Protestant population by mid nineteenth century after which the move out of the inner city to the suburbs commenced. Townhouses were being changed into tenement houses; the development of suburban districts like Rathmines and Glasnevin attracted the prosperous Protestant population of the inner city. The tenement houses were often occupied by poor Catholic families coming to Dublin after the famines in the 1820's and 1840's.

A sharp decline in the Church of Ireland population between 1911 and 1926 was brought about by the establishment of the Irish State and its new administrative structures. After the Treaty in 1922 many of the English Anglicans who worked in Dublin left Ireland. Under the terms of the Treaty, the British armed forces were withdrawn and the Royal Irish Constabulary and the Dublin Metropolitan Police were disbanded. These organisations had a high percentage of protestants (according to the census of 1911, 63% of the armed forces in Ireland were Anglican). It has been estimated that the withdrawal of the armed forces and their dependents serving in Ireland accounted for a quarter of the total concentration in the Dublin area and it was in the Dublin parishes that the decline was most marked.

Difficulties for Financing of Restoration of Churches in Ireland.

Due to Article 44 of the Constitution whereby "the state guarantees not to endow any religion", a church which is in use cannot receive Government assistance. Under the National Monuments Acts only churches which are closed for worship can come within the scope of the Acts. Apart from modest conservation grants payable by the planning authority (under section 14 of the 1963 Planning Act) churches are dependant on their own resources for the preservation of churches which are used for worship.

The funding of restoration and maintenance of buildings to ensure their preservation is a question that is particularly onerous for the

Church of Ireland given its rich legacy of churches and its small population. In England and Northern Ireland the Local Authorities (Historic Buildings) Act 1962 make it possible for every Local Authority to assist by grant or loan towards the repair or maintenance of any building of merit in its area. This is not the case in Ireland where listing by the Local Authority does not lead to grant entitlement.

National Heritage Council

The Representative Church Body has made a submission to the Council for funds for their historic churches. The Church Body are fearful that Article 44 of the Constitution will be used to disallow their application for funds. The Council, with funds of £790,000 per annum from the National Lottery, will decide on the distribution of monies allocated for heritage work (subject to the approval of the Taoiseach) and on priorities for the identification, preservation and enhancement of Ireland's cultural and natural heritage. (Specific areas of concern are architecture, flora and fauna, landscape, heritage gardens and certain inland waterways). The Council will advise the Government on the drafting of legislation to establish a statutory Heritage Council. It is important that any legislation drafted can be framed in such a way as to allow List 1 churches to qualify for Lottery funds just as under Section 14 under the 1963 Planning Act, Dublin Corporation allocates conservation grants to List 1 buildings, including churches which are used for worship.

The Problem of Redundant Churches in England.

The problem of churches becoming redundant is particularly marked in England where church-going as a social custom has been in decline since the first World War. Over the last fifty years, the Church of England's Easter communicants have halved in number. The financial support, whether from wealthy landowners, or the prosperous middle classes, has disappeared, together with the society which provided it. The Church of England has established a system of dealing with redundant churches backed up by the provision of State legislation and funds. The Redundant Churches Fund looks after 200 redundant Anglican Churches which are being preserved as monuments because of their outstanding interiors.

The Church of England, in a Pastoral Measure enacted in 1968 provides a procedure for churches being declared redundant. The redundant church can either be (a) demolished, (b) vested in the Redundant Churches Fund "in the interests of the nation and of the Church of England" or (c) their passing into a waiting period while a new use is being sought (the majority of redundant churches fall into this category).

ry). The Advisory Board for Redundant Churches, the statutory adviser to the Church Commissioners, has to give its views before a scheme can be confirmed and in most cases its advice is taken. The prime responsibility for new uses rests with the individual dioceses. A demolition certificate is issued by the Advisory Board for Redundant Churches if it considers that this would not be objectionable on architectural or historic grounds. At the end of the waiting period of 1-3 years after the Declaration of Redundancy, if it is not considered worthy of preservation by the Redundant Churches Fund and an alternative use is not forthcoming, it then has to be demolished. The Redundant Churches Act of 1969 exempts the Church of England from the requirement to obtain Listed churches. At present the Church of England has 16,000 places of worship of which three quarters are listed buildings.

Closure of Dublin Churches.

The closure of inner city Church of Ireland churches began in the late nineteenth century. St. Brides's of Bride Street was demolished in 1898 and due to declining numbers, the parish was united to St Werburgh's in 1886. St. George's in Hill Street was demolished in 1894. St. John's of Fishamble Street was united to St. Werburgh's in 1877 and the church was demolished in 1884. St. Kevin's in Camden Row was in use until 1920 when the roof was taken off.

