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# **The Evolution of Urban Conservation in Ireland: Evidence from Dublin City**

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## **Introduction**

The past decade has witnessed significant improvements in attitudes towards urban conservation in Ireland. This is reflected, for instance, in the legislative framework and in the planning system. However, in order to understand where the 'heritage sector' stands today in relation to conservation of the built heritage, and where it should be destined in the future, it is crucial to recognise its history. This paper provides an overview of the temporal developments in urban conservation in Ireland since the 1950s, with particular reference to Dublin City. It reviews the development of the legal framework for built heritage protection, financial incentives for conservation, and the role of national, local and voluntary bodies engaged in built heritage management. The paper is based on research, which employed a cross-cultural study, using Dublin and Stockholm as case studies, of the ways in which societies define and protect the built heritage and how this changes over time (Negussie, 2002). It also deals with the broader structural context within which conservation actions are carried out, e.g. political economy, society and culture. The data was drawn from a broad spectrum of relevant documents and in-depth interviews with key people in the conservation and heritage sectors.

## **International Conventions and Charters on Built Heritage Conservation**

International conventions and charters establish common principles and standards for how national authorities should develop appropriate policies towards conservation. These provide important benchmarks in determining the success of national approaches to conservation. The 'Washington Charter' (*Charter for the Conservation of Historic Towns and Urban Areas*), by UNESCO (United Nations Educational, Scientific and Cultural Organisation), is particularly relevant as it established four main principles on conservation in an urban context (ICOMOS, 1987):

The conservation of historic towns and urban areas should be an integral part of coherent policies of economic and social development and of urban and regional planning at all levels.

Qualities to be preserved should include the historic character of the town or urban area and all material and spiritual elements that express this character (e.g. urban patterns defined by lots and streets, relationships between buildings and green spaces and functions that an urban area has acquired over time).

Participation by the residents is essential for the success of conservation programmes and should be encouraged.

Urban conservation requires prudence, a systematic approach and discipline and

rigidity in approach must be avoided since individual cases may present specific problems.

Under the 'Granada Convention' (*Convention for the Protection of the Architectural Heritage of Europe*), adopted by the Council of Europe in 1985, the contracting parties undertook to make statutory measures to protect the architectural heritage based on certain minimum conditions (Council of Europe, 1985a). In short they agreed to:

Adopt a broad definition of the architectural heritage comprising monuments defined as buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings.

Maintain scientific surveys and inventories of the architectural heritage and to take statutory measures to protect it, including sanctions to prevent infringements.

Provide financial support by public authorities for maintaining and restoring the architectural heritage.

Adopt policies based on the principles of integrated conservation.

Promote appropriate adaptation of old buildings for new uses and to strike a balance between permitting public access to protected properties and any other necessary restrictions necessary to ensure their conservation.

Involve public authorities, cultural institutions and associations, and the public in the decision-making process in the context of architectural heritage protection.

Provide information, training and the promotion of policies in order to raise public awareness of the importance of conserving the architectural heritage.

Ireland signed the Granada Convention on the opening date for signature but did not ratify the convention until 1997. Under Article 25 of the convention, any state may reserve the right not to comply with certain provisions due to constitutional issues and problems of domestic law. Examples include permitting public authorities to require the owner of a protected property to carry out works to it, or to do so themselves if the owner fails to undertake such works, and powers of compulsory purchase of protected property (Council of Europe, 1985b). At the time of its ratification, Ireland chose to do so. Various reasons for the long delay in implementing the convention have been identified. For example, the societal context and the weak economic disposition of Ireland at the time meant that conservation was not a priority. The delay is also related to general problems of enforcement, public-sector inertia and a lack of commitment on the part of the government to implement the convention until the late 1990s.

