



An
Bord
Pleanála

Inspector's Report ABP-300420-17

Development	Construction of a single-storey Chapel, car park for 74 spaces, and a walled garden.
Location	St. Paul's Cemetery, Claremont Lawns/Clareville Lawns, Clareville Grove, Finglas Road, Glasnevin, Dublin 11
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3930/17
Applicant(s)	Glasnevin Trust
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Alan Harmon
Observer(s)	Mark Fitzpatrick; Catherine Corless; Patricia Pender; 1916 Relatives Association; Sheera Harmon; Emer Kearns; Joe Costello

Date of Site Inspection

12th April 2018

Inspector

Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is a cemetery located south of the Finglas Road, accessed via Claremont Lawns/Clareville Grove residential area, on the opposite side of the entrance to Glasnevin Cemetery/Museum, northwest of Dublin City Centre. St Paul's Cemetery is bounded on all sides by a railway line and associated embankments, with the railway line in cut/below the level of the cemetery. The Royal Canal adjoins the railway line to the south. A bridge over the railway line provides access to the cemetery, with restricted vehicular access in place. A paid car park comprising 50 spaces serving the cemetery is located before the bridge.
- 1.2. The site, which has a stated area of 8424sqm, comprises the eastern section of St. Paul's Cemetery, which contains burial plots dating from 1910-1914/1916. This section of the cemetery is under grass and has no headstones or gravemarkers marking the individual plots. In the centre of this area there is a memorial which has been constructed in memory of the deceased from the 1916 rising buried here.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
- A single-storey chapel building over an existing burial ground, with the building sitting on a piled foundation. The floor area of the new building is stated to be 574sqm.
 - A car park comprising 74 spaces.
 - Installation of reflective water pools and a walled garden.

3.0 Planning Authority Decision

3.1. Decision

GRANTED, subject to 12 conditions, including the following:

C2: Archaeological method statement and construction methodology to be utilised to ensure no graves shall be disturbed in the course of this development.

C3: Drainage requirements.

C9: Landscape scheme.

C10: Sound levels from any loudspeaker.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority.

3.2.2. Other Technical Reports

Archaeological Report: No objection, subject to condition.

Engineering Department, Drainage Division: No objection, subject to conditions

Roads and Traffic Planning Division: No objection, subject to conditions.

Waste Regulation Section, Waste Management Division: No objection, subject to conditions.

Environmental Health: Refusal recommended on the basis that "to build on this land, with the difficulty of avoiding damage to the burials there in the process of laying foundations, fails the due decency test".

3.3. Prescribed Bodies

Transport Infrastructure Ireland: No observations.

3.4. Third Party Observations

A number of third party observations were received, the contents of which are largely addressed within the grounds of appeal.

4.0 Planning History

3994/16 – Permission REFUSED for construction of a chapel building and a car park for 68 spaces, and installation of reflective water pools within a walled garden.

R1: It has not been adequately demonstrated that the burial ground will be adequately preserved in accordance with development plan policy.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

- **Zoning Objective Z9**, to preserve provide and improve recreational amenity and open space and green networks.
- **Policy CHC9**: To protect and preserve National Monuments....and....to preserve known burial grounds and disused historic graveyards, where appropriate, to ensure that human remains are re-interred, except where otherwise agreed with the National Museum of Ireland.
- Site adjoins the Royal Canal Conservation Area.

5.2. Natural Heritage Designations

The nearest Natura 2000 sites are the South Dublin Bay SAC (000210), and the South Dublin Bay and River Tolka Estuary SPA (004024), some 6km to the south east and separated from the subject site. The Royal Canal river located south of the appeal site is connected to these sites.

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal has been submitted by Bourke's Funeral Directors. The grounds of appeal is summarised hereunder:

- Applicant has not overcome the previous reason for refusal on this site.
- Proposed development over existing graves is insensitive and inappropriate.

