

**An Roinn Cultúir,
Oidhreacht agus Gaeltachta**
Department of Culture,
Heritage and the Gaeltacht



Your Ref: 177AE Opera Site - Limerick

30 May 2019

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email to bord@pleanala.ie

Re: Notification to the Minister for Culture, Heritage and the Gaeltacht under the Planning and Development Act, 2000, as amended.

Proposed Development: Limerick City & County Council - LIMERICK CITY AND COUNTY COUNCIL: SECTION 175 PLANNING APPLICATION TO AN BORD PLEANÁLA FOR THE OPERA SITE RE-DEVELOPMENT, INCLUDING A MIXED USE SCHEME OF PRIMARILY OFFICES, SUPPORTED BY A RANGE OF RETAIL & NON-RETAIL SERVICES, CAFES/RESTAURANTS, LICENCED PREMISES, APART-HOTEL, CIVIC/CULTURAL USES (INCLUDING A CITY LIBRARY IN THE EXISTING TOWN HALL), RESIDENTIAL, REFURBISHMENT OF EXISTING PROTECTED BUILDINGS AND OPEN SPACE. THE 2.35 HA SITE IS LOCATED ON A CITY BLOCK BOUNDED BY MICHAEL ST, ELLEN ST, RUTLAND ST., PATRICK ST. AND BANK PLACE, LIMERICK

A chara

On behalf of the Department of Culture, Heritage and the Gaeltacht, I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

Archaeology

It is noted that the proposed development is within the zone of archaeological potential established around the historic town of Limerick, Recorded Monument LI005-017, which is subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act 1994. Given the extent and location of the proposed development it could impact on subsurface archaeological remains.



The department has reviewed the archaeological section of the Environmental Impact Assessment. The Department concurs with the recommendations made in relation to archaeological mitigation.

The Department will have no objection to this development proceeding provided that the following archaeological conditions are included in any grant of any planning permission that may issue;

Conditions

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out a programme of archaeological investigation of the development site. No sub-surface work should be undertaken until an archaeological assessment has been completed and commented on by this office.
2. The archaeologist should carry out a programme of test excavation at locations chosen by the archaeologist and licensed under the National Monuments Acts 1930-2004).
3. Having completed the work, the archaeologist should submit a written report stating their recommendations to the Planning Authority and to the National Monuments Service of the Department of Culture, Heritage, and the Gaeltacht. Where archaeological material/features are shown to be present further archaeological mitigation may be required, i.e., preservation in-situ, preservation by record (excavation) or monitoring of ground works.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

Underwater Archaeology

The Underwater Archaeology Unit (UAU), of the National Monuments Service, concurs with National Monuments Service recommendations above and adds the further provisions as conditions for the proposed archaeological mitigation as proposed in the EIAR.

The UAU will have no objection to this development proceeding provided that the following additional archaeological conditions are included in any grant of any planning permission that may issue;

Conditions

1. The applicant is required to engage the services of a suitably qualified archaeologist and who is suitably experienced in excavation and management of riverine/marine and waterlogged sites and material to carry out a programme of archaeological



investigation of the development site. No sub-surface work should be undertaken until an archaeological assessment has been completed and commented on by this office.

2. The archaeologist should carry out a programme of test excavation at locations chosen by the archaeologist and licensed under the National Monuments Acts 1930-2004).
3. The test excavations shall make provision for the management of water ingress, which will be inevitable at such a site, so to ensure that the full depth can be reached as per the design footprint, to inform the archaeological record within areas subject to archaeological testing. This may necessitate the opening up of wider test trenches to facilitate working access, etc.
4. The archaeological methodology shall include a finds strategy to deal with waterlogged material and a post-excavation strategy, including funding, to ensure all waterlogged material (if encountered and recovered) is dealt with in an appropriate manner.
5. Having completed the work, the archaeologist should submit a written report stating their recommendations to the Planning Authority and to the National Monuments Service of the Department of Culture, Heritage, and the Gaeltacht. Where archaeological material/features are shown to be present further archaeological mitigation may be required, i.e., preservation in-situ, preservation by record (excavation) or monitoring of ground works.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

Architectural Heritage

The revised proposal has mitigated many of the adverse effects on architectural heritage, which were the subject of the Department's response to the 2017 proposal for the site. This response discusses a number of matters and recommends further information, revised details or conditions.

Chapter 18 of the EIA on architectural heritage notes the impacts of interventions to the existing buildings and proposed new buildings but does not offer mitigating proposals or indicate where any compromises were made prior to completing the design. It states (18.4, p.18-12) that mitigation measures were based on a long period of consultation, but does not offer any details in the report. The items discussed in this response concentrate on aspects of the proposal that the Department considers require further mitigation measures.

The inclusion of a tall block at Bank Place, although with differentiated massing, remains a significant visual intrusion on the historic cityscape of the early new town and the mediaeval town of King's Island across the Abbey River, and would be a major new element visible from



a significant distance as shown in the CGI architectural images. A number of revised images should show trees in winter as well as in full foliage in the views towards Bank Place so that the ground floor levels of new and existing structures can be clearly visualised.

