

Chief Executive's Report

to the Elected Members on submissions received on the
Proposed Record of Protected Structures
as included in the
Draft Clare County Development Plan 2017-2023

Part II of III

19th May 2016



Prepared in accordance with Section 12(4)(b) of the
Planning and Development Act 2000, as amended

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Section 1 Introduction

Section 51 of the Planning and Development Act, 2000 (as amended) requires *"for the purposes of protecting structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, every development plan shall include a record of protected structures, and shall include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area"*.

Additions to and deletions from the Record of Protected Structures can be made as part of the preparation of a development plan. In accordance with Section 12(3) of the Planning and Development Act, 2000 (as amended) the Planning Authority must serve notice of proposed additions or deletions on each person who is the owner or occupier of the structure, including the particulars of the structure. The notice must include the location where the proposed addition or deletion can be viewed, details of how submissions or observations can be made and details of whether the proposed addition or deletion is being made based on the recommendation of the Minister for the Arts, Heritage and the Gaeltacht.

The Record of Protected Structures - Volume 4 of the Draft Clare County Development Plan 2017-2023 was on public display for a period of 10 weeks from the 8th December 2015 to the 29th February 2016 (both dates inclusive). In accordance with the procedures set out in the Act, the owners/occupiers of the relevant structures received written notification regarding the proposed inclusion of their structure(s) in the Record of Protected Structures.

In total 31 no. submissions were received regarding the proposed Record of Protected Structures. At this stage, and in my role as Chief Executive, I would like to thank all of those who took the time to make a submission or observation. All submissions will be taken into consideration in the on-going preparation of the Clare County Development Plan 2017-2023 and the associated Record of Protected Structures.

This report lists those who made submissions on Volume 4 of the Draft Clare County Development Plan 2017-2023 and summarises the issues raised. I then set out my response to each of the issues raised and make a recommendation in relation to the finalised Record of Protected Structures to be included in the Clare County Development Plan 2017-2023.

The report is submitted to the Elected Members of Clare County Council on 19th May 2016.

Section 2 Legislative Requirements

Section 12(4) of the Planning and Development Act, 2000 (as amended) sets out the statutory requirements that I am obliged to adhere to in the preparation of this Chief Executive's Report and the on-going preparation of the Clare County Development Plan 2017-2023. The Chief Executive's Report must list the persons or bodies who made submissions, summarise the issues raised or observations received and must give my response to these matters having regard to the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area, any relevant policies or objectives of the government or of any Government Minister and any observations that have been made by the Minister for Arts, Heritage and the Gaeltacht.

Under Section 12(5) of the Planning and Development Act, 2000 (as amended), following submission of this document, you the Elected Members, are required to consider the Draft Development Plan including any proposed additions to or deletions from the Record of Protected Structures and the Chief Executive's report. Your consideration of these matters must be completed within 12 weeks of the submission of this report on 19th May 2016.

This Chief Executive's Report herein submitted to you, the Elected Members, complies with the requirement of section 12(4) of the Planning and Development Act, 2000 (as amended).

Section 3 Next Stage

In accordance with Section 12(5) of the Planning and Development Act, 2000 (as amended), following submission of this document you, the Elected Members must consider the Draft Development Plan, including the proposed Record of Protected Structures, and this Chief Executive's Report. Following this period of consideration, where it appears to the Members of Clare County Council that the Draft Plan should be accepted or amended, you may, by resolution, accept or amend the Draft Clare County Development Plan 2017-2023.

Section 4 Summary of Submissions made and Chief Executive's Responses to the Issues Raised

Introduction

On 8th December 2015 the Planning Authority put on display the Draft Clare County Development Plan 2017-2023, comprising of 10 Volumes. The process commenced with a notice in the local newspaper and the commencement of a 10 week public consultation, having regard to the provisions of Section 12 of the Planning and Development Act, 2000 (as amended).

In all 31 no. written submissions were received by Clare County Council within the statutory timeframe.

In the following part of Section 4, I have provided a summary of the issues raised in each of the 31 no. submissions. In addition, for each individual submission I have put forward my response to the issues raised, taking account of the proper planning and sustainable development of the area, of any direction from the Members of the Planning Authority arising from the Chief Executive's Report to the Members at 'pre-draft' public consultation stage in accordance with Section 11(4) of the Act, the statutory obligations of any local authority in the area, and any relevant policies or objectives for the time being of Government or of any Minister of the Government.

Accordingly, please find below a summary of the issues raised in each submission together with my responses and recommendations.

Ref. 001 Mr. Eoin Lehane on behalf of the Commissioners of Irish Lights

Proposed RPS Nos.

335 Blackhead Lighthouse, Fanore, Ballyvaughan



336 Kilcredaun Lighthouse, Kilcredaun, Carrigaholt



337 Lighthouse Keeper's House, Loop Head



338 Lighthouses Keeper's House, Loop Head



339 Loop Head Lighthouse, Loop Head



Summary of the Issues Raised in the Submission

The Commissioners of Irish Lights (Irish Lights) advise that they are the legal owners of the structures listed above and whilst the lighthouses are now unmanned they remain in the occupation of Irish Lights who continue to maintain and supervise same.

The authors object to the inclusion of Black Head Lighthouse (RPS No. 335) and Loop Head Lighthouse (RPS No. 339) in the Record of Protected Structures on the grounds that:

- (a) Under the Merchant Shipping Acts 1894-1997 and Planning and Development Regulations (Class 39) certain exemptions are required to upgrade navigation and communication aids.
- (b) Irish Lights are unable to access alternative conservation funding to maintain the protected structures.

In addition, Irish Lights have also set out a number of corrections/additions that they consider should be made to the information pertaining to the structures listed above in the Council's official records.

Chief Executive's Response

I thank Mr. Lehane for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

The above lighthouses have been protected since 2001, on foot of a recommendation from the Minister of Arts, Heritage and Gaeltacht. The regular upgrading of navigational aids has not been affected by their protection status. A Section 57 Declaration can be issued to permit any upgrading of navigational and communication aids, on request from the Commissioners of Irish Lights.

There is a duty of care on all public authorities to maintain buildings in their care. The fact that the buildings are entered in the Record of Protected Structures does not affect this responsibility. Occasionally there are grants schemes available, for Protected Structures in State care, to support this work.

Chief Executive's Recommendation

I recommend that RPS No.335 Black Head lighthouse and RPS No.339 Loop Head lighthouse, along with the other lighthouses listed above, **are included** in the Record of Protected Structures 2017-2023 and that the amendments to the summary descriptions of the lighthouses as submitted proposed by the Commissioners, shall be updated.

