

Observation on Appeal – ABP Case Ref.: 324153 (LH28.324153)

Name: Colm Collins
Address: Curryclogh, Bandon, Co. Cork, P72 DW93

An Coimisiún Pleanála Case Ref.: LH28.324153

Planning Authority Case Ref.: 2544442

1. Introduction

I wish to submit an observation on the above appeal concerning the proposed Large-Scale Residential Development at the former Mother and Baby Home site at Bessborough, Ballinure, Blackrock, Cork.

This submission is made having regard to the Environmental Impact Assessment Report (EIAR) submitted by Estuary View Enterprises 2020 Limited, the findings of the Commission of Investigation into Mother and Baby Homes, and the significant historical, archaeological, and cultural sensitivity associated with the site.

It is respectfully submitted that the proposed development is premature, that the archaeological assessment and mitigation strategy set out in the EIAR is not adequate, and that the proposal does not appropriately respond to the cultural and historical significance of the site.

2. Prematurity of Development and Archaeological Uncertainty

The proposed Large-Scale Residential Development (LRD) is considered premature in the absence of a comprehensive archaeological and forensic investigation of the site of the former Mother and Baby Home at Bessborough.

The Cultural Heritage chapter of the Environmental Impact Assessment Report (EIAR) acknowledges the complex historical context of the site and confirms that there are significant gaps in the historical record regarding burial practices associated with the institution. It notes that the Commission of Investigation was unable to identify burial locations for the vast majority of children who died at Bessborough and that there are a number of locations within the site where burials may have taken place. While the EIAR concludes that no archaeological

features or human remains were identified within those specific and limited areas subjected to test trenching, it is also clear that such investigations were limited in scope and cannot definitively exclude the presence of unrecorded burials within the wider site. The acknowledged absence of complete burial records, combined with the scale of the overall landholding, documented testimony from former residents, and the historical use of the site, gives rise to a reasonable and evidence-based conclusion that unrecorded human remains may exist within the site. In this context, the reliance on construction-phase archaeological monitoring, as proposed in the EIAR, is not considered to constitute an adequate or appropriate response to this level of uncertainty. Monitoring during active construction is inherently reactive and does not provide the level of certainty or control required for a site of such sensitivity.

The experience at comparable institutional sites, most notably Tuam, demonstrates that the extent and nature of unmarked burials can only become apparent following detailed and systematic investigation. Having regard to this precedent, and to the findings of the Commission of Investigation into Mother and Baby Homes, a precautionary approach is warranted. Accordingly, it is submitted that the extent and location of potential burials at the Bessborough site are not fully understood at present and that this uncertainty should be resolved through a comprehensive, site-wide archaeological and forensic investigation prior to the consideration of any development proposal. In the absence of such investigation, the proposed development represents premature development and would be contrary to the proper planning and sustainable development of the area.

Furthermore, from a construction and project delivery perspective, it is not considered appropriate that the discovery and identification of potential human remains would arise as a by-product of construction activity, rather than as part of a planned and controlled investigative process undertaken by suitably qualified forensic and archaeological specialists, having regard to the potential sensitivity and traumatic nature of such discoveries in the context of a former Mother and Baby Home.

3. Archaeological and Cultural Heritage Concerns

It is submitted that the archaeological assessment and mitigation strategy set out in the EIAR is not adequate, having regard to the level of archaeological uncertainty associated with the site. The EIAR relies on a combination of limited test trenching, desk-based assessment, and a strategy of archaeological monitoring during construction to conclude, incorrectly, that there will be no significant impact on the archaeological resource. However, such an approach is inherently limited in its ability to identify dispersed, unmarked, or undocumented burial locations across a site of this scale.

While no remains were identified within those specific and limited areas subjected to investigation, this does not constitute sufficient evidence to conclude that the wider site is

free from archaeological or forensic sensitivity. The EIAR acknowledges that the majority of burials remain unknown. It is submitted that this absence of confirmed burial locations does not equate to an absence of archaeological resource but rather gives rise to a level of uncertainty requiring further investigation. In this context, having regard to the findings of the Commission of Investigation and documented testimony from former residents, there is a reasonable and evidence-based conclusion that unrecorded burials may exist within the site.

It is further noted that the EIAR proposes to address potential discoveries through monitoring during construction. It is submitted that this approach is reactive in nature and does not provide an appropriate level of certainty, control, or dignity in the investigation of potential human remains. In this context, it is considered that the proposed mitigation strategy does not adequately respond to the known risks and uncertainties associated with the site.

4. Cultural and Historical Significance of the Site

The subject site forms part of a historically significant institutional complex of national importance associated with the former Bessborough Mother and Baby Home.

The EIAR confirms that Bessborough House is a Protected Structure (RPS Ref. PS 490) and forms part of a wider historic estate which includes associated curtilage features such as the farm complex, landscaped grounds, and ancillary structures. The wider estate is also recognised within the National Inventory of Architectural Heritage, including its listing as a historic garden and landscape of significance. It is submitted that the cultural heritage value of the site extends beyond individual built structures to encompass the broader landscape, its historical use, and its association with institutional practices of significant national importance, as documented by the Commission of Investigation into Mother and Baby Homes, which identified serious failings in the treatment of women and children. The significance of the site is therefore not limited to its architectural heritage, but includes its historical, social, and cultural context, and the legacy associated with its former use. In this regard, it is considered that any redevelopment of the site must be informed by a comprehensive and site-wide strategy addressing not only archaeological investigation, but also the appropriate recognition, treatment, and commemoration of its historical context. In the absence of such a strategy, it is submitted that the proposed development does not adequately respond to the cultural and historical significance of the site and would therefore be contrary to the proper planning and sustainable development of the area.

5. Conclusion

Having regard to the foregoing, it is submitted that the proposed development is premature in the absence of a comprehensive archaeological and forensic investigation of the site, and that the assessment and mitigation measures set out in the EIAR do not adequately address the level of uncertainty associated with potential unrecorded burials. It is further submitted that the proposal does not appropriately reflect the cultural and historical significance of the site, nor does it provide a clear and considered strategy for the investigation, treatment, and commemoration of its legacy. In these circumstances, it is respectfully requested that An Bord Pleanála refuse permission for the proposed development. In the alternative, it is submitted that any consideration of development on the site should be deferred pending the completion of a comprehensive, site-wide archaeological and forensic investigation, together with the establishment of an appropriate framework for the recognition and commemoration of the site's historical context.