- Graves are likely to have shifted position over the years and may be in locations identified as empty graves, therefore cannot be certain that graves won't be disturbed.
- In terms of decency and propriety graves should not be built over.
- The number of graves affected is underestimated. There are 3900 burials recorded under the proposed chapel, the majority of which are stillborn and new babies, infants and small toddlers as well as adults from the workhouses and asylums. The numbers under the proposed car park are not known, but given the size of the area and general pattern is it likely to be 10,000 or more.
- Query over ability to exhume graves via a 1m space under the floor of the building.
- Issue of alternative sites is irrelevant. The suitability of this specific site is what is questioned.
- The archaeology report only assesses construction methodology and does not assess appropriateness of developing the site.
- Under the 1970 Cemeteries Act, the objective of the Dublin Cemeteries Committee is 'to maintain improve and extend the existing cemeteries and to preserve the bodies interred in them from disturbance and desecration'. The proposed development amounts to disturbance.
- The Local Government Act requires decency. Dublin City Council Environmental Officer states in his report that the proposed development fails the decency test.
- In cemetery terms, this cemetery is not an historical cemetery dating only from 1910-1918.
- The proposed building is commercial as it is needed to raise revenue for the overall heritage redevelopment of the cemetery.
- The church was originally intended as a commemoration for 1916 but this is no longer the remit under which it is being constructed.
- Area could be used as a garden of remembrance and could be used for additional burials as there are empty graves. The building of a crematorium chapel is not the only option for this area.

- The proposal sets a precedent for building on top of graves which are not historic and will set a precedent for future development on burial grounds nationally.
- No similar development exists nationally or internationally.

6.2. Applicant Response

A response from Glasnevin Trust to the grounds of appeal is summarised as follows:

- The Glasnevin Trust at the beginning of the 20th century offered these graves in this part of St Paul's Cemetery free of charge to the poor of Dublin, who had few options for burial. Glasnevin Trust looked after those people and their relatives. Meticulous records have been kept of burial here, which are available to the public. In the past 100 years no one has come forward to commemorate those buried here or to mark their graves. Glasnevin Trust are intending to honour and commemorate those buried here in a respectful way.
- The applicant/Glasnevin Trust has sought to overcome previous reason for refusal. Site investigations using the grave location data have been undertaken and an archaeologist employed.
- The building of the chapel, and surrounding gardens and landscape will provide a fitting environment in which the poorer citizens of Dublin can be remembered. The chapel will have on display the record of the graves and a walled garden will be created in their memory.
- It is inaccurately stated that the majority of the babies buried here were neglected in life.
- Investigations and assessments, including an archaeological assessment and dig and an engineering assessment, have been undertaken to ensure the graves will not be disturbed during construction and the methodology proposed is set out within the submission.
- There has been no request for an exhumation at the site of the proposed Citizens Chapel for over a century. A request in 1916/17 was refused due to the impracticality of same. It is very unlikely that a request for exhumation will be received. If an exhumation was requested, it would be possible given the slab of the church will be 1m above the level of the graves and a tunnel could

be dug under the slab to a precise location of any grave. From an archaeological point of view this is a practical and realistic solution.

- The archaeological report addresses the issue of the appropriateness of developing the site as opposed to preserving it.
- Appellant is incorrect that there is no precedent for building on churches and chapels within and on graveyards, eg the African Burial Ground National Monument and visitor centre is on a 200 year old burial site in Manhattan New York; in the Cimetiere de Montmartre in Paris, a road was built on stilts that used empty burial plots to limit the effects on burials. The Glasnevin Citizens' Chapel will act as an appropriate memorial to those buried within the cemetery.
- The Church of the Resurrection is in urgent need of structural remediation, conservation and restoration. The Citizens' Chapel will function as an interim chapel to cover the period when it is out of commission. The Citizens' Chapel is a strategic component in the ongoing conservation, restoration and development of Glasnevin Cemetery under the Glasnevin Cemetery Heritage Restoration project.
- This chapel is not a commercial development. It is not a crematorium. It will cater for funeral services.
- Public consultation was held on 20th July 2017. Concerns raised have been addressed and are set out in the planning application report.
- The naming of the chapel from the 1916 Chapel has changed to the Citizens Chapel to take account of all those buried at the site, including the 232 citizens who died in the rising.