Ref. 002 Mrs Catherine Lynam

Proposed RPS No. 400 Bayview House, Merton Square, Kilkee



Summary of the Issues Raised in the Submission

The author states that she no longer wishes to have her property included in the Record of Protected Structures. It is noted that she does not see any advantage to having the property included in the Record, as no financial assistance or grant was received during the substantial restoration process of the property which was a major expense to the owner.

She further seeks to be advised of what action needs to be taken to remove Bayview House from any future Record of Protected Structures.

Chief Executive's Response

I thank Mrs. Lynam for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission.

Bayview House, Kilkee was first entered in the Record of Protected Structures in 2001, on foot of a recommendation from the Minister of Arts, Heritage and Gaeltacht. In order to justify its deletion from the Record the owner must be able to prove that *"the protection of the structure is no longer warranted. This will generally take place only when the structure has entirely lost its special interest value through major accident or where new information has come to light which proves that the special interest value was mistakenly attributed"*. Ref: Architectural Heritage Protection – Guidelines for Planning Authorities, DEHLG 2004. It appears that none of this criteria applies in this case.

I also note that a conservation grant was issued for repairs to Bayview House in 2003.

Chief Executive's Recommendation

I recommend that RPS No.400 Bayview House, Kilkee **is included** in the Record of Protected Structures 2017-2023.

Ref. 003 Mr. Bryan O' Driscoll

Proposed RPS No. 023 Eyreville Park House, Mullagh



Summary of the Issues Raised in the Submission

The author requests that this property not be included in the Record of Protected Structures. He submits that the property has been uninhabited since 1996 and he is unable to repair or maintain the buildings which are now in bad condition and which he submits will only worsen with time.

Chief Executive's Response

I thank Mr. O'Driscoll for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

Eyreville Park House is important as it is one of the rare two-storey houses with a moher flag roof. Although in poor condition throughout it is not beyond repair in the future.

Chief Executive's Recommendation

I recommend that RPS No.023 Eyreville Park House **is included** in the Record of Protected Structures 2017-2023.

Ref. 004 TW Kilgarrieff on behalf of Galway Diocesan Trustees

Proposed RPS No.667 – St. Patrick's Church, Fanore.



Summary of the Issues Raised in the Submission

The author submits that some of the details pertaining to this structure are incorrect and the following information is set out:

- The foundation stone for the church was laid by Bishop Brennan on 25/08/1866
- The original church measured 27ft x 54ft
- In 1947 the church was extended by 24ft to measure 27ft x 78ft and a new baptistery, confession, porch and belfry were added
- It is believed to have been rendered in the 1980's in sand cement render
- In 1978 the interior was renovated and in 1994 the church was reroofed

In light of these details it is submitted that the church is a modern, extended renovation to an earlier 19th century structure. It is therefore submitted that the inclusion of St. Patrick's Church in Fanore in the Record of Protected Structures is inappropriate.

Chief Executive's Response

I thank Mr. Kilgarrieff for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting additional information in relation to this important church in Fanore. Although the church has been repaired, altered and extended in the past, it still contains its original historic fabric and mid 19th century character.

Chief Executive's Recommendation

I recommend that RPS No.667 St. Patricks Church **is included** in the Record of Protected Structures 2017-2023 and that the information above pertaining to St. Patricks Church submitted by Mr. Kilgarrieff is included under the summary description.

Ref. 005 Mr. Eddie Stack

Proposed RPS No.392 – Stack, Parliament St. Ennistymon



Summary of the Issues Raised in the Submission

The author submits that the structure was built in 1804 and was originally one-storey in height. There is a photograph of this on display in Clare County Council's Ennistymon sub-office. The building was extended and raised to its current height circa 1910.

Chief Executive's Response

I thank Mr. Stack for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting more accurate information in relation to this important building in Ennistymon.

Chief Executive's Recommendation

I recommend that RPS No.392 Stack **is included** in the Record of Protected Structures 2017-2023 and that the additional information as submitted by Mr. Stack and outlined above is included under the summary description.

Ref. 006 TW Kilgarrieff on behalf of Galway Diocesan Trustees

Summary of the Issues Raised in the Submission

The submission indicates that there a number of inaccuracies in the Record of Protected Structures in relation to the following protected structures:

RPS No.121 Corpus Christi Church, Lisdoonvarna – was erected in 1868



RPS No.126 Tooclae Church, Doolin – was erected in 1821



RPS No.144 St Attractas' Church, Kiltoraght, Kilfenora – was erected in 1831



RPS No.152 St Fachanan's Church, Kilfenora – was erected in 1845



RPS No.162 – this is St. Flannan's Church and not St. Mary's Church



RPS No.175 – the townland is Toovaghera rather than Toomavaghera



Chief Executive's Response

I thank Mr. Kilgarrieff for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting more accurate information in relation to the above important churches in County Clare

Chief Executive's Recommendation

I recommend that RPS Nos.121,126,144,152,162 and 175 above **are all included** in the Record of Protected Structures 2017-2023 and that the details above pertaining to these churches are updated to reflect the information that Mr. Kilgarrieff has submitted.

Ref. 007 Jim Martin

Summary of the Issues Raised in the Submission

The author submits the following proposed additions to the Record of Protected Structures 2017-2023:

- **Mud Cabin, Seafield, Quilty as referenced in "Leon Walking Trail Guide" by Cora O'Grady.**
- **Mud Cabin, Tullaroe, near Kilkee**

Chief Executive's Response

I thank Mr. Martin for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting the structures above for consideration.

It appears that little remains of these mud/cob walled buildings which tend to deteriorate quickly if not kept roofed and rendered and it is considered an unreasonable requirement to expect owners to keep such vestiges in their present condition, as required by the provisions of the Planning and Development Acts.

Chief Executive's Recommendation

I recommend that the remains of mud cabins at Seafield and Tullaroe are **not included** in the Record of Protected Structures 2017-2023.

Ref. 008 Eileen Hegarty on behalf of Kilfenora Heritage Association Limited

Proposed RPS No.010 – The Deanery, Fanta Glebe, Kilfenora



Summary of the Issues Raised in the Submission

The author advises that while the Kilfenora Heritage Association values the historic significance of their buildings and notes their deterioration, they regret that they are not in a position financially to arrest or correct this deterioration.

The owners would welcome any assistance that Clare County Council might chose to provide and are prepared to engage constructively, provided that such engagement does not increase the financial burden already being bourne by their small community

Chief Executive's Response

I thank Ms. Hegarty for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission.

The Council shall do all in its power to assist the Kilfenora Heritage Association with advice on legislation, conservation and funding options to repair and maintain this important, moher slated, protected structure.