### **The Temporal Dimension of Urban Conservation Reaction**

Drawing from various European case studies on the evolution of local and national reactions to conservation, Burtenshaw et al. (1991) formulated what may be seen as a theoretical model of temporal developments in terms of reaction to change in the urban environment. They found that in spite of differences in wealth and politics, European countries have experienced similar phases of national reaction to change in the urban environment, although a distinction is made between Western and Eastern Europe, stemming from the different political nature of these historically. In the former, the origin of the conservation movement was 'local rather than national, and unofficial rather than governmental' (ibid., 146). Nevertheless, the first step of the model involves a phase of

inventorying and the establishment of national bodies to draw up lists of buildings of architectural and historical importance. The second step involves legislative protection of listed objects. As noted by Burtenshaw et al. (*ibid.*) examples of such legislation include the French Law on the Historic Monuments (1913), the Dutch Monument Act 1921 and the Italian Monument Act 1939. The third step towards an action framework for urban conservation is the enacting of conservation legislation, resulting from governments' acceptance of their financial responsibilities to subsidise maintenance and rehabilitation of built structures. This step also implies that the protection of historical monuments is extended to include wider morphological settings. Many countries, as identified by Burtenshaw et al. (*ibid.*), took such action in the 1960s, examples being the Dutch Monument Act 1961, the French Loi Malraux 1962, the British Civic Amenities Act 1967 and the Italian Urban Planning Act 1967. The features of such legislation usually include a mixture of national subsidy, tax concessions, private funding, the designation of areas rather than individual buildings only, and attempts to link preserved forms with original functions. The fourth and final step, urban conservation planning practice, involves a phase of implementation challenges, such as dealing with the spatial scale of operations, balancing of public and private roles and integration of urban conservation into the wider planning process.

### **Temporal Overview of Developments in Urban Conservation: Dublin City 1950–2000**

A number of key developments in urban conservation planning can be summarised for Dublin City over the past five decades. The following reviews the main legislative, institutional and planning measures taken to protect the built heritage.

#### *1950s*

The 1950s were a decade of economic stagnation in Ireland. Consequently, the low level of economic activity exposed the building stock to benign neglect rather than active demolition. Protection of the built heritage during the 1950s operated within the parameters of the National Monuments Acts, 1930–1954. Under the Acts, the state and the local authorities were empowered to protect national monuments either by taking buildings considered of national importance into guardianship or ownership if so desired by the owner. Rather than the owner, the state or a local authority would then be responsible for maintenance of the monument. If considered endangered, a monument of national importance could also be served with a preservation order by the state, which implied protection from demolition, alteration, renovation or restoration without consent of the state. With the introduction of the National Monuments Act of 1954, temporary preservation orders could also be served for six months for endangered monuments considered worthy of national monument status. In addition, the National Monuments Acts provided certain enforcement powers, e.g. fines and imprisonment for offences such as alteration or demolition of a national monument by any person. The state could compulsorily take a building of national importance into guardianship if it decided to do works to it and also had certain acquisition powers, although these powers were not given to local authorities.

Nevertheless, the National Monuments Acts contained important limitations. They excluded buildings occupied for residential or ecclesiastical purposes, which made the Acts more suitable for ancient monuments or buildings not in use and contributed to their being unsuited for urban contexts. Another limitation of the Acts was their lack of power to

enforce maintenance of national monuments. Furthermore, the Acts, which had an archaeological orientation, were mainly applied to protect medieval and pre-medieval structures. The terminating date of their scope was regarded as 1700, partly due to the legacy of the organisational structures under which national monuments were cared for but also due to a general bias against the post-1700 built heritage (Coleman, 1988; MacRory, 1994). Thus, the Acts were rather 'archaeological in spirit' (Mawhinney, 1989, 91). The Casino at Marino, a set-piece Georgian building dating from c.1759, was for long the only post-1700 national monument in Dublin. It was taken into guardianship in 1932 and into ownership in 1986. Overall, during the 1950s and thereafter, the National Monuments Acts made little impact on protecting the built heritage in Dublin City.