6.3. Planning Authority Response

No further comment.

6.4. Observations

Seven observations have been received in relation to this application from Mark Fitzpatrick, Catherine Corless, Patricia Pender, 1916 Relatives Association, Sheera

Harmon, Emer Kearns (relative of baby buried at the site of the chapel) and Joe Costello TD.

- The graves are unmarked due to the rules of Glasnevin Cemetery not to allow markers on graves not held in perpetuity. The grave of observer's aunt is visited. Unmarked is not forgotten and observer objects to the disturbance and desecration of building over aunt's burial plot. Under object 16(b) of the Dublin Cemeteries Committee Act 1970, the committee is obliged to maintain the burial ground for the preservation of human remains in accordance with the rites, services and beliefs of any religious denomination. These rights will be infringed.
- Drg No 11098/114 'section through building foundations' shows piles bringing driven alongside grave of observer's aunt, RA18. Concern is raised that this cannot be done without disturbing and desecrating this grave, particularly given redesign of piles to 300mm width.
- Concern that depth of graves will conflict with the piles.
- The grave yard is frequented by relatives and is a pedestrian friendly place. The proposal to open up the grave yard to cars between 9.30 and 15.00 will affect those walking and tending graves.
- The access route does not appear wide enough for emergency vehicles.
- Increased traffic and parking will result from this development in an already heavily congested residential area.
- This site is a burial ground and should not be considered a development site.
- The site is part of our heritage and should be preserved.
- Enough weight was not given by the DCC planner to the Environmental Officers Report which states that the proposal fails the due decency test.
- The number of burials is underestimated and burials under the car park have not been considered.
- The proposal is a complete contravention of policy CHC9 of the Dublin City Development Plan 2016-2022.

- The Dublin Cemeteries Committee was established under the 1970 Dublin Cemeteries Committee Act. Section 16 of that Act states as an objective of the Committee 'to maintain, improve and extend the existing cemeteries and to preserve the bodies interred in them from disturbance and desecration'. The proposed development amounts to disturbance.
- The views of the National Museum of Ireland have not been sought.
- Plot should be retained and a memorial utilised in the same way the little angels plot in Glasnevin cemetery has been remembered.
- Public consultation undertaken by the applicant was poorly advertised, was held at the end of July when people are away and did not mention the building was to be built over burials.
- Glasnevin Trust issued report to Irish Times on 4th January 2018 that they were not proceeding with the project. However, the planning appeal remains in place.
- An online petition against this proposal has attracted support of 15,000 individuals.
- The 1916 Relatives Association have not requested a memorial for people buried here. There is already a 1916 memorial at the site.
- Query over need for a chapel under guise of a memorial and under guise of getting additional parking at this location.
- Stillborn babies who were left and abandoned 100 years ago deserve to be allowed rest in peace, as do all men and women buried here.

6.5. Further Responses

None.

7.0 Assessment

- 7.1. The proposed development is for a chapel and car park within the eastern section of St. Paul's Cemetery, located over an existing burial ground. The chapel is to cater for funeral services associated with cremations and memorial events. All existing burials

are to be preserved in situ and it is stated that remains will be undisturbed by the construction proposed.

- 7.2. This eastern section of the cemetery is known as the 'poor ground' and it is here that those who could not afford the cost of a burial were interred for free. There are therefore no headstones/gravemarkers with this area, which is presently under grass. A memorial to the deceased from the 1916 rising is positioned in the centre of this eastern section. The number and positioning of the graves were recorded and mapped by Glasnevin Cemetery. These graves are owned by Glasnevin Cemetery as the graves were not purchased in perpetuity by the families of those buried here.
- 7.3. The entire poor ground area comprises 45,158 burials. The area over which the chapel is proposed comprises 3873 burials, 855 of which were adults and 3018 are children. The records indicate 378 individual plots and 126 of these are empty plots. This area of the poor ground was operational between 1910 and 1914. The high number of children relates to the high infant mortality rate of the period. Multiple burials are recorded in each plot, hence the high number of bodies to plots. It is stated that the pattern of burial was to have two graves beside one another followed by one empty grave. It is not stated how many burials are under the proposed car park area or other ancillary development areas.