Chief Executive's Recommendation

I recommend that RPS No.010 The Deanery, Fanta Glebe **is included** in the Record of Protected Structures 2017-2023 and that the above association meet with the Architectural Conservation Officer and officials from the Community, Enterprise, Planning and Tourism Directorate of the Council with a view to sourcing options and funding to repair and maintain this Protected Structure.

Ref. 009 Catherine O'Brien Architect on behalf of Anton O'Looney

Proposed RPS No.016 – Moy House, Carrowgar, Lehinch



Summary of the Issues Raised in the Submission

The author submits that Moy House should not be included in the Record of Protected Structures and does not warrant protection for the following reasons:

- Much of the historic element and fabric has been lost or altered in recent times as the house was abandoned and boarded up for over a decade;
- The author outlines the scope of works undertaken with the benefit of planning permission to renovate and modernise the building which also required removal of much of the original features and materials;
- The architectural elements are for the most part replacement alternatives and not worthy of protecting;
- The building is not related to any significant historical, cultural or social events in the area, other than its current use as a Georgian country house hotel;
- From a technical point of view, while the building was once a fine example of an Italian style villa, so much has been replaced that only the outline hints towards its former historical style.

Chief Executive's Response

I thank Ms. O'Brien for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission on behalf of her client.

Although this historic house was substantially repaired and renovated in the recent past it still retains much of its historic masonry fabric and its unique Italianate character. The house makes a significant visual contribution to this maritime West Clare landscape.

Chief Executive's Recommendation

I recommend that RPS No.016 Moy House **is included** in the Record of Protected Structures 2017-2023.

Ref. 010 John Daly

Summary of the Issues Raised in the Submission

The author submits the following proposed additions to the Record of Protected Structures 2017-2023:

Shandrum Townland

- Railway Bridge
- Kilmurry Ibrickane Church & Cemetery
- Stone House beside Cemetery

Kilclohaun Townland

- RIC Barracks
- Vocational School
- Post Box (disused Victorian)
- Standing Stone
- Kilmurry/Mullagh Railway station

Creggane Townland

- O'Gorman Stone Fort
- Molohan Fort
- Tromroe Castle
- Seafield Pier
- Whites Fort (Seafield)
- Defence Fort on Mutton Island

Quilty Townland

- Star of the Sea Church
- Railway Station & Garda Barracks

Chief Executive's Recommendation

I thank Mr. Daly for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting the structures listed above..

The following structures which he has proposed for inclusion date to before 1700 AD and are entered in the Record of Monuments and Places (RMP) and as such are protected under The National Monuments Acts: Kilmurry Ibrickane Mediaeval Church and Cemetery, Kilclohaun Standing Stone, O'Gorman Stone Fort, Molohan Fort, Tromra Castle, Mutton Island Signal Tower, and White's Fort, Seafield.

The following structures are protected under Section 15.3.2 Industrial Heritage and CDP 15.3 Plan Objective in Draft Clare County Development Plan 2017-2023: Shandrum Railway Bridge, Kilmurry / Mullagh former Railway Station and the former Quilty Railway station.

The following structures are currently proposed for inclusion in the Draft Record of Protected Structures 2017-2023: Seafield Pier RPS 657, The Star of the Sea Church RPS 097, and Tromra Castle, Quilty RPS 298.

It is not proposed at this stage to enter the other items submitted in the Record of Protected Structures 2017-2023.

Chief Executive's Recommendation

I recommend that RPS No.657 Seafield Pier, RPS No.097 Star of the Sea Church and RPS No.298 Tromra Castle **are included** in the Record of Protected Structures 2017-2023.

Ref. 011 Dan Organ

Proposed RPS No.028 – Organ's Cottage, Ballagh West, Ennistymon.



Summary of the Issues Raised in the Submission

The author does not wish his property to be included in the Record of Protected Structures .

Chief Executive's Response

I thank Mr. Organ for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

This structure is a good example of a 19th century single-storey, stone, vernacular house. I also note that a conservation grant was paid by Clare County Council in 2000 for the repair of this house.

Chief Executive's Recommendation

I recommend that RPS No.028 Organ's Cottage **is included** in the Record of Protected Structures.

Ref. 012 Nora Ann Conway

Proposed RPS No.668 – Gate Lodge at Waterpark House, Cloonlara



Summary of the Issues Raised in the Submission

The author is objecting to the inclusion of her property in the Record of Protected Structures. She submits that the structure is derelict and that internal floors have collapsed and trees have taken root. She further submits that the building has no unique features internally or externally which would necessitate it being deemed a protected structure under the headings of Setting, Design or Historic. She is also not in a financial position to fund refurbishment of the property.

Chief Executive's Response

I thank Ms. Conway for reviewing the Draft Clare County Development Plan 2017-2023 and note her comments in relation to her property. Although derelict and in poor condition the old gate lodge is not beyond repair. It contains numerous interesting design features and its location inside ornate gates, piers and wrought iron railings makes a significant contribution to the entrance to the old estate and elevated, rural landscape.

Chief Executive's Recommendation

I recommend that RPS No.668 **is included** in the Record of Protected Structures 2017-2023.

Ref. 013 Shane Casey

Proposed RPS No.555 – “Eire” Sign, Blackhead



Summary of the Issues Raised in the Submission

The author has submitted the following corrections to the record of the structure:

- It is owned by Maureen Casey
- It is 1 metre or less in height

Chief Executive's Response

I thank Mr. Casey for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting more accurate information in relation to the “Eire” sign.

Chief Executive's Recommendation

I recommend that RPS No.555 “Eire” signs **is included** in the Record of Protected Structures 2017-2023 and that the record pertaining to same is updated to reflect the information that Mr. Casey has submitted.

Ref. 014 Anita Keane

Proposed RPS No.461 – Keane's Bar, Main Street, Mountshannon.



Summary of the Issues Raised in the Submission

The author is objecting to the inclusion of her property in the Record of Protected Structures. She submits that as the structure is sited within the Architectural Conservation Area (ACA) of the village it already carries that protection. She is also concerned about the costs that are incurred by protected structures and any development within their curtilage.

Proposed RPS No.462 – Market House, Main Street, Mountshannon.



The author is also the owner of this property and has submitted that she has invested substantially in it previously to make it safe but is not in a financial position to do any further development works on it to make it viable.

Chief Executive's Response

I thank Ms. Keane for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission.

It is agreed that the location of Keane's Bar within the ACA of Mountshannon gives adequate protection to the exterior of the structure. As the interior has been extensively altered over the centuries and retains little of its original internal character its continued inclusion in the Record of Protected Structures may not be warranted.