With regard to institutional arrangements for the protection of the built heritage, the Office of Public Works (OPW) was the primary national body responsible for conservation through the National Monuments Acts. There is a perception that during the 1950s and 1960s, republican and anti-British sentiments help explain the limited view of conservation by this body. For a long time, the Georgian and Victorian built heritage was often regarded as evidence of colonial dominance. Furthermore, Bord Fáilte was established as a statutory tourist body under the Tourist Traffic Act in 1955, and was given certain powers to protect and maintain historic buildings and sites reflecting recognition of the cultural and natural heritage as a tourism interest (Mawhinney, 1989). However, the tourist board never came to play a significant role in urban conservation, although it has contributed to the retention of important buildings such as castles over the years.

Local planning in Ireland during the 1950s was rather limited. The 1957 Planning Scheme, drawn up for Dublin under the Town and Regional Planning Act 1934, was the first major planning scheme adopted in modern Ireland. It outlined a preservation zone confined to two prestigious Georgian squares in the south inner city: Merrion Square and Fitzwilliam Square which left most of the city's building stock vulnerable to demolition (McDonald, 1986a).

The 1950s witnessed little organised voluntary conservation activity. This should be considered in light of economic stagnation and lack of urban redevelopment. Although An Taisce (The National Trust for Ireland) had been formed in 1948, it was mainly preoccupied with the natural environment during the 1950s, coined as a 'birds and bees organisation' in its early years (Conservationist 4, 2000). However, although the organisation acquired a small number of properties over the years, it never developed into a property-owning trust in its full meaning. Instead, it mainly became a watchdog and awareness-raising body. With the formation of the Irish Georgian Society (IGS) in 1958, a forum for organised lobbying, albeit at a small scale, for the protection of Georgian architecture was established. In its early days, the main concern and efforts of the IGS lay with important Georgian country houses at the risk of deterioration. However, gradually the society turned its attention to the 'relatively humble Georgian terraces of Dublin' (Kearns, 1983, 96). Lately, there has been a further shift of emphasis towards other elements of the built heritage.

### *1960s*

The 1960s saw rapid economic development. Economic expansion generated an office development boom continuing into the 1970s. Cultural attitudes, *e.g.* a negative perception of the Georgian building stock due to perceptions of its being evidence of colonial

dominance and the absence of any developed policy for urban conservation at national and local levels, in combination with accelerating development pressures in the built environment, placed the built heritage under serious threat. As commented by Bor (1967, 293):

'Dublin is a city of quite exceptional character and beauty, with a long history and vibrant cultural tradition. The closely interwoven pattern of eighteenth century streets with their remarkable consistency of scale and material, once quite a common sight in Europe, can now be found only in Dublin, and the city's architectural heritage becomes rarer and more vulnerable every day ... Dublin's past growth has been relatively slow and steady compared with other cities.... Thus on the one hand this city has the great inheritance of Georgian domestic architecture of a unique quality and scale, but on the other hand there is an acute threat that the effects of rapid expansion over the next two decades could be all the more damaging.'

The Local Government (Planning and Development) Act 1963, established discretionary powers for local authorities to preserve buildings of artistic, architectural or historical interest. Nevertheless, the Act lacked any guidance for conservation and it was left to the local authorities themselves to interpret how to deal with the matter. As explained by a former senior planner within Dublin Corporation:

'It was a strange piece of legislation in relation to conservation in the sense that it did not give any guidance whatsoever. It just sort of referred to some of these issues. It more or less implied that you could include in a development plan for the preservation of these buildings. It did not say anything about how you would preserve them, or anything of that nature. The closest it got to it was that you had to deal with obsolescence. Obsolescence meant renewal which in the 1960s meant comprehensive renewal. Wipe it out, start from scratch. Make it new as if this was to cater for the 1960s onwards. That meant that you wiped out everything that was old unless it was so obviously important that you kept it. There was nothing in the Act that defined what you meant by preservation' (Planner 1, 2000).

In Dublin City, a listing system based on the one in the UK was introduced. However, it has been criticised as inadequate for a number of reasons, since the first draft development plan in 1967 onwards. First, the listing of buildings lacked sufficient overall guidance in the development plan, mainly due to understaffed planning departments' lack of conservation expertise. Secondly, the system did not guarantee the protection of interiors of listed buildings. Thirdly, a distinction between lists with different priority (e.g. List 1 and List 2) resulted in increasingly flexible attitudes towards protection for the majority of the listed buildings (Negussie, 1996). The combination of discretionary and vaguely defined conservation powers during a phase of economic boom and societal aspirations to redevelop and modernise, exposed the built heritage to frequent threats of demolition.