Since 1950, sixteen Church of Ireland churches in the inner city have closed and the fate of some of the twelve that remain open is uncertain. There are six List 1 churches in the inner city which are disused or likely to become disused. Two of these six churches also have their interiors listed. The listing of the interior may limit the potential of the church for alternative re-use.

The options for re-use are greatest in a church which has a plain interior and which is in a prime location - St. Andrew's Church in Andrew Street is an example of this. St. George's Church on the other hand has a magnificent interior but is located in an area of the city which is not commercially attractive.

Dilemma for Church Authorities

The Dublin Diocese of the Church of Ireland is becoming increasingly concerned about the position of the inner city churches. In September 1986 it made a submission to Dublin Corporation which argues (a) that the departure of Church of Ireland parishioners from the inner city and (b) the increasing age, repairs and maintenance costs of church buildings, have put the amounts involved beyond the financial

reach of the Church of Ireland population. In the past ten years more than a million pounds has been spent on repairs and restoration of the two Cathedrals and a further £150,000 will soon be spent on the repairs of St. Audeon's and St. Werburg's. The major portion of this money has been subscribed by Church of Ireland members. The submission claims that there is a growing demand among the Church of Ireland population that available money be spent on churches which are required (in the outer suburbs of Dublin) and not on preserving church buildings which are no longer required for worship. It is argued that although twelve churches remain in use, the church population which they serve could probably be accommodated in two or three churches, if located in a suburban area.

Finally, the submission urges that the Corporation, in considering preservation orders of Church of Ireland property, accepts that the repair and maintenance of all these churches is beyond the capacity of the Church of Ireland. The money tied up in the buildings and sites is required (a) to repair and maintain the churches which the diocese wishes to retain as places of worship and (b) to help meet the needs of developing suburban areas facing capital expenditure on school extensions and church halls.

Re-use and Diversification of Church Buildings

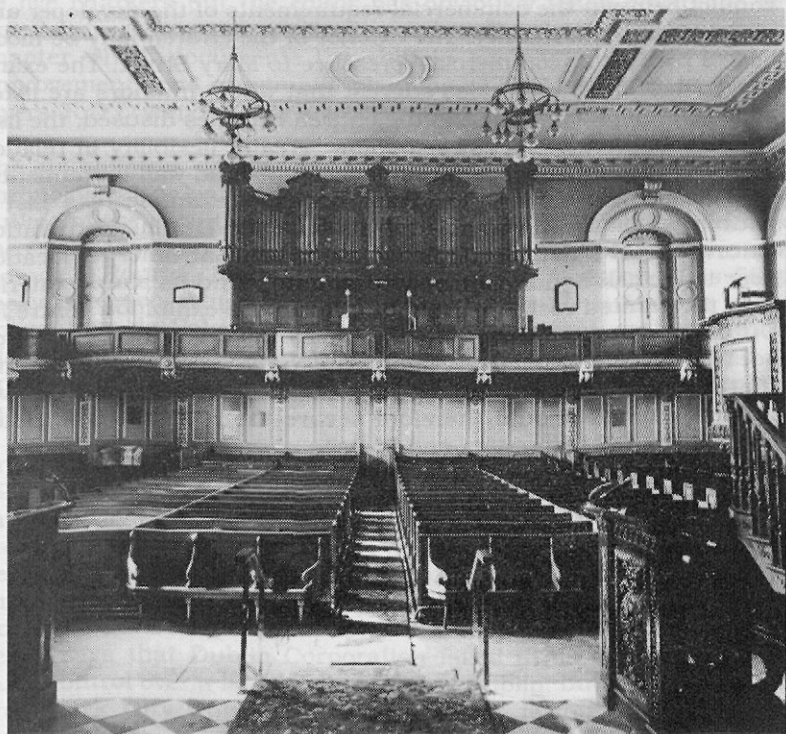
The present Labour Exchange in Gardiner Street was formerly a church. St. James' in James' Street is now a lighting store. St. Paul's in North King Street is currently being converted into a state sponsored enterprise centre with twenty four serviced units being provided on three floors. St. Andrew's on South Circular Road is a former Methodist chapel which has been converted into a community centre. Trinity House, Ranelagh is another former Methodist chapel which has been converted into a maritime museum.

St. Andrew's, Andrew Street has retained a small side chapel for worship while the nave is being used for the viewing of a film about Dublin. St Andrew's Churchyard has been a commercial car park for a number of years. (St. Audeons of High Street, a Roman Catholic Church, has also retained a small part of the buildings for worship and remainder is being used for the showing of a video film on Ireland's Christian heritage. The crypt of the church has been converted into a temporary theatre, recreating life in Viking times). St. Ann's in Dawson Street is still fully used as a church but it has diversified its services to the general community - it also houses a book centre, a narcotics advice centre and bereavement counselling service.