Planning History

- 7.4. Permission was previously refused for the same development at this location. This proposal differs in terms of the level of information now submitted in relation to archaeological and engineering assessments of the impact of the proposed development on the existing burial ground.

Zoning

- 7.5. The subject site is located within Zoning Objective Z9, to preserve provide and improve recreational amenity and open space and green networks. This cemetery and Glasnevin Cemetery are viewed as part of the green infrastructure of the city rather than as an institutional or community use. Cemetery use is permissible within this zoning objective. There is no provision for places of public worship within this zoning objective and the Development Plan states that uses not listed under the 'permissible' or 'open for consideration' categories will be deemed not to be permissible uses in principle in zones Z9 (the following zones are also listed: Z1, Z2,

Z8, Z11 and Z15). I note that the development plan does not consider as permissible within any of the zoning objectives both uses of a cemetery and a place of worship. The zoning objectives generally consider one or the other use as permissible.

7.6. The proposed development of a place of worship is located on a small section of this overall cemetery site and I consider the proposed place of worship an ancillary use to this cemetery use. The building comprises 1% of the overall cemetery site, ie less than 5% of the Z9/open space area, which is included as the percentage of building within an open space as defined in the development plan. The proposal is therefore in my view in compliance with the zoning objective for the area, where cemetery use is permissible and the chapel is an ancillary use to the cemetery.

7.7. The primary issues for assessment include;

- Chapel Use over an Existing Burial Ground
- Disturbance of Graves and Construction Methodology
- Traffic
- Appropriate Assessment

Chapel Use over an Existing Burial Ground

7.8. Within the grounds of appeal and observations it is considered that the proposal to build over graves is indecent, fails the due decency test and does not accord with 16(b) of the Dublin Cemeteries Committee Act 1970, where the committee is obliged 'to maintain improve and extend the existing cemeteries and to preserve the bodies interred in them from disturbance and desecration'. The proposed development amounts to disturbance and the rights of the deceased will be affected. Graves within this area are stated to be visited and are not neglected. It is considered that the site is part of our heritage and should be preserved, not developed and this proposal will set a precedent for other cemeteries.

7.9. The applicant, Glasnevin Trust, states the building of the chapel, and surrounding gardens and landscape will provide a fitting environment in which the poorer citizens of Dublin can be remembered in a more appropriate manner than what exists at present. The existing environment is to be improved as part of a landscape masterplan to improve the overall setting of St. Paul's cemetery. The chapel will have on display the record of the graves and a walled garden will be created in their

memory. The construction methodology will ensure graves are not disturbed. The archaeological report addresses the issue of the appropriateness of developing the site as opposed to preserving it.

- 7.10. I acknowledge that cemeteries such as St. Paul's are a unique historical resource, in that all sections of society are represented, with the 'poor ground' section of this cemetery representing the graves of the very poor in Dublin from the beginning of the twentieth century. This proposal to reuse the burial ground in question, as outlined in the observations, is a sensitive issue and I appreciate that graves in this area are visited and there continues to be an interest in this area of the cemetery by those tracing their family history. However, cemeteries function as spaces for the living as well as for the dead and catering for the needs of the recently bereaved, while also catering for those reflecting on family loss from a century ago is a challenge for the modern cemetery, particularly in a populated city where land is a finite resource and graves bought in perpetuity (not the case in this instance) generally means that the life of the land is limited. It is approx. 100 years since burials in this section of the cemetery occurred. In my view, provided the existing remains are preserved and commemorated in a sensitive manner, the proposal to reuse and extend the life of this section of the cemetery as a chapel for funeral services/memorial events is an appropriate use in keeping with the function of a cemetery.
- 7.11. The area subject of this appeal will remain available and accessible for family members to reflect within and pay respect to their deceased. I am satisfied that the history of this burial ground will be preserved and respected in the architecture of the building proposed, the memorial within it and in the provision of a memorial garden accessible to the public. The life and vitality of St. Paul's cemetery can be rejuvenated in this area, and be used as a place for the living for at least another 100 years, while still respecting the people of the past.