In order to comprehend the way in which urban planning has evolved in Ireland, it is crucial to recognise the inherent favouring by the state of private property rights enshrined in the Irish Constitution (MacLaran, 1993). The constitutional rights of private property and the principles of 'social justice' and 'common good' raise questions as to how one justifies

different planning issues based on these fundamental principles. For example, if the common good is regarded in terms of development, it then creates a climate in which decisions are made in a development context, be it by bureaucrats and planners or state legislators. The lack of conservation provisions in the 1963 Planning Act and the way in which these came to be interpreted should be considered in this light. Cuffe (1995) argues that the constitutional emphasis on property rights has in the past constituted a hindrance to the enacting of conservation legislation in Ireland, in spite of the principles of social justice.

Established in 1964, An Foras Forbartha (the National Institute for Physical Planning and Construction Research) came to exercise a leadership role in planning policy and research at the state level until it was abolished in 1988. In the field of built heritage conservation, it published research, carried out building inventories and provided advisory service to local authorities. Although it had little direct impact on heritage issues in Dublin City, regarded as more advanced compared to other local authorities where state assistance was more urgent, it played an important role in establishing national guidance on planning, including conservation. It has been described as an important 'stepping stone' in the raising of conservation awareness (Conservationist 3, 2000). The designation of prescribed bodies under the 1963 Planning Act also contributed to the protection of the built heritage, although these have exercised varying degree of influence over conservation issues through the planning process in Dublin City. An Taisce became the most important prescribed body in this regard. Its prescribed body-status increased its role and influence in the planning process and 'made it focus on the planning process, making planning arguments instead of public interest arguments' (Conservationist 1, 2000). There was an opportunity for the Office of Public Works to become a prescribed body under the Planning Acts already in 1963. However, not until 1994 did the OPW become a prescribed body under the 1994 Planning Regulations. As explained by a former OPW official:

'The Commissioners of Public Works in Ireland were asked did they want to be a prescribed body and said "No". I think it was for political reasons. At the time ... the Commissioners would have been very republican nationalist. They regarded post-medieval buildings as being essentially British. That is well known ... I am told that one of the chairmen of the OPW in those days would not even list castles. He would only deal with the early Christian because he was counting the Normans as British as well. So they did not get involved under the 1963 Planning Act as a result' (National Body Official 2, 2001).

The 1960s saw a rise in organised conservation lobbying by An Taisce and the IGS, mainly in reaction to the profusion of demolition controversies, notably the demolition of Georgian buildings in Fitzwilliam Street and Hume Street, both fine Georgian streets in the south city core. Figure 1 illustrates the controversial replacement of a Georgian terrace with a modern office block in Fitzwilliam Street, which the IGS attempted to prevent. In addition, the Dublin Civic Group was formed in the mid-1960s and also developed an important awareness-raising role by reacting to the demolition of buildings and monitoring of planning applications in Dublin City. During a decade when national and local authorities were concerned mainly with redevelopment, these bodies and students' groups became the primary actors in mobilising public opinion for conservation. As suggested by one informant:

**Figure 1. Fitzwilliam Street, Dublin.** The controversial replacement of a Georgian terrace with a modern office block; a battle fought by the Irish Georgian Society in the late 1960s (Negussie, 1999).



'Up until the 1960s the voluntary organisations tended to be either people who were coming from specific interests, or professionals, people from academic backgrounds. Gradually through the 1960s it became more widespread and people got involved in things. They widened their circles and obviously the 1963 Act had an influence in that context. The conservation groups would have had a varying degree of influence. They lost as many battles as they won at least, but they would have had individual victories. They may be quite small, but they are incremental in changing attitudes' (Policy Advisor 2, 2000).