Summary and Conclusions of Dissertation.

1. The decline of Dublin's inner city population has been accompanied by a decline in the status and number of the Church of Ireland congregation.
2. In keeping with its status as the 'established church' many fine churches were built during the late eighteenth and early nineteenth century for the Church of Ireland, in the inner city.
3. The Church of Ireland are the custodians of the legacy of churches, virtually all of which are included on List 1 (for preservation) by Dublin Corporation in its Development Plan. Unlike the situation in Britain, listing is not accompanied by an entitlement to grants.
4. The numbers attending Church of Ireland churches are small. The congregations are elderly in age composition, with few young families in attendance. The congregations are unable to support buildings which are old and increasingly expensive to maintain.
5. The churches are an important element in the visual character of the inner city; they are important repositories of former community life and they provide a rich heritage of architectural history.
6. Since 1950 sixteen Church of Ireland churches in the inner city have closed and the fate of some of the twelve that remain open is uncertain.
7. The Catholic Church is not in a position to take over and use the redundant Protestant churches as at least two of their own inner city churches may close due to a general decrease in the inner city population.
8. Due to a constitutional provision (Article 44) the State cannot give financial aid to any church which is used for worship.
9. Apart from modest conservation grants payable by the Planning Authority, (under Section 14 the 1963 Act) the churches are dependant on their own dwindling resources for the preservation of the churches. National Lottery funds should be made available for List 1 buildings, including churches which are in use for worship.
10. Unless viable uses are found for redundant churches they will fall into disrepair and eventually be demolished.
11. At present there are six List 1 churches in the inner city which are disused or likely to become disused. Two of the churches are owned by Dublin Corporation (St. Catherine's, Thomas Street and the Black Church), two are in the process of being sold (St. Mary's, Mary Street and The Free Church) and two are currently in use as churches but are due to close in the near future (St. George's and St. Andrew's).
12. Certain churches, by virtue of their location and their interior spaces, lend themselves to dual use - commercial and religious use. St. Audeon's (R.C.) and St. Andrew's are subdivided. Tourist oriented promotions are taking place in them.

13. Location is a critical factor in determining the re-use potential of a church. The Free Church, off Charles Street is unlikely to generate much commercial interest as it is situated off Mountjoy Square where there are a number of derelict sites and vacant buildings.
14. The local authority has an important role to play to direct market forces; environmental schemes should be undertaken by Dublin Corporation in the vicinity of List 1 churches like The Free Church, St. Catherine's, St. Mary's, St. George's and The Black Church. Such schemes would:
 - (a) Improve the setting of the church.
 - (b) Upgrade the physical environment so as to encourage private investment.
 - (c) Make the church building the focal point of the district, just as it was in former days.
 - (d) Generate tourist interest and revenue.
15. The three case studies examined in the dissertation illustrate different aspects of the problem of redundant churches:



Interior of St. George's, Hardwicke Place, Dublin

St. George's, Hardwicke Place is one of the reminders of the former elegance of the north inner city. St. George's was built to serve the inhabitants of the Georgian mansions of Mountjoy Square and Eccles Street. These streets have fallen into decline and the immediate environment of St. George's leaves room for improvement. This Francis Johnston church is worthy of preservation as a building of national importance. It is in a special category among all the Dublin inner city churches, yet is being sold on the property market. The major works required on the stonework are not capable of being financed by the Church of Ireland and they are seeking a suitable person or agency to take over the church. The church should be deconsecrated, restored and developed by state and semi-state agencies. It should be opened to the public and its tourist potential exploited. The vaults of the church could be developed for use as a restaurant.

16. St. Mary's, Mary Street is an example of a List 1 church which, by virtue of its location close to Dublin's premier retailing street, Henry Street, has attracted commercial interest. There has been a conflict between the commercial requirements of the developer and of the Planning Authority. The exterior of the church may be modified to present a "commercial" presence to Mary Street. The example of St. Mary's would also suggest that where interiors are listed in the Development Plan and the church becomes disused, the listing may have to be modified to allow greater flexibility in relation to re-use - for example the exclusion of pews and wall monuments.
17. The Black Church, St. Mary's Place is an example of a List 1 church which has been in the ownership of Dublin Corporation since 1966. It has been unused for most of that time. Its location near to Parnell Square and O'Connell Street and its simple interior with the vaulted roof would make it a suitable exhibition centre for Dublin Corporation's own civic activities. It could also be used on occasion by the Municipal Gallery in Parnell Square. It is essential that the Corporation sets a good example in relation to its own property and it should therefore secure the future of The Black Church, by full restoration and re-use.