The points in relation to the Market House RPS No.462 are noted.

Chief Executive's Recommendation

I recommend that RPS No.461 Keane's Bar, Mountshannon is **not included** in the Record of Protected Structures 2017-2023.

Ref. 015 Martin J. Synan

Proposed RPS No.341 – Ballard Signal Tower



Summary of the Issues Raised in the Submission

The author is objecting to the inclusion of this structure in the Record of Protected Structures for the following reasons:

Structure of Signal Tower no longer remains – the tower was permitted to be demolished in the 1960s and the author submits that according to Samuel Lewis' Topographical Study of Ireland 1849, the tower was already abandoned and in ruins by 1849;

Historic Interest – given the absence of a structure, there is nothing of historic interest on the site;

Architectural Significance – the structure was never classified as a national monument when it existed and the boundary wall had no significance to the signal tower and was built with poor quality local agricultural stone;

Category of Special Interest – the author submits that the ruins are not of Architectural or Technical category;

Road Access – the original access road is no longer part of the signal tower site and is owned privately;

Private Property – the site is part of the owner's private farm and is in agricultural use. He has concerns that a protected structure classification may attract unsolicited visitors.

Chief Executive's Response

I thank Mr. Synan for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

Although the tower was demolished in the 1960s there are remains, ruins and vestiges of the signal tower complex remaining on the site which was developed during the Napoleonic period. The site is also a recorded archaeological site: No. CL046-005.

Chief Executive's Recommendation

I recommend that RPS No.341 Ballard Signal Tower site **is included** in the Record of Protected Structures 2017-2023.

Ref. 016 Carmel Saunders Keane

Proposed RPS No.462 – Market House, Main Street, Mountshannon.



Summary of the Issues Raised in the Submission

The author submits that it is appropriate to include her property in the Record of Protected Structures as it is a building of historical interest.

Chief Executive's Response

I thank Ms. Saunders Keane for reviewing the Draft Clare County Development Plan 2017-2023.

Chief Executive's Recommendation

I recommend that RPS No.462 **is included** in the Record of Protected Structures 2017-2023.

Ref. 017 Michael Conroy Architects on behalf of Judith Browne.

Proposed RPS No.084 – former National School, Parteen.



Summary of the Issues Raised in the Submission

The author submits that his client does not wish her property to be included in the Record of Protected Structures for the following reasons:

- It is noted that the Minister for Arts Heritage and the Gaeltacht did not recommend the property for inclusion in the proposed Record of Protected Structures 2017-2023 nor did the National Inventory of Architectural Heritage choose to include it in their survey of structures of County Clare. It is the owner's opinion that as neither of the above two parties see fit to characterise the structure of interest, then it ought not to be included in the Record of Protected Structures.
- The author submits that the County Council's description of the structure is inaccurate as it is no longer a Community Hall and is now a private residence.
- The owner is concerned about additional costs for registered and qualified conservation professionals and tradespersons associated with carrying out any future works on or around a protected structure.
- The author submits that protected structures routinely take longer to sell than those which are not in the Record of Protected Structures.
- With regard to the Design and Materials it is the owner's opinion that the design of the former schoolhouse was not particularly novel. Such schoolhouses were typically a prototypical design or pattern fetched from catalogues by architects of the period and hence they are typical in design throughout the country.
- The author submits that the owner was granted planning permission to carry out works to the house which involved substantial alterations and refurbishment to the internal and external walls within the curtilage of the property. Following such refurbishment and works, it is not clear to the owner exactly what it is that the Local Authority proposes to protect since so much of the original fabric and fittings were removed as necessary to carry out the development for which permission was granted.
- The existing building is set behind a high front boundary wall onto the public roadway, therefore very little of any "character" is readily visible save for a newly refinished wall. It is therefore the owner's view that the building contributes little to the "setting" in which it finds itself which is predominantly suburban in character.
- It is the owner's view that as the building is no longer a community building then it is no longer of particular cultural interest to the community.

Chief Executive's Response

I thank Ms Browne for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting her comments and additional information in relation to the structure above. Although the old school building has been repaired and altered under planning permission, it still retains a substantial part of its historic masonry fabric and 19th century character. I agree the building was not included in the 2000 Interim Architectural Heritage survey by the National Inventory of Architectural Heritage (NIAH) and so was not included in a Ministerial recommendation but the survey was simply a catalogue of examples of buildings, published as a guide to local authorities and not a definitive survey.

Although the design of the former National School is not unique, it is an excellent exemplar of such 19th century educational buildings and has a great historic and cultural significance, especially among those whose relatives received their education in it.

Chief Executive's Recommendation

I recommend that RPS No.084 former National School, Parteen **is included** in the Record of Protected Structures 2017-2023 and that the description of the building as a "Community Hall" shall be changed to "Private Residence" as requested.

Ref. 018 Sibylle & Sean McGovern

Proposed RPS No.093 – Quinsborough House, Parteen.



Summary of the Issues Raised in the Submission

The authors submit that as they were never previously consulted regarding the inclusion of their property in previous Records of Protected Structures, the property should now be delisted and a formal process of application conducted with them.

They are also concerned about the impact of the proposed Limerick Northern Distributor Road (LNDR) which will be cutting through a corner of their estate approximately 250 metres from the structure and fear traffic will have a detrimental impact on its structure and rigidity.

Chief Executive's Response

I thank Mr. and Mrs. McGovern for reviewing the Draft Clare County Development Plan 2017-2023 and for their submission.

Under Section 12(3) of the Planning & Development Act 2000, as amended, the Notice dated 8th December 2015 served on the McGowans forms part of the legal process for inclusion of structures in the Record of Protected Structures.

Quinsborough House is one of the finest examples of 18th century formally designed country houses in County Clare. It is inhabited, in excellent structural condition and by its age, design and setting merits inclusion in the Record.

Any works which will impact on the curtilage or setting of a Protected Structure will require statutory permissions.

Chief Executive's Recommendation

I recommend that RPS No.093 Quinsborough House **is included** in the Record of Protected Structures 2017-2023.

Ref. 019 Brian Richardson

Proposed RPS No.381 – Richardson's, New Town, Ennistymon



Summary of the Issues Raised in the Submission

The author does not wish his property included in the Record of Protected Structures.

Chief Executive's Response

I thank Mr. Richardson for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

The building in question was assessed by the National Inventory of Architectural Heritage (NIAH) in 2000 and assigned an importance rating of "Regional" under the codes: Architectural, streetscape and setting. It was recommended for inclusion by the Minister of Arts, Heritage and Gaeltacht.