#### *1970s*

Some improvements were made in the legislative regime during the 1970s. For example, in 1976, legal provisions for protection of interiors were introduced by an amendment to the planning legislation. However, while this may be considered a positive development, the way in which it was interpreted had a negative effect overall, since it created an impression that listing of buildings only affected the exteriors. As suggested by one policy advisor:

'There is one view and perception that the introduction of the 1976 Amendment actually created a distinction whereby it was perceived that the previous lists were about exteriors. Nobody ever said that buildings of artistic, architectural or historical interest meant the exteriors of buildings. Implied in that could be that the whole building is protected. In the UK system, on which it was actually based, the building includes without specifically stating it the entire structure ... By virtue of being able to list individual items, by default that meant the listing only meant the exterior of the façade' (Policy Advisor 2, 2000).

This assumption was reinforced when the first separate list for interiors was adopted in Dublin City under the 1991 Dublin City Development Plan (List 4). The same interviewee also suggested that one of the reasons for the provisions having been interpreted this way was that it made it easier for local authorities to manage the protection of historic buildings, especially considering the notion of private property rights.

In 1976, An Bord Pleanála was established as an independent planning appeals board, providing new opportunities for conservation groups and the general public to make appeals on planning decisions. Initially, the Board lacked public confidence as a result of inappropriate appointment procedures. However, this was to change with reform during the following decade.

In 1971, the first development plan for Dublin City was officially adopted, which strengthened the legal basis for listed buildings (Dublin Corporation, 1971). However, its conservation policies were poorly developed and only a small number of buildings were listed for preservation, a reflection of the general lack of conservation awareness and pro-development climate at the time. Fear of legal challenge due to constitutional property rights also contributed to the small number of listings. It was based entirely on efforts made by the voluntary sector, with listings taken from An Taisce's pioneer building survey of 1967 (*Study of Amenity Planning Issues in Dublin and Dun Laoghaire*) rather than on systematic national or local inventories. Also, the local authority itself, Dublin Corporation, was mainly orientated towards redevelopment:

'The Corporation mainly saw the Planning Acts as a way of regulating development and for them development was construction and ongoing reconstruction of the city. Under the 1963 (Planning and Development) Act it was conceived that local authorities themselves would become major developer agencies. Apart from being the regulators of development, processing the planning applications and involved in making the decisions, as site owners, by compulsory purchase orders or by partnership, they would be building stuff themselves. They owned land but they would also compulsorily purchase land for big sites to sell them on or to remain in partnership, which they did with the ILAC Centre' (Conservationist 2, 2000).

The 1970s saw a rise in a new type of voluntary conservation organisation concerned with defending communal life and residential areas that had increasingly become threatened by private development pressures, examples being the Dublin Living City Group and various residents' associations such as the Upper Leeson Street Area Residents' Association. The controversy over Georgian buildings in Pembroke Street, in the south inner city, was one of the successful conservation battles fought by the principal conservation groups and assisted by students' groups. In this case, the Minister for Local Government had overruled a local authority decision in 1975 and granted Bord na Mona (the Turf Board) permission to demolish five Georgian buildings (An Taisce, 1976). However, the lost battles over Molesworth Street, close to the Irish parliament, which involved the demolition of two nineteenth-century school buildings, and Wood Quay, one of the most important early Viking settlements where Dublin Corporation built its Civic Offices (Figure 2), also caused public disillusionment, especially the latter which mobilised a large number of people in a public demonstration estimated at 10,000. Still, these events marked important events in the



**Figure 2. The Civic Offices at Wood Quay, Dublin (MacLaran, ca. 1988)**



raising of conservation awareness. However, the decade has been described as ‘one of the most successful ones for the IGS in terms of the best publicised occupations of buildings’ (Conservationist 2, 2000).