BOOK REVIEWS

PLANNING: THE IRISH EXPERIENCE 1920-1988,

Michael Bannon (ed.)

Wolfhound Press, Dublin, 1989,
pp 200, £9.95 Softback.

This is the companion volume to *The Emergence of Irish Planning 1880-1920* which was also edited by Dr. Bannon and published in 1985. Both volumes are a first attempt to trace the evolution of an Irish planning movement in the last 100 years. The latest volume contains six chapters, three of which are written by Dr. Bannon (indeed they constitute some 70% of the book). It was originally intended that there should only be five chapters but the editor has obviously taken advantage of the time-lag in getting the printing presses rolling to include an additional chapter which documents the shift in emphasis towards local scale improvements and community planning while the regional and advisory layers (R.D.O's and A.F.F.) have been dismantled.

The six chapters deal with the Irish planning experience in a general chronological order. Michael Bannon provides in the first chapter an outline of the evolution of planning from 1920 to 1945 and documents the Civic Surveys, planning for the rebuilding of Dublin, and the work of Horace O'Rourke, Manning Robertson and E.A. Aston. This 58 page essay is a pioneering piece on planning in the Free State as it clearly shows how de Valera, Lemass and W.T. Cosgrave each viewed town planning and how important was the energy, enthusiasm and sheer professionalism of planners like Robertson in gaining a wider acceptance for planning.

Professor Nowlan deals with the evolution of Irish planning from 1934-1964 and suggests that the Town and Regional Planning Act, 1934 was in some ways superior to the 1963 Act but that it was the lack of political will at national and local level which failed the 1934 Act and not vice versa. One of the provisions of the 1934 Act was that the Council of an urban area could add to its planning district the contiguous parts of an adjoining Co. Council area for planning purposes. Professor Nowlan correctly says that Dublin Corporation failed in its attempts to acquire such control over a large part of County Dublin, but he incorrectly adds that Cork City Council also failed. This is not so. In 1950 Cork

Corporation passed a resolution for the first Contiguous Area so as to have control over the planning of an adjoining part of Cork County, where many of the city's population had been moving to beyond the very tightly drawn pre-1955 city boundary. A resolution for a second Contiguous Area was passed in 1954 for similar purposes. In this way constructive use was made of the 1934 Act in Cork City to control suburban development, showing that some things are possible in planning Cork as opposed to the capital city.

Ken Mawhinney, in some ways, has the most difficult task of all the contributors, to chronicle the evolution of environmental conservation concern and action from 1920 to 1970. He shows the importance of the Blue Lagoon/Bull Island controversy in Dublin in generating public awareness of conservation issues at a time when it might have been expected that the public would have much more to worry about. He documents the growth of an Irish tourism policy and its relationship to national development policies and planning issues. Understandably Ken Mawhinney also shows how important the work of An Foras Forbartha has been but his chapter was written before the sudden and unexpected demise of that august body whose staff has been so callously tossed aside by dimwits.

In his chapter on "The control of development and the origins of planning in Northern Ireland" Professor Hendry highlights the futility of seeking to view planning as a technical activity divorced from political reality. A too-heavy reliance on British experience has not worked. The Planning and Housing Act (NI), 1931 remained the basic planning measure up to 1972. It was permissive, it was adopted only in Belfast and Londonderry, caused no development plans to be produced and allowed planning to become an appendage to bye-law control. Since 1973 planning has become centralised in the Department of the Environment which can lead to local resistance to imposed planning from above.

Michael Bannon ends the volume with two chapters. The first deals with development planning and the neglect of the critical regional dimension, the second with planning in the 1980's. Both are full of "what- might-have-beens", the link between physical and economic planning, once strong is now no more except in the SFADCO area; planning advice from the Department of the Environment is a thing of the past; development plans take too long to make and are then not implemented because of the lack of resources; the role of the local authorities has declined dramatically, therefore planning has declined also; the regional dimension has vanished without trace. The result is a move towards advocacy planning or community planning with an emphasis on inner city renewal and rehabilitation.

Planning: The Irish Experience 1920-1988 is a book that must be read by every planner, by every public official and by every public representative. It is a major contribution to the planning literature of this country and much thanks is due to Michael Bannon and his fellow contributors. Although not without some faults (there are two sets of notes 127-129 on pages 148/9) nevertheless this work once more proves that Michael Bannon is the foremost author and researcher on planning matters in this country.