Chief Executive's Recommendation

I recommend that RPS No.381 Richardson's **is included** in the Record of Protected Structures 2017-2023.

Ref. 020 HRA Planning on behalf of Shannon Foynes Port Company (SFPC)

Proposed RPS No.484 – Scattery Island Lighthouse



Proposed RPS No.669 – Beeve's Rock Lighthouse



Summary of the Issues Raised in the Submission

SFPC supports the architectural heritage protection of buildings and features of interest and notes why both Scattery Island Lighthouse and Beeve's Rock Lighthouse are of special interest. However, SFPC is concerned that the identification of 2 no. working lighthouses as proposed protected structures, which are necessary to ensure the safe navigation of the Shannon Estuary, may indirectly and adversely impact on the functioning of those critical pieces of navigational infrastructure.

Working lighthouses require routine maintenance and repair particularly following damage caused by storms. In particular, Beeve's Rock at the mouth of the River Fergus on a rock outcrop which is submerged at high tide, is particularly exposed to storm damage. Routine and storm damage maintenance includes retiling, window and door repairs and replacement, painting, and electrical repairs amongst others. It is noted that these fall within the definition of 'works' to a protected structure and therefore may require planning permission and advice re consent from the planning authority. Due to the critical importance of these navigation structures, maintenance work, if required, is undertaken as a matter of priority and urgency. Accordingly it will not be possible to seek approval and await the necessary timeframes prior to undertaking works to these structures. SFPC do not wish to be in contravention of its obligations in undertaking their statutory functions relating to the safety of navigation on the Shannon Estuary.

SFPC has to date maintained these lighthouse structures to a high quality standard. These structures remain of 'special interest' and there is nothing to suggest that this 'special interest' will be affected by future maintenance regimes. These structures are essential to ensuring the safe navigation of the Estuary and it is critical that no external influence is permitted or has the ability to interfere in the maintenance regimes necessary to ensure their continued and efficient operation. Any proposed designation that may impact on the ability of SFPC to immediately react to structural damage to a lighthouse or any aid to navigation may introduce a risk to human life at sea and a marine environment risk due to pollution.

This submission requests the planning authority to:

Defer the addition of both these lighthouses to the Record of Protected Structures until such time as they are no longer required for essential navigational purposes.

Chief Executive's Response

I thank Ms. Hughes for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission on behalf of her client.

Many County Clare working lighthouses have been protected since 2001, on foot of recommendations from the Minister of Arts, Heritage and Gaeltacht. The regular upgrading of navigational aids has not been affected by their protection status. A Section 57 Declaration can be

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issued to permit any upgrading of navigational and communication aids, on request from the Port Company. Other maintenance and repair works can be permitted under section 57 declarations, which are invariably expedited by the Planning Authority for emergency works.

There is a duty of care on all public authorities to maintain buildings in their care. The fact that the buildings are entered in the Record of Protected Structures does not affect this responsibility. Occasionally there are grants schemes available, for protected structures in state or public care, to support this work.

Chief Executive's Recommendation

I recommend that RPS No.484 Scatterry Island Lighthouse and RPS No.669 Beeve's Rock Lighthouse **are included** in the Record of Protected Structures 2017-2023.

Ref. 021 Newmarket Architectural & Planning Services on behalf of Bunratty Castle Hotel

Proposed RPS No.077 – Bunratty Castle Hotel



Summary of the Issues Raised in the Submission

The author has submitted that his client does not wish the property included in the Record of Protected Structures.

The author submits that the original house has been extensively renovated over the years and that it is only a miniscule part of the current hotel which bears no resemblance to the original detailed five bay two-storey house.

They also submit that having the hotel listed as a protected structure may impede the future development of the hotel and in turn may affect present and future employment in the business.

Chief Executive's Response

I thank Mr. Burke for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission on behalf of his client.

Although extensively renovated, altered and extended in the past this historic building still retains a substantial part of its historic fabric, architectural heritage elements and early 19th century, country house character. All appropriate repairs or developments can be permitted under a Section 57 declaration or planning permission.

Chief Executive's Recommendation

I recommend that RPS No.077 Bunratty Castle Hotel **is included** in the Record of Protected Structures 2017-2023.

Ref. 022 Damian Anderson

Proposed RPS No.478 – Cob-Walled Farmhouse, Tarmon, Knock.



Summary of the Issues Raised in the Submission

The author does not wish his property to be included in the Record of Protected Structures.

He advises that the cottage has been uninhabited since the 1960s. About half of it is cob built which has eroded back by up to 150mm from its original thickness. The rest of the house is stone built with an asbestos roof. The building is substantially covered by thick ivy which has rooted into the cob and behind the render, most of which is gone off the cob and the walls exposed. The remaining wooden windows and internal floors are rotten and some doors and windows are completely missing.

The author submits that while he previously received planning permission to restore the house, he was or is not financially in a position to carry out works and believes that the cost to restore the house as a protected structure would be disproportionate and unreasonable. He intends to do some minor low budget restoration in his own time, and maintain the house but not with the additional financial burden which he submits a protected structure listing would incur.

The author also submitted a building survey and conservation needs assessment report with his submission.

Chief Executive's Response

I thank Mr. Anderson for reviewing the Draft Clare County Development Plan 2017-2023 and note his comments in relation to his property. It appears that this cob-built house has significantly deteriorated in the past few decades due to its poor condition and the affects of the elements. It appears now to be beyond reasonable repair.

Chief Executive's Recommendation

I recommend that this cob walled house is **not included** in the Record of Protected Structures 2017-2023.

Ref. 023 Joe Meaney, Secretary of Kilkishen Tidy Towns

Summary of the Issues Raised in the Submission

The author submits the following proposed additions to the Record of Protected Structures 2017-2023:

- **"The Forge" - dated circa 1820. Historically used as a famine soup kitchen and currently in use as a store.**
-
- **"The Cottage" – dated circa 1820. Historically the Blacksmiths Cottage.**

The author submits that the preservation of these buildings is of utmost importance, both of which have featured within the Tidy Town plans in recent years.

Chief Executive's Response

I thank Mr. Meaney for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting the structures above for consideration. These single-storey stone buildings which are shown on the 1st Edition OS Map of 1839 make a significant contribution to the northern approach to Kilkishen village. As they are included in the Architectural Conservation Area of Kilkishen where objectives pertaining to the protection of the built heritage apply, it is considered that both buildings benefit from adequate protection under the Planning and Development Acts.

Chief Executive's Recommendation

I recommend that the Old Forge and Blacksmith's Cottage, Kilkishen are **not included** in the Record of Protected Structures 2017-2023.