#### *1980s*

The 1980s were characterised by economic slump resulting in less pressure for redevelopment. However, road-widening and other transportation plans continued to expose the built heritage to threats (McDonald, 1986b). By the late 1980s, Dublin Corporation was the owner of a considerable stock of derelict property, which was earmarked for demolition to implement road-widening and also for housing, parks and community uses. By 1986, there were some 600 cleared sites and derelict buildings within Dublin City, comprising 65 ha, of which approximately 40 per cent was owned by Dublin Corporation itself (MacLaran, 1993). The Urban Renewal Act 1986 was an attempt by central government to attract investment into Dublin and other Irish cities and thereby to avert dereliction and decay away from urban areas. However, tax incentives forming part of the urban renewal scheme worked against conservation and came to affect the built heritage negatively, especially with the up-swing in the economy during the next decade. There is a general perception that the 1986 Urban Renewal Scheme mainly had negative implications for conservation of the built heritage and that, as suggested by one interviewee, ‘it was overwhelmingly anti-conservation and destructive in its effect’ (Conservationist 2, 2000). Similarly, as noted by another informant, ‘it is generally admitted now that it was not targeted at conservation and that it tended to favour renewal’ (Planner 2, 2000).

Despite evident deficiencies, little legislative progress was made in terms of conservation provisions within the planning code during this decade, in spite of Ireland’s signing of the Granada Convention in 1985. However, certain other improvements were made providing

better opportunities for the state to protect the built heritage. For example, an amendment to the National Monuments Acts in 1987 constituted a significant legislative step and provided the state with broadened powers to protect the built heritage. There was recognition that measures within the planning code were inadequate and reform of the National Monuments Acts was needed. The definition of monument was broadened to include protection of groups of buildings and structures. This provision was never applied in Dublin City although it could have been used to protect Merrion Square, one of the most prestigious Georgian squares in the capital. The Acts also introduced the term 'historic monument', which automatically included all pre-1700 monuments and any monument dating from after 1700, which was associated with the commercial, cultural, economic, industrial, military, religious or social history of a place (MacRory, 1994). Consequently, such monuments could be entered in the Register of Historic Monuments, which required owners to give two months' notice prior to any work to such a monument. This building category was more appropriate for protection in urban situations. However, the potential powers under the amendment were never extensively used due to the lack of necessary resources and changes in the administrative structure. It also created ambiguity and overlap between the responsibilities of the Minister for the Environment and the Minister for Arts, Heritage, Gaeltacht and the Islands. It has been suggested that there has always been a difference between what the National Monuments Acts could do legally and the perception of what was in the powers of the Acts:

'There has been a perception of them primarily as archaeological, even though they were opened up widely in the 1930s to include the Casino in Marino. There was also a perception that they were not really meant to be for buildings that were occupied, in an urban context ... There was not a written policy about how the National Monuments Acts should be applied, but there was an accepted practice in terms of how they were applied ... So they were never used widely in the architectural heritage even though they had the potential to do so' (Policy Advisor 2, 2000).

However, during the 1990s a limited number of pre- and post-1700 buildings in Dublin City became registered as historic monuments, mainly as a result of conservationist lobbying in cases where the local authority had failed to protect important buildings through listing in the development plan.

Under the 1982 Finance Act, provisions for tax incentives were introduced for buildings regarded by the state as being of significant scientific, historical, architectural or aesthetic interest. This provision, later known as Section 482 of the Tax Consolidation Act 1997, has since provided favourable tax incentives for conserving a limited number of important buildings. On average, four buildings annually for the Dublin region have been added to the record of buildings meriting such tax incentives since 1982.

Some progress was made in the institutional arrangements affecting conservation during the decade, namely, the reform in the appointment procedures of An Bord Pleanála in 1983. This was in response to the general lack of confidence in the Board's ability to act in the public interest. There was serious public concern over the nature of the decisions made by the Board and the way in which its members were appointed. However, there is a general acceptance that the Board has functioned better after the reform in relation to conservation and public interest issues. One conservationist observed that:

‘They introduced a new regime with a new mechanism whereby all the delegates to An Bord Pleanála had to be chosen by a complex system of nomination involving conservationists and others. I think after that it has been generally accepted that Bord Pleanála has functioned better. But until then ... there was a major suspicion of An Bord Pleanála. The Minister could just appoint the nominees. It was very damaging. Even up until the 1980s it was approving wholesale office blocks up and down the quays on the basis that we just needed economic development’ (Conservationist 1, 2000).