Michael Gough,

URBAN PROBLEMS AND REGIONAL POLICY IN THE EUROPEAN COMMUNITY

Paul Cheshtre, Dennis Hay, Gianni Carbonaro, and Nick Bevan

Commission of the European Community, Luxembourg 1988
pp 329, £21

Many planners and other professionals have been or are still engaged in preparing National Programmes of Community Interest (N.P.C.I.) the latest product of the regional planning industry. The study by Cheshire et al above is important because it has provided some of the scholarly research basis for the policies now emanating on N.P.C.I.'s from the European Commission. The terms of reference for the project were to study the extent of problems of urban decline in the Community; to examine their relationship with regional problems; to draw up criteria for the Commission in deciding whether action by it is justified and to suggest measures for tackling urban decline through the Commission's instruments in particular the E.R.D.F. The result was the first systematic study combining demographic, economic and social data on a comparable basis for all major urban areas of Western Europe.

In the report major metropolitan areas are defined as "functional urban regions" (FUR) each with a population of more than 330,000 persons of which at least 200,000 live in an urban core area, containing not less than 20,000 jobs. There are 122 of these Group 1 FURs in the EC 12 which include Dublin and Belfast. Group 2 FURs are urban regions containing 330,000 people but with core centres of less than 200,000 inhabitants. There are 117 FUR's in this category including Cork, Limerick and Derry although Derry "had to be included as a special case as it had marginally fewer than 20,000 workers" (p.273).

The study examines both the problems of urban decline and urban decay (not the same thing apparently); urban decline is defined as a

loss of population from the larger metropolitan areas accompanied by a concentration of urban problems, while urban decay is defined as the decay of the physical fabric of neighbourhoods (p.7). The report places great emphasis on the fact that the core population loss is a key manifestation of urban decline. Thus the population of both the core and the hinterland of each FUR was measured in 1971, 1975, and 1981. But over 200 other variables were used - income levels, unemployment, migration, overcrowding, hospital and hotel bed numbers etc etc. From the subsequent analysis of these variables Belfast is stated to have "severe problems of decline" while Dublin has "serious problems of decline" and what saves Dublin from joining 7 FURs in the "severe" or "worst" category is the overall growth of the metropolitan area. But the report shows that Dublin's position is deteriorating rapidly, it was the 54th best FUR in 1974 but only 95th in 1984. Indeed Dublin has deteriorated to a greater extent than any non-Spanish city in Europe, i.e. it is becoming "worse" faster than any FUR in 11 EC countries (p.118).

The report recommends that the EC should initiate policies designed to assist problems urban regions to adjust to the processes of restructuring and to accommodate to growth or decline. Urban regions qualifying for assistance under this urban policy should be amongst the most seriously affected in Europe e.g. amongst the worst 35% of FUR's. The authors of the report state that the most appropriate spatial level at which urban policy intervention should be determined and interventions in the urban economy applied is the Functional Urban Region and then only in the large FUR's which include Dublin and Belfast but which excludes Cork, Limerick and Derry. It remains to be seen if the Commission will follow this advice. This may also indicate why the Dublin N.P.C.I. has been initiated rapidly with consultants already working away.

The type of urban policies which the authors favour (and by extension one assumes the Commission also) are set out and include the provision of high order tertiary services, cultural facilities, the recycling of derelict land, the creation of recreational opportunities, the conservation of architecturally interesting areas of housing, converting old industrial buildings to new uses, and all types of redevelopment but particularly the following:-

Redevelopment of part of the central business district for shops and offices; the sympathetic conservation, renovation and rehabilitation of nearby waterfronts or historic areas for leisure activities and high density urban living; the comprehensive upgrading of inner city housing stock, block by block, associated with architecturally-sympathetic new private housing close by; the improvement of access, especially through improved public transport and pedestrian access; and finally to improve

telecommunications. The authors quote examples where this is happening in Rotterdam, Glasgow, London Docklands and further afield in Boston, Baltimore and Pittsburgh.

Anyone engaged in preparing a N.P.C.I. should read this valuable report if only for the clue it provides on what might be included in such a programme so that a favourable response from Brussels would result and monies would start to flow. Planners and other professionals (especially consultants directly involved in producing N.P.C.I.'s) will find good material to support the case for this island's 5 FUR's, the "bottom of the league" tables for the "worst" cities in Europe from this report will undoubtedly carry a good deal of weight in Brussels. To fight for funds in Europe we will need to use European ammunition which this report provides in abundance.

Michael Gough

THE VANISHING COUNTRY HOUSES OF IRELAND

The Knight of Gltn, David J. Griffin and Nicholas K. Robinson.