Ref. 024 Colm Costelloe Solicitor on behalf of Iarnród Éireann and Córas Iompair Éireann

Summary of the Issues Raised in the Submission and Chief Executive's Responses

I thank Mr. Costelloe for reviewing the Draft Clare County Development Plan 2017-2023. In the interests of clarity I will endeavour to address each of the author's summarised points of his submission (*in italics*), separately as follows:

Point 1.

"The map included with the notice was not of sufficient scale to identify the curtilage of the bridges."

Response:

It is accepted practice for a planning authority to agree curtilage of a protected structure with the owner. This has not yet been agreed, but may be, if required.

Point 2.

"The particulars for each bridge is Technical, Design, Materials. There is no basis for same."

Response:

The technical interest stems from the engineering and craft expertise and skills required to design and fabricate stone, brick and lime bridges which could carry heavy, vibrating loads over a wide span, without fear of failure, for centuries. Although many of these bridges are similar, no two are identical, with many interesting design features and varied finishes. The materials are also important, as the builders made use of indigenous, local stone and lime and locally manufactured brick.

Point 2(a).

"The inclusion of these bridges in the Record of Protected Structures (RPS) could have serious operational implications (including adverse safety impacts) for Iarnród Éireann and would be entirely against the public interest."

Response:

Many large public infrastructural structures have been included in the County Clare Record of Protected Structures for over fifteen years. In no case has such an inclusion caused undue expense, operational problems or health and safety concerns. Such structures include; road bridges, canals, piers, harbours, lighthouses, hospitals, Ardnacrusha Hydro-Electric Power Station and Shannon International Airport.

Point 3.

"The submission is made without prejudice to other reasons or submissions which may be made in the future."

Response:

I agree with this statement.

Point 4.

"....The proposed 19 no. railway bridges were not recommended for inclusion in the RPS by the Minister for Arts, Heritage, Gaeltacht and Islands...."

Response:

In 2000 The County Clare Interim Survey of Architectural Heritage was published by The Department of Arts, Heritage, Gaeltacht and the Islands. Each structure was given an importance code. Any structure with a code of "Regional", "National" or "International" became a recommendation by the Minister to include it in the RPS.

The survey was simply a guide for local authorities in the compilation of such records and was never meant to be definitive. In fact on page 9 of the survey, it states *"It is considered that the content of The County Clare Interim Survey is no more than an initial examination of the built heritage of the County. It is recognised that there are many other sites and structures in the County which remain to be documented and evaluated at a future date"*.

The County Clare Record of Protected Structures has been increased and expanded regularly since the Interim Survey was published in 2000.

Point 5.

This point comprises copies of relevant sections from Architectural Heritage Protection, -Guidelines for Planning Authorities, without further comment.

Response:

Clare County Council notes the submission made.

Point 6.

"CIE argues that the special interest codes "Technical", "Design" and "Materials" are not sufficient justification to include these 19 no. bridges. It also suggests there are no recognised codes as Design, Materials".

Response:

The justification for the proposed inclusion under the above codes is given in response to Point 2, above: *"The technical interest comes from the engineering and craft expertise and skill required to design and fabricate stone, brick and lime bridges, which could carry heavy, vibrating loads over a wide span, without fear of failure, for centuries. Although many of these bridges are similar, no two are identical, with many interesting design features and varied finishes. The materials are also important, as the builders made use of indigenous, local stone and lime and locally manufactured brick."*

Page 8 of "Architectural Heritage Protection, - Guidelines for Planning Authorities" and page 8 of the County Clare Interim Survey of Architectural Heritage (Department of Arts, Heritage and the Gaeltacht) 2000 lists the Importance Value codes under which structures should be assessed, as follows:

A Architectural, H Historical, T **Technical**, I Interior, G Group, P Personality Association, U Unique or Rarity, V Vernacular, D Detail or **Design**, O Other, S Streetscape or Setting, F Archaeological Feature, M **Materials**.

Point 7.

"Clare County Council has failed to give adequate explanation / reason for the 19 no. proposed additions to the RPS."

Response:

In addition to the notice to CIE proposing the additions to the Record of Protected Structures, Clare County Council included a separate information page on each of the proposed 19 bridges. Each page contained a photograph, name, co-ordinates, map references, date of construction, architectural heritage description, list of Importance Value Codes and architectural heritage rating. This meets with the requirements of the Planning and Development Act 2000 (as amended).

Point 8.

"CIE considers that the proposal to include 19 no. railway bridges on the RPS has been influenced by court proceedings between CIE and An Bord Pleanála, which stem from works carried out by CIE on a railway bridge at Newmarket on Fergus, Co. Clare."

Response:

I disagree with this comment and advise that the rationale for proposing the railway bridges is covered under Point No.2 above.

Point 9.

"CIE maintains that the rationale for proposing the bridges for inclusion is confusing and not justified under the importance codes."

Response:

Please see my response to point no. 6 above, which also address Point 9.

Point 10.

"In certain cases some of the bridges have been modified in the past. CIE argues that in such cases only original parts should be proposed for inclusion."

Response:

To protect only original or particular parts of a structure is difficult, complex and open to confusion and ambiguity. The merits of altering, conserving or extending a protected structure can more easily be assessed if the complete structure is governed by the same protection and legislation.

Point 11.

"This is a copy of Section 51(1) of The Planning and Development Act, pertaining to the Record of Protected Structures."

Response:

I agree with this statement.

Point 12.

"CIE argues that the 19 no. bridges proposed do not have special interest value and have nothing distinctive or exceptional. They are routine railway masonry bridges built in the mid 19th century".

Response:

As stated under Point 2 above, each of the bridges has individual design and material features and finishes. It appears that each of the 19 no. proposed railway bridges was individually designed to suit the topography and supply of locally available materials.

The number of variations is innumerable. Parapets can be limestone, sandstone, rubble, ashlar, dressed, rusticated. Capping can be flat, half-barrel, pitched, cow-and-calf, soldier course, boulder, rusticated, drafted. Features include plaques, battered or splayed abutments, dressed, rusticated, flat or rounded string courses and corbels. Voussoirs can be flat, dressed, drafted, advanced, rusticated. Soffits are brick or limestone, smooth or rusticated. Spandrels can be formally or erratically coursed, uncoursed, limestone, sandstone, rubble, rusticated, ashlar. Approach walls can be straight, splayed, curved, dry, mortared, dressed, undressed, rubble, ashlar, limestone or sandstone, capped or uncapped etc. The variation in each of the bridges is obvious.

Point 13.

"CIE argues that all the 19 no. proposed railway bridges are "common and routine". It maintains 1367 such bridges in Ireland. It quotes from various "experts" who argue that there is nothing special about such bridges".