In 1988, the National Heritage Council was established as a non-statutory body under the Department of the Taoiseach, its main function being the allocation of grants funded by the national lottery. For the first time, grants were made available for restoration and repair works to buildings undertaken by private individuals. Nevertheless, the 1980s also witnessed major cuts in general public expenditure. Consequently, the abolishment of An Foras Forbartha in 1988 constituted a major setback in terms of planning research and policy which may be regarded as a resignation on the part of the state in pursuing a leadership role in planning, including heritage conservation. As suggested by a senior planning official, ‘the government at the time decided to get rid of any quasi or semi-state organisation. They got rid of regional planning organisations at the same time. It was a disgrace’ (Planner 1, 2000). Thus, the abolition of An Foras Forbartha reflected a marginalisation in the late 1980s not only of conservation planning, but also of land-use planning in a broader sense. A substantial share of its work was taken up by two new organisations: the National Roads Authority, established in 1993, and the Environmental Protection Agency, established in 1992. However, an equivalent body for planning was never established.

At local planning level, the 1980 Dublin City Development Plan reflected an increased number of listings but not a dramatic increase considering the ten-year span since the first adopted development plan (Dublin Corporation, 1980). However, the 1980 Development Plan ‘went beyond the legal parameters of the Planning Act in having conservation areas in an attempt to deal with the urban environment’ (McCarron, 1986, 16). Although introduced on a non-statutory basis, the outlining of conservation areas must be seen as an attempt by the local authority to achieve an area-based approach to built heritage protection, thus representing somewhat of a shift towards conservation of streetscapes and areas rather than just individual buildings. Furthermore, the introduction of local authority grants in 1979 towards maintenance of non-privately-owned listed buildings, drawn from Dublin Corporation’s own budget, reflected a commitment of encouraging quality conservation works by the local authority. However, five years after the adoption of the 1980 Plan, An Taisce (1985, 1) reported that ‘the 1980 Dublin City Development Plan has failed to halt the continued destruction of the Georgian terraces of central Dublin ... while the City Planning Authority has been ineffectual in implementing the conservation objectives which it does contain’.

With regard to the raising of awareness, the public perception of the importance and need for conservation planning was improving during this decade mainly due to lobbying by voluntary groups. Organised activities such as the Dublin Crisis Conference contributed to a growing awareness, while Frank McDonald’s book *The Destruction of Dublin* (see McDonald, 1986a) became an important mind opener to the lack of strategic conservation

policies. In addition, the 1980s witnessed a revival of student campaigning for the conservation of Dublin's built heritage. The Students Against the Destruction of Dublin (SADD) became active in campaigning for the protection of the built heritage during the late 1980s:

'The student protests in the late 1980s certainly raised the temperature. They were among the most dramatic and imaginative protests in terms of publicity. If you want to get in the front of a paper you dress up as something and hang balance in exciting places. They were very successful in that respect, not on their own but they added to the climate of media coverage on the roads issue' (Conservationist 2, 2000).

One informant who had been directly involved in the activities of the SADD described it as 'the last of the great student lobbying' (Policy Advisor 2, 2000). It has been suggested that the reason for the lack of a continuation of student lobbying during the 1990s was partly because they became part of mainstream thinking, but also due to a general decline in student activism. As suggested by a senior planner: 'since the socialist system collapsed they disappeared too' (Planner 2, 2000).

#### *1990s*

The 1990s witnessed continuing enhancement of conservation awareness at all levels, culminating towards the end of the decade in official recognition at government level that conservation of the built heritage was an important aspect of society. This was confirmed by the opening statements of the incumbent prime ministers at two conferences organised by the IGS: *The Future of the Country House* (in 1993) and *The Town: Conservation in the Urban Area* (in 1995). Attitudes towards conservation developed gradually throughout the 1990s, but the principal legislative, institutional and policy developments in conservation reached a peak at the end of the decade. This meant that the legislative and planning constraints inherited from the previous decade combined with the 'Celtic Tiger' economy during the 1990s often had serious implications for the built heritage. Furthermore, as described by one informant 'the joys of capitalism' (Conservationist 1, 2000), seen as a cultural trend having evolved with the economic boom, often jeopardised conservation despite an overall progression of attitudes towards the built heritage. Additionally, the tax regime for redevelopment discriminated against the existing building stock and a general pro-development ethos adopted by the state meant that in many cases conservation was still not a priority.