The Irish Architectural Archive and the Irish Georgian Society, 1988, Softback, 156pp £15

This is a superb production. But it is also a sombre catalogue of lost opportunities. For a variety of reasons, accidental fire, deliberate arson, blind commercialism and lack of money we Irish are responsible for destroying some 500 country houses leaving behind in some cases a solitary photograph taken by some grieving archivist. What this book catalogues is the loss of a major national resource, indeed the continuing loss of things irreplaceable. These were Irish houses, built by Irish craftspeople for Irish inhabitants, now they are mouldering ruins. In his introductory essay Nicholas Robinson makes the very important point that we are wasting our assets. In 1986 over one and a half million people visited properties affiliated to the Historic Irish Tourist Houses and Gardens. 30% of all holiday makers (including 42% of all North American visitors) visited such houses and gardens while a mere 8% engaged in golf, yet we don't plough up our golf courses so why do we destroy our architecture?

Of course there is a growing recognition of the importance of conserving such houses, e.g. concessions within the areas of capital acquisitions tax, capital gains tax and income tax such as Section 19 of the Finance Act 1982. But Nicholas Robinson states that these concessions are not enough, what is needed is a non-governmental property-owning trust. A number of individual trusts and arrangements have

been successful in saving Castletown, Russborough, Doneraile Court, Mount Congreve, Glenveigh Castle, Newbridge, Robertstown and Belvedere (Co. Westmeath). The Knight of Glín in a thoughtful essay presents a personal appreciation of the desperate situation now facing us. He shows that the Irish Country House has always been appreciated by visitors to this country - de Tocqueville, Betjemen, Prince Von Puckler-Muskau (whose own house in the D.D.R. has been lovingly restored by the East German authorities). But the native Irish are at long last looking at the Irish "Big-House" in a new light, an example being the great Palladian house at Strokestown, Co. Roscommon restored by local people.

David Griffin lists each house alphabetically under each county which includes houses completely demolished, in ruins, unoccupied for a long period and also houses where the most important portion of the building has been demolished. The dates of destruction are given where known. This list is not exhaustive and probably undercounts the losses in the suburbs of Dublin, Cork and other large towns. Yet Cork County heads the list with 71 losses, Dublin has 65 and Galway has 50. The counties with single figure losses are Sligo, Leitrim, Cavan, Monaghan, Louth (all in the northern half of the country) and Waterford, which stands out from its neighbouring counties which explains why the Irish Planning Institute was able to have a very successful weekend field trip in 1987 visiting the magnificent specimens that still survive in that county, but then Waterford without Curraghmore and Lismore would be unthinkable.

In reading through the individual descriptions of the houses it is clear how many have been lost through fire, and not just the spiteful arson of the 1920-1923 period, but accidental fire which has generally left the buildings in total ruin. Surely if the existing stock of country houses is to survive into the 21st century then proper fire safety precautions will have to be ensured in each and every house. This is a problem which is exercising the minds of planners, fire officers, architects and conservationists who are mindful both of the needs of fire safety and the integrity of beautiful old buildings.

Personally I find the photographs of vanished interiors very disturbing: the library at Ravensdale Park in Louth; the drawing room of Ballynegall, Mullingar; the library at Castleboro, Enniscorthy; the Saloon at Powerscourt, Enniskerry and many others illustrated in this book truly bring home the immense loss and waste of glorious artefacts, decoration, panelling, plasterwork and books which were contained in these fine houses.

David Griffin makes the point in relation to some of the houses that the ruins are worth preserving as they indicate the skeleton or framework of a previously impressive building. Some examples are Kiltullagh (Athenry), Tyrone House (Clarenbridge), Castleboro (Enniscorthy), and the central block of Powerscourt (Enniskerry). Indeed the list is a good example (there are many others) of ruins which could be rebuilt in the future. It is beholden for planners in local authorities to preserve the ruins of all of these fine buildings both as historical and architectural artefacts but also in the hope that some can be restored. In addition while the "Big House" may be lost there are still gate lodges, follies, stable blocks and conservatories which have survived, these too must be protected from further destruction.

In many ways this volume *The Vanishing Country Houses of Ireland* is a companion volume to *Lost Demesnes*, not only because the Knight of Glin participated in both ventures, but because both books chronicle the serious losses of houses and their demesnes, one of the greatest changes in the Irish man-made landscape. Every planner in the country should read this book, it is good value at £15; every planning authority should have a copy as a guide to what might be salvaged in each authority and every planner and planning authority should ensure that future losses to our diminishing stock of country houses will not occur.

Michael Gough

BANDON: IRISH HISTORICAL TOWNS ATLAS NO. 3

Patrick O'Flanagan

Royal Irish Academy, 1988,
£18.

In 1955 the International Commission for the History of Towns recommended that a series of European national historic towns atlases should be produced. The Commission's proposal was subsequently adopted by most of the countries concerned and a large number of towns have already been mapped and published. In 1981 the Council of the Royal Irish Academy agreed to publish an Irish historic towns atlas as a series of fascicles (publishing by instalments), one for each town in a selection representing various size categories, various regions of the island and various periods of origin and growth, with some bias in favour of the medieval period but not excluding estate towns, industrial towns and resort towns characteristic of more modern times. The first in the series was Kildare by J.H. Andrews, the second was Carrickfergus by Philip Robinson and now Patrick O'Flanagan.