Disturbance of Graves and Construction Methodology

- 7.12. The viability of not disturbing existing graves is questioned by the appellant and a number of observers. Concern is raised that depth of graves will conflict with the piles and that ground shift may have resulted in graves previously thought to be

empty now containing remains. Details of burials under the car park area and access road have not been examined in the reports.

- 7.13. The applicant, Glasnevin Trust, states investigations and assessments, including an archaeological assessment, dig, and an engineering assessment, have been undertaken to ensure the graves will not be disturbed during construction.
- 7.14. Archaeological and engineering reports have been submitted which inform the proposed construction methodology. Two test trenches have been dug at the location of the proposed chapel. In order to protect existing remains, it is proposed to support the foundations of the building on approx. 50 piles, which will be inserted into the ground at locations where empty burial plots have been identified. Where it is found on site that remains are in existence where an empty plot had been identified, the location of the piles can be amended by up to 2m. It is indicated that interventions such as landscaping and car parking will be located above the levels of burials and further test trenching in the area of the car park will be undertaken to confirm the development will not impact on the upper level of burials.
- 7.15. The report from the archaeologist in Dublin City Council notes that the archaeological report, although limited in its scope to the area of the proposed chapel, demonstrated that it is feasible to identify areas where burials have not taken place and where piles can be strategically placed. Reference is made to the document 'Historic England's Piling and Archaeological Guidelines and Best Practice' (2015) and recommendation in relation to the types of piles to be used is set out.
- 7.16. I have assessed the information submitted and am satisfied that the technology and best practice guidance exists to enable the proposed development to be undertaken sensitively without impacting on the existing remains. Should the Board be minded to grant permission, a condition in this regard is appropriate.

Traffic

- 7.17. Concern is raised in relation to the disturbance which will be introduced by bringing traffic into the cemetery and the impacts on the surrounding road network and the ability of the existing road network to accommodate emergency services access.

- 7.18. A traffic impact assessment has been undertaken and an analysis of traffic generation undertaken based on the number of funeral services which can be catered and the likely traffic to be generated.
- 7.19. I note that the bridge over which the cemetery is accessed dates from 1880 and is maintained by Iarnrod Eireann by lease agreement with Glasnevin Trust. The bridge deck will need to be replaced to cater for construction traffic into the cemetery. Any upgrade of the deck is stated to be separate to this application and the works required to the bridge will be resolved prior to construction. Should the Board be minded to grant permission, a condition in this regard is appropriate.
- 7.20. I am satisfied based on the information presented that the development can be accommodated at the subject site and will not result in a traffic hazard.

Other Matters

- 7.21. I note that under CHC9 reference is made to the National Museum of Ireland. I note that in the planning application report accompanying this application it is stated that Glasnevin Trust contacted the Director of the National Museum of Ireland, who stated the National Museum does not have an interest in St. Paul's Cemetery as it is not a National Monument.

Appropriate Assessment

- 7.22. The Royal Canal is located south of the appeal site, separated from the appeal site by an existing railway line. The nearest Natura sites, which are approx. 6km east of the site are the South Dublin Bay and River Tolka Estuary SPA (004024) and South Dublin Bay SAC (000210). The Royal Canal flows into these Natura 2000 sites.
- 7.23. The conservation objectives for the South Dublin Bay and River Tolka SPA are to maintain or restore the favourable conservation status of habitats and species of community interest, including Light Bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern and Arctic Tern and the wetlands which support them.
- 7.24. The conservation objectives for the South Dublin Bay SAC are to maintain or restore the favourable conservation status of habitats and species of community interest,

including tidal mudflats and sandflats, annual vegetation of drift lines; salicornia and other annuals colonising mud and sand, and embryonic shifting dunes.