The developments in built heritage management during the decade were enhanced through the influence of Europe. The Granada Convention added to the pressure on governments to adopt appropriate legislative and administrative measures for protection of the built heritage. The EU also imposed mandatory legislative measures of relevance to the built heritage, such as the requirement for environmental impact statements, although the EIS as an instrument has so far had little effect in relation to conservation of the built heritage in Dublin City. This is partly the case because developments under two hectares do not require an EIS and since they are not carried out by independent expertise they are often biased in favour of developers.

European funding towards urban regeneration created opportunities for several heritage-related projects in Irish cities. The sheer availability of financial opportunities to conserve

proved effective in a series of examples. However, in the absence of defined conservation objectives, the economically driven nature of projects and lack of monitoring also meant that such funding at times worked against architectural conservation in a strict sense (Heritage Council, 1999). This was highlighted in the government-commissioned *Study on Urban Renewal Schemes* (KPMG, 1996) which concluded that while the Urban Renewal Programme had proved successful in attracting private sector investment into areas of physical decline, it had in many cases been unsuccessful in terms of architecture, design, conservation and social aspects. The study called for a more integrated approach to urban renewal. This led to the introduction in 1998 of a new urban renewal scheme with specific guidelines on integrated area planning.

The first major step towards legislative reform was manifested in *Strengthening the Protection of the Architectural Heritage* (DACG, 1996), a key policy proposal document, which led in 1999 to the enacting of a comprehensive legislative framework for conservation of the built heritage. First, it resulted in two pieces of legislation: the Local Government (Planning and Development) Act 1999 and the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act of the same year. The former, which came into force on 1 January 2000, has since been superseded and consolidated in Part IV of the Planning and Development Act 2000. The latter placed the National Inventory of Architectural Heritage (NIAH), established in 1991, on a statutory footing. Secondly, it resulted in a commitment by central government to provide funding for conservation totalling approx. Euro 6.4 million annually. This included a conservation grants scheme with a budget of approx. Euro 5.1 million. Furthermore, a financial contribution of approx. Euro 380,000 was allocated to enable local authorities to employ conservation officers and approx. Euro 1 million towards the Department of Arts, Heritage, Gaeltacht and the Islands towards accelerating the NIAH and for providing conservation advice to local authorities (DACG and DoE&LG, n.d.).

Part IV of the Planning and Development Act 2000 empowers local authorities to enforce conservation of the built heritage by bringing in a number of new features into the legislative framework for built heritage conservation. First, it provides for mandatory protection of protected structures by the establishment of a Record of Protected Structures in the development plan. Local authorities are now obliged to protect structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. This definition is based on the Granada Convention, although two qualifiers, 'architectural' and 'cultural', were added during the legislative process (Policy Advisor 2, 2000). Secondly, once a building has been afforded protection status, the building as a whole must be protected and any works which may affect the character of the building require planning permission. Thirdly, it introduced a statutory basis for architectural conservation areas. Fourthly, it introduced new enforcement measures with a new system of penalties against owners who neglect protected structures and empowered local authorities to acquire protected structures if owners fail to maintain them adequately. Fifthly, it established legislative provisions for the protection of interiors of ecclesiastical buildings in use for the first time in Ireland. Finally, local authorities must have regard to any guidelines issued by the Minister for Arts, Heritage, Gaeltacht and the Islands, powers that have since been transferred to the Minister for Environment, Heritage and Local Government (DEHLG). Such guidelines were published in draft form in 2001 (Dúchas, 2001). Thus, contrary to the introduction of

conservation measures within the planning code in the 1960s, detailed state guidance on the new legislation has been provided.

The establishment of the Heritage Council as a statutory body in 1995, replacing the former National