Statutory Lecturer in Geography at University College Cork has produced the Bandon instalment.

The Bandon fascicle includes an introductory essay, comprehensive topographical information, a bibliography and seven maps. The principle map is a large scale (1:2500) representation of Bandon in 1841 with cartography by the Ordnance Survey of Northern Ireland, interestingly enough, although the printing is by the Ordnance Survey of Ireland. This coloured map is one of the most elegant maps available in Ireland today with its pastel colours and clarity of cartographical detail. All the maps and topographical information on a wide range of land uses are derived directly from primary sources and to that extent are incapable of becoming out of date according to the series editors J.H. Andrews and Anngret Simms. The manuscript maps of Bandon date from 1613, 1620 and 1775 and my only quibble with the entire venture is that they should have been reproduced in their original colours especially Scales "The Town and Gardens of Bandon" (1774) as the grey/black tones of the reproductions do not do justice to these cartographic treasures. Two Ordnance Survey maps at 1:50,000 (1880) and 1:5,000 (1938) complete the fascicle.

Dr. O'Flanagan's essay deals with the development of Bandon from the early 17th century to modern times and chronicles the role of early planners such as Richard Boyle, Earl of Cork in the 17th Century and the 6th Duke of Devonshire in the early 19th century. But Bandon, which had a population of 10,179 in 1921, has declined to a 1986 population of only 1943. O'Flanagan states that this "demographic haemorrhage has left a legacy of stagnation reflected in an ageing fabric". Here lies the challenge for late 20th century planners, to encourage development while conserving and treasuring the built fabric of past centuries. For example, the town's Christ Church, with parts dating from 1620, has been converted into a Heritage Centre. Obviously the problem of redundant church buildings is not confined to the inner cities (see Patricia Hyde's essay elsewhere in this volume).

While the atlas is aimed at historians, geographers and archaeologists it is also hoped to be of use to planners, conservationists and local government officials. No planner can hope to understand the town of Bandon today without studying this scholarly work, no planner can hope to decide on planning matters in Bandon without recognising the value of the town's heritage as chronicled in this fascicle and no planner can ignore the vast amount of topographical information assembled in both the text and maps. This excellent work on Bandon will increase demands for similar detailed studies of many other Irish towns.

Michael Gough

ART FOR ARCHITECTURE

(ed) Deanna Petherbridge.

London, HMSO, 1987,
134pp, £14.95 Stg.

Public art and especially sculpture is enjoying a renewed popularity in Ireland. In 1987 five pieces of public sculpture were erected in Limerick city, and this year Dublin is benefiting from many new public works of sculpture. Local authorities have a central role in the provision of new artistic features by the (Irish) Department of the Environment.

The book *Art for Architecture - A handbook on commissioning* published in London by HMSO is packed with illustrations and ideas of interest to Ireland's planners. Illustrations include photos of an underground carpark mural in Rome, Henry Moore's "Reclining Figure" outside the Parish UNESCO Building, "Cactus" by Alexander Calder in TCD, and "Last Supper and Stations of the Cross" by Oisín Kelly and Leslie MacWeeney in a church in Knockanure, Co. Kerry.

In recent decades the economic importance of the arts is being recognised and an interesting section in this book deals with Seattle as a model for art in the city. Seattle's main employer Boeing virtually closed in 1971. A positive cultural policy including the Percentage Art Programme was central to the city's programme of economic rejuvenation. One percent of all capital projects paid for by the City of Seattle must be spent on public works of art. An annual municipal art plan is incorporated into the city forward planning programme. Guidelines on the kind of works which can be included in developments are included in a document called "The Network of Primary Public Places".

Materials, social relevance, humanism of scale and the rediscovery of ornament are dealt with in the book. So we can use it as a bluffer's guide, if necessary.

Now that Arts Council and Department of the Environment grants are available for artistic features, the section on how to commission is essential reading. Topics covered include commissioning by competition, selection of jury, public consultation and community relations.

The text is clear and succinct and the illustrations, many of them in colour are excellent. I believe this handbook will become the standard reference work for people interested in commissioning public works of art. I think a copy of the book should be in every Planning Department library.

Douglas Hyde

REPLACE OR RETAIN: IRISH POLICIES FOR BUILDINGS ANALYSED

John Blackwell and Frank Convery (eds)

Resource and Environmental Policy Centre, U.C.D. £11.95,
softback, 1988, 267 p.p.