Response:

I consider that this argument has been previously addressed under my response to Point No.12 above.

Point 14.

"CIE argues that such bridges are not referred to in the DAHG Architectural Guidelines and quotes the six categories of special interest".

Response:

I refer to category (c), of the above referenced guidelines which reads: *"an exemplar of engineering design practice of its time. For example a bridge may be a masonry arch, an iron suspension or a concrete span."*

Point 15.

"CIE submits that it is clear that the bridges being proposed for inclusion in the RPS are representative of a very common single span masonry arch bridge".

Response:

I consider this point to be a repeat of Point No.12 above and is covered by my response to same.

Point 16.

"CIE submits that adding these 19 no. bridges to the RPS could have serious and significant adverse impacts against the public interest. As noted all of these bridges are currently in use relating to a railway".

Response:

I consider this point to be a repeat of point No.2(a) pertaining to *"adverse impacts against the public interest"* which has been addressed under my response to Point No.2(a) above.

Point 17.

"CIE argues that inclusion in the RPS would remove the categories of exempted development for Railway Bridges".

Response:

The Planning and Development Regulations 2001 as amended, Part 1, Class 23 states that the alteration of any railway station or bridge is only exempted development if it does not *"materially affect the design or external appearance thereof"*.

Point 18.

"Railway bridges often suffer damage due to extreme weather, accidents, inappropriate loading, deterioration, age etc. This often necessitates urgent attention".

Response:

I agree with this statement, the inclusion in the RPS will not prohibit repair works subject to consent.

Point 19.

"If the works referred to in Point No.18 above require planning permission, it could result in protracted road and rail closures and public disruption".

Response:

Works which do not alter the character of a protected structure do not require planning permission. A Section 57 Declaration can be issued by the Planning Authority, where appropriate and in the case of emergency works, this can be immediately expedited as has been done to date in all cases cited in Point 2(a) above.

Point 20.

"The wrought iron pedestrian bridge at Ennis Railway Station could not be adapted to modern standards, due to its protected status and a new one had to be built beside it".

Response:

The Planning Authority was not party to the proposal to construct a new pedestrian bridge at Ennis Railway Station which is also a protected structure. The decision to construct a new bridge was made without consultation with the Planning Authority.

Point 21.

"...if old bridges cannot be adapted, it would prove very expensive to re-align the railway to approach a newly constructed bridge nearby..."

Response:

Protection status does not mean that structures cannot be altered, extended, modernised or even demolished. It simply means that such works cannot be carried out without planning permission or other required consent procedure. Each case is judged on its own merits and this democratic process allows relevant agencies and stakeholders to voice their opinions.

Point 22.

"The RPS must be considered in light of other objectives required to be contained in a Development Plan, including section 12(2) of the 2000 Act relating to transport".

Response:

There is no conflict between the proposal to include railway bridges in the RPS and sustainable transport policy. Such inclusion will simply ensure that repairs to such structures will be appropriate, cost effective and in the interest of public amenity.

Point 23.

"Adding the 19 no. proposed bridges to the RPS, which are of no special interest, would not be appropriate, considering other mandatory objectives of a development plan".

Response:

It has been clearly demonstrated in my various responses above that each individual masonry bridge on the line has been individually designed to appear distinctive. Each one deserves its special interest rating under the codes "Technical", "Design" and "Materials". It has also been demonstrated that there is no conflict between inclusion in the RPS and other relevant National, Regional or County Development Plan policies and objectives.

Point 24.

"For the reasons set out in this submission it is requested that the proposal to add 19 no. active railway bridges to the RPS should not be adopted".

Response:

It has been clearly demonstrated, in my various responses above, that these 19 no. old masonry bridges are excellent exemplars of the skills, experience and expertise of past railway engineers,

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designers and craftsmen. Their individual designs and features justify their built heritage values of special interest and their inclusion on the RPS.

It has also been clearly proven that there is no conflict between the proposal to include railway bridges in the RPS and sustainable transport policy. Such inclusion will simply ensure that repairs to such structures will be appropriate, cost effective and in the interest of public amenity.

Inclusion in the RPS does not mean that structures cannot be altered, extended, modernised or even demolished but requires that such works may not be carried out without proper consent procedures being adhered to.

Chief Executive's Recommendation

I recommend that all 19 no. proposed railway bridges listed below **are included** in the Record of Protected Structures 2017-2023.

673	Gortaficka Railway Bridge	Gortaficka	Crusheen
674	Drumquin Railway Bridge	Drumquin	Ennis
675	Barefield Railway Bridge	Barefield	Ennis
676	Dulick Railway Bridge	Dulick	Ennis
677	Skehanagh Railway Bridge	Skehanagh	Clarecastle
678	Knockanima Railway Bridge	Knockanima	Clarecastle
679	Manus Railway Bridge	Manusmore	Clarecastle
680	Aylecotty Railway Bridge	Aylecotty	Quin
681	Mooghaun Railway Bridge	Mooghaun North	Quin
682	Clancys Railway Bridge	Caharscooby	Newmarket on Fergus
683	Poulbaun Railway Bridge	Granaghan Beg	Newmarket on Fergus
684	Rathlaheen Railway Bridge	Rathlaheen	Newmarket on Fergus
686	Rath Railway Bridge	Rath Beg	Sixmilebridge
687	Feenagh Railway Bridge	Feenagh (Wilson)	Sixmilebridge
688	Ballinphunta Railway Bridge	Ballinphunta	Cratloe
689	Brickhill Railway Bridge	Ballinphunta	Cratloe
690	Punchbowl Railway Bridge	Punchbowl	Cratloe
691	Stonepark Railway Bridge	Meelick	Meelick
692	Pass Railway Bridge	Pass	Meelick

Ref. 025 Margaret Slattery

Proposed RPS No.031 – Clondegad House, Ballynacally, Ennis.



Summary of the Issues Raised in the Submission

The author is satisfied with the inclusion of her property in the Record of Protected Structures and does not wish to make any amendments to same.

She has requested to be advised of any grant assistance that may become available.

Chief Executive's Response

I thank Ms. Slattery for reviewing the Draft Clare County Development Plan 2017-2023.

Clare County Council shall assist the owner with advice on legislation, conservation and funding options to repair and maintain this important, protected structure.

Chief Executive's Recommendation

I recommend that RPS No.031 Clondegad House **is included** in the Record of Protected Structures 2017-2023.

Ref. 026 P. Coleman & Associates on behalf of The Claremont Hotel

Proposed RPS No.451 – The Claremont Hotel, Main Street, Lahinch.