- 7.25. There is an existing surface water drain running from St. Paul's Cemetery under the railway bridge out to Finglas Road which the applicant proposes to utilise. Surface water run-off from the building, new and existing roadways and paving around the building will be directed into an aquacell prime storage system or equivalent. The foul drain will be a new drain which will pass over the bridge in ducting and discharge into the existing foul drain in Finglas Road. There is a wayleave agreement between Glasnevin Trust and Iarnrod Eireann.
- 7.26. I am satisfied that standard construction management practices would be sufficient to avoid an indirect effect on water quality during construction. I consider that adequate attenuation is proposed within the site during the operational phase and therefore the potential for impact on the water quality within the designated sites is remote. In addition, the proposal for connection to the public foul network would mitigate any potential for impacts from wastewater.
- 7.27. It is reasonable to conclude that on the basis of the information on the file, which I consider to be adequate in order to issue a screening determination that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 0040240 (South Dublin Bay and River Tolka Estuary SPA) and No. 000210 (South Dublin Bay SAC), or any other European Site, in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

- 8.1. It is recommended that permission be granted.

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning objective and policy CHC9 of the Dublin City Development Plan 2016-2022 and having regard to the design, layout and scale of the development proposed, it is considered that subject to compliance with conditions as set out below, the proposed development can be accommodated

without disturbance of existing remains buried at this location and the proposed development would not seriously injure the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall employ a suitably qualified archaeologist prior to the commencement of development to assess the site and monitor all site development works. The archaeologist shall prepare the following information which shall be submitted to the planning authority for written agreement:
 - (a) A detailed archaeological method statement for the investigation of each pile location required to construct the proposed development. The methodology will be based on the detailed foundation design for the chapel and other built elements and shall include testing of the car park, access road, landscaped areas for the investigation of each pile location and subsurface services. The method statement shall include scale drawings showing the piling layout overlain on the historic plan of known graves
 - (b) The proposed development shall be subject to an assessment using archaeological methods and techniques. The assessment shall include all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and

before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist and shall address the following issues:

i. The nature, extent and location of graves by way of archaeological testing of pile locations and assessment of the carpark and landscaped areas.

ii. The impact of the proposed development on graves.

(c) A detailed Impact Statement shall be prepared by the archaeologist that will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc. The assessment shall be prepared on the basis of trial trenches excavated on the site by the archaeologist. The trial trenches shall be excavated to the top of the grave cuts only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum) of all trial trenches, burials, bore holes and proposed piles clearly indicated. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report for agreement with the planning authority.

(d) The final locations of individual piles will be informed by the archaeological assessment and any revised design proposals shall be submitted to and agreed in writing with the planning authority. Piles shall only be located in areas proven not to contain graves and where there is a suitable buffer zone between individual piles and burials to ensure the development will not cause disturbance.

(e) A piling contractor's method statement shall be developed and considered in the archaeological impact assessment. It is recommended that only Continuous Flight Augur (CFA) piles shall be used in accordance with best archaeological practice for sensitive sites unless an alternative and satisfactory piling solution is agreed with the planning authority.

(f) All piling arising will be monitored during works and retained on site. If necessary this material shall be sieved to ensure that no human bone material is removed from the site.

(g) No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent.

(h) A written and digital report (on compact disc) containing the results of the assessment shall be forwarded on completion to the planning authority.

Details regarding any further archaeological requirements prior to commencement of construction works shall be agreed in writing with the planning authority. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination

Reason: In order to preserve this historic burial ground and to secure the preservation in-situ and protection of all remains that exist within the site.

3. Details of the materials, colours and textures of all the external finishes to the proposed chapel building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The sound levels from any loudspeaker announcements, music or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.

Reason: In the interests of environmental amenity.

5. Prior to the commencement of development, the developer shall ensure access over the existing bridge to the site meets safety and load bearing requirements for construction traffic.

Reason: In the interest of the proper planning and sustainable development of the area.

6. The developer shall comply with the requirements of the planning authority in relation to roads and traffic requirements.

Reason: In the interest of the proper planning and sustainable

development of the area.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services and shall incorporate the requirements, where required, of Irish Rail.

Reason: In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

9. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

Una O'Neill
Senior Planning Inspector

9th May 2018