The Design Brief (April 2018) notes on p.36 that the height, scale, massing and choice of materials of any new structure can all have a potential impact on the special character of both individual historic buildings and the wider streetscape. As a tall building on this site has been mandated in the Limerick 2030 plan the Department is limited to considering scale, massing and design detailing insofar as it impacts on the historic city context. Close proximity to the houses at Bank Place is a major item. These houses will be overlooked by, and fall within the shadow of the proposed tall building directly to the east as illustrated in Figure 6.01 of the AECON Architectural Design Statement and shown in the shadow study. Overlooking and overshadowing are not referred to in the architectural heritage chapter of the EIA and it is not clear if these impacts were considered when designing the tall block. However, they are significant issues in considering the future desirability of ownership or occupation of the historic buildings on Bank Place and Rutland Street (the earliest surviving houses of the Georgian new town). The Board may choose to seek a greater level of detail on these matters prior to deciding the application and consider if varying the heights or massing of the elements of the tall block would have any significant ameliorating effect. Product information on the selected facing materials and finishes should also be assessed and substitutions after planning stage prohibited by condition.

Parcel 3A4 includes the former town hall and buildings on Patrick and Rutland Streets. The Venetian doorcase from Bruce's Bank, which is protected in its own right (long separated from its original building) is to be sited on the gable wall of no.8 Rutland St, within a new full-height atrium fronting the new city library. The architectural heritage chapter of the EIA does not discuss potential alternative locations for this doorcase, just noting the proposed reuse in the gable wall. The location is evidently informed by enabling it to be viewed through the glazed atrium on Rutland Street. However, this does not respect the ornate Venetian doorcase and misleads the viewer. A Palladian style doorcase is the main feature of a principal elevation, usually centrally placed. Its significance is disregarded by positioning it on an exposed gable wall of a terraced house. In the Department's view a more architecturally appropriate solution should be selected for the Bruce doorcase, in a location where it can contribute a useful function as well as retain or reinstate as much as possible of its architectural heritage significance. This should include consideration of the space and finishes to the interior as well as the exterior of the doorway. Appropriately detailed drawings should be submitted in support of the alternative solution and a CGI photograph should include it.

Parcel 3B includes new internal doors through the party wall on each storey of no.5 Rutland Street (to connect with no.6) on the main landings and close to the ornate original staircase. The new design – whether replica or modern interpretation – is not shown in detailed part-sections to an appropriate scale to allow for assessment. The design, proportions and details should be carefully considered, as the staircase and associated lug-eared doorways are



Palladian features of no.5 Rutland Street and a very rare survival of this period in the early new town.

With regard to the town hall, the proposed exposed south gable of the town hall will have a long zinc-framed ope. The visual impact arising has not been discussed in the EIA and is not illustrated in the CGIs. View 20 comes nearest but the camera is too distant to show the required amount of Glover's Lane. The frameless glazing to the proposed rear atrium of the town hall could cause heat build-up inside this space. The method of preventing heat build-up to the historic fabric of the town hall is not clearly indicated. The glazing should not be tinted.

The EIA notes that the historic ground surfaces in Glover's Lane off Rutland / Patrick Street, which is to be widened by demolition of an altered house, are to be retained. All stone kerbs, cobbles or setts here and elsewhere within the development should be retained and reused. This should be reflected in the landscaping report, which currently does not refer to existing historic ground surfaces.

Drawings showing Parcel 01 elements to be demolished include the 19th century four-pier gateway with sweep and railings to the granary on Michael Street, which is in the curtilage of the protected granary. The gateway is noted in Fig 15 of the Masterplan but not included in one of the four conservation categories. The EIA states that the nineteenth-century Michael Street gateway was reused from elsewhere, and was positioned in this location in the late 20th century following the demolition of buildings. The intrinsic architectural heritage character of the gateway is not assessed in the EIA. The proposal does not appear to reuse the gateway elsewhere in the site. This area is to remain an entrance to the site between new and existing buildings.

In architectural heritage terms one can compare this recent introduction and that of the Venetian doorway, which was rescued from the demolished Bruce's Bank and inserted into a new building on Rutland Street in the 1980s. The principle of protection is that structures, fixtures and features of significance which contribute to the character of a structure should be protected. The gateway has become associated with the granary complex prior to its protection in the Development Plan and is of merit, whether or not it was originally constructed for a different site.

In the Department's view the gateway is of architectural heritage merit and should be retained within the development, with well-considered alterations if necessary. Drawings should be revised to show a well-designed solution to meet the proposed new building to the south. Any necessary repairs to the stonework and ironwork should be detailed by the conservation architect. It may be desired to leave the gates permanently open, however they should not be removed.



General recommendations:

The general principles of conservation in the Architectural Heritage Report Impact Statement form a useful foundation for the approach in this project and adherence to them should result in a high-quality outcome. Principles 2; 4; 6; 7 and 8 should be referred to as conditions of permission. The specification and method statement in the report should also be referenced in a condition for assurance that the work will adhere to best conservation standards.

Section 13.0 of the Masterplan deals with the proposed phasing programme. Phase 1 comprises enabling works and gives a caveat that the detailed design and possible decanting requirements will inform the most appropriate phasing and delivery. The Department recommends that the conservation needs of the historic buildings, some of which underwent emergency works some years ago, should be made a condition for carrying out in for phase 1 of the programme. This may be confined to works to weather the building envelopes, to reduce the risk of exacerbated damage from extended vacancy and deterioration.

You are requested to send further communications to this Department's Development Applications Unit (DAU) at manager.dau@ahg.gov.ie (team monitored); if this is not possible, correspondence may alternatively be sent to:

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Diarmuid Buttimer
Development Applications Unit