Summary of the Issues Raised in the Submission

The author has submitted that his client does not wish the property to be included in the Record of Protected Structures.

The author submits that the original house has been extensively renovated over the years to accommodate the present day hotel and that a substantial portion of the original property has been lost and does not hold any architectural significance.

Chief Executive's Response

I thank Ms. Coleman for reviewing the Draft Clare County Development Plan 2017-2023 and for her submission on behalf of her client.

The Claremont Hotel was assessed by the National Inventory of Architectural Heritage (NIAH) in 2000 and given an importance rating of "Regional" under the codes: Architectural, Detail, Design, Streetscape and Setting. It was entered in the Record of Protected Structures on foot of a ministerial recommendation.

Although extensively renovated, altered and extended in the past this historic building still retains a substantial part of its historic fabric, architectural heritage elements and mid 19th century character. All appropriate repairs or developments can be permitted under a Section 57 declaration or planning permission.

Chief Executive's Recommendation

I recommend that RPS No.451 Claremont Hotel **is included** in the Record of Protected Structures 2017-2023.

Ref. 027 Vincent Wall

Proposed RPS No.391 – Walls, Main Street, Ennistymon.



Summary of the Issues Raised in the Submission

The author is satisfied with the inclusion of his property in the Record of Protected Structures but is seeking clarification regarding the description of an outbuilding which he submits was not in previous descriptions of his property.

Chief Executive's Response

I thank Mr. Wall for reviewing the Draft Clare County Development Plan 2017-2023. I can confirm that the description of the outbuilding was also included in previous Records of Protected Structures .

Chief Executive's Recommendation

I recommend that RPS No.391 Walls **is included** in the Record of Protected Structures 2017-2023.

Ref. 028 Larry Brennan

Summary of the Issues Raised in the Submission

The author has submitted the following proposed additions to the Record of Protected Structures:

- The cobbles at Cork Alley Lane
- The stone marker for Gores Terrace along the Fergus wall at FBD, Lifford
- The Russian gun in the Court House
- The foot-scraper at O'Connell Street
- The few remaining Bench Markers (Ordnance Survey Map)
- The old street name markers
- The stone walling surrounding the old gaol at Gaol Road
- The grottos of Ennis
- The lanes and bow-ways of Ennis
- 2 no. houses on Parnell Street to the right and along the laneway of Brady's Lane.

Chief Executive's Response

I thank Mr. Brennan for reviewing the Draft Clare County Development Plan 2017-2023 and for submitting the structures listed above for consideration.

Unfortunately the cobbles at Cork Alley Lane lie under a tarmac surface. However they are protected from future disturbance by their inclusion in Recorded Monument No. CL033-082 (Historic Town).

The following items are located within the Architectural Conservation Areas of Ennis.

- The old Gaol Wall, Station Road.
- The lanes and bow-ways of Ennis.
- The remaining OS Bench (Sappers') Marks.
- Houses on Parnell St. and Brady's Lane.

The following items are within the curtilage of Protected Structures:

- The stone marker for Gores Terrace along the Fergus Wall at FBD, Lifford (RPS E68)
- The Russian gun in the Court House (RPS E30).

Chief Executive's Recommendation

I recommend that Mr. Brennan is requested to submit the exact location of all known bench marks, historic signage, Marian grottos and the iron footscraper in O'Connell Street in order to have them included in the appraisals of the Ennis Architectural Conservation Areas.

Ref. 029 Mary Canny Coughlan

Proposed RPS No.671 – Kiltannon Gates and Gate Piers and Railings, Tulla



Summary of the Issues Raised in the Submission

The author does not wish these structures to be included in the Record of Protected Structures.

The author submits that the structures are a magnificent work of hand-crafted art and the extremely intricate details on the gates, gate piers and railings cannot be overstated. However they are almost 200 years old and have been exposed to centuries of challenging weather conditions, without any metal protection or proper maintenance and as a result have fallen into a desperate state of decay with parts of the gate having completely rusted away.

Given the overall size and extent of the structures, the author is concerned with the enormity of the work required to restore and maintain the structures and also the financial burden.

Chief Executive's Response

I thank Ms. Canny Coughlan for reviewing the Draft Clare County Development Plan 2017-2023 and note her comments in relation to her property. It is agreed that these items of architectural and industrial heritage are magnificent examples of the iron workers craft and are in very poor condition.

There may be grant aids or tax incentives in the future to encourage owners to carry out repairs.

Chief Executive's Recommendation

I recommend that RPS No.671 Kiltannon Gates, Piers and Railings **are included** in the Record of Protected Structures 2017-2023. The Architectural Conservation Officer can offer advice, in the interim, to maintain these items, at little cost, and avoid further deterioration.

Ref. 030 Ellen Miller

Proposed RPS No.670 – Ó Dálaigh Monument, Ballyvelaghan, New Quay.



Summary of the Issues Raised in the Submission

The author does not wish this structure to be included in the Record of Protected Structures.

The author submits her concerns with regard to abuse of the site and risk of further damage to the structure including intrusion onto private property and the associated responsibility of public liability.

Chief Executive's Response

I thank Ms. Miller for her submission on this important site. This is a unique 17th century monument to an internationally influential Gaelic family of poets, historians, lawyers and authors. It is already entered in the Record of Monuments and Places and its inclusion in the Record of Protected Structures should not encourage trespassing or increase public liability premia.

Chief Executive's Recommendation

I recommend that RPS No.670 Ó Dálaigh Monument **is included** in the Record of Protected Structures 2017-2023.

Ref. 031 Tom Tiernan, Roads & Transportation, Clare County Council

Summary of the Issues Raised in the Submission

The author requests confirmation whether the building south of the protected structures RPS No.357 Armstead, Bogbere (pictured below) is also protected or not. It is in the Council's ownership since the early 1990s and the author submits that if it is a protected structure, it may impact on current design proposals relating to the proposed new bridge crossing planned to resolve Blake's Corner traffic congestion.



Chief Executive's Response

I thank Mr. Tiernan for reviewing the Draft Clare County Development Plan 2017-2023 and for his submission.

I refer to the description as set out in the draft Record of Protected Structures 2017-2023, where there is no mention of the adjacent structure which is referred to in the submission. This building was assessed in May 2015 by the Architectural Conservation Officer who stated that due to its 20th century construction, its lack of special interest, its condition and it having no historical association with the Protected Structure (Armstead building) it did not warrant inclusion in the Record of Protected Structures.

Chief Executive's Recommendation

I wish to confirm that the half-barrel, corrugated iron roofed building, to the south of the Armstead building, Bogbere, Ennistymon is **not included** in the Record of Protected Structures.