This book is not only a welcome addition to the continuing debate on the subject of building conservation but it breaks new ground by cogently presenting a thoroughly argued case. Blackwell and Convery have compiled twenty four separate papers by a range of authors from separate disciplines which examine the effects of government policies and how they have contributed to the decayed condition of much of today's built heritage. As Professor Convery points out 'we have never consciously examined in a comprehensive and rigorous way the policies which bear most directly on our buildings'. In the Irish context perhaps it is some what novel to regard buildings as a client of State policies. However this is very much what they are. This book is intended to convey this concept to decision makers by pointing out the damaging effect of such policies to date. The central theme is that these policies have given us what we have. Change these policies and we can make progress. With this in mind the various contributors set out to examine how these policies can be changed. Public and private investment decisions, the Planning system, the tax code, the building regulations, insurance difficulties, managerial systems and attitudes and public values are assessed. Bad estate management and the ineffective performance of the building industry (both refer to the decaying inner city) are also highlighted. Comparisons are made with the Northern Ireland approach. Overall conclusions are drawn and specific recommendations are made.

The book is essentially the first overview of a complex problem which has its roots in Irish cultural attitudes. Having read it one is left with the impression of a political/cultural system which has not yet begun to consider the need for conservation. Aside from the fact that public resources are needed the system is clearly not designed or managed as it could be. Without spending a penny of public money it is clear that the system could be readily redesigned to support the built heritage.

The book starts from the premise that conservation is a good thing. This however is not a widely held view. How therefore should this view be changed. This book will certainly make a major contribution in that respect and will serve to educate those concerned with conservation and those who should be so concerned. There is however one reservation. Aside from Mr. McHugh's contribution the book does not attempt

to represent the local authority or central government view point. In this respect it lacks a certain balance.

There are hopeful indications of an emerging consensus on conservation. Aside from organised community groups recent adherents include the C.I.F. and the R.I.C.S. Perhaps it is now time for a bold initiative. One area of Dublin's North Georgian City e.g. North Great Georges Street or Mountjoy Square could be examined by the professions, the C.I.F. and the financial institutions and a thoroughly detailed and costed plan presented to government. Funding would be required from private sources and Dublin Corporation together with reciprocal funding from Central Government. This was done in Edinburgh in 1987. Can it be done in Dublin twenty years later? If as is stated in the book the political/management system lacks leadership and initiative to date could not the same also be said about the conservation lobby.

John Muldowney

MANAGING DUBLIN BAY

Mark Brunton, Frank J. Convery & Anne Johnson (eds)

Resource and Environment Policy Centre UCD, 1987. £7.50, softback

This book was published in 1987 and it has in some respects been overtaken by events since then. Despite this it is well worth reading as it draws together diverse strands, from historical to more recent events and includes some highly technical chapters relating to the monitoring of water pollution and radioactive wastes.

The book comprises twenty chapters by twenty different authors and naturally a wide variety of styles. The blurb suggests that the book is aimed at the average citizen however the extensive use of scientific tables and jargon in some of the chapters is anything but easy to read. Happily these are balanced by chapters which discuss the significance and implications of such data and discuss the conflicts of uses in the bay area.

The book is divided into three sections; the bay as a physical resource, uses and pressures and management. In the uses and pressures section, the chapter by Mark Brunton on the Health Effects of major Pollutants was an interesting and intriguing article on perceived and actually documented health risks.

Planners will find the management section of most interest. Arthur Martin in his chapter on the Dublin Bay Special Amenity Area Order

believes that the Special Amenity Area Order has no future in Dublin Bay as a whole, as the process is too cumbersome. The time lapse alone between the making of the order in 1977 and the Minister's refusal to confirm it in 1981 is indicative of the problems with the procedure. Throughout the book, the research in many areas by An Foras Forbartha is quoted. This highlights time and again the sad abolition of An Foras.

The continuing story of the development of Dublin Bay since the book was written has included the Custom House Docks development, the further development of Marina proposals for Dun Laoghaire and controversy regarding public access and the re-emergence of the issue of the Eastern by-pass in the context of the proposed development of St. Helen's, Booterstown. One small point of correction - Desmond Roche in his chapter on the Management System states that the only Special Amenity Area Order made so far was the Dublin Bay Order. Three orders at least have been made, one in Donegal, one in Kerry and more recently the Liffey Valley order in Co. Dublin. The Minister refused to confirm the first two while the Liffey Valley Order has not yet been decided on by the Minister. Thus there are no Special Amenity Area orders in effect nationwide.

Frank Convery seeks tests from the Dublin City Development Plan for prospective industries to meet. This aspect may well be covered by the most recent E.I.A. directive. I would agree with his conclusion that in providing and protecting amenity, particular attention should be paid to the needs of the less well off.

Maeve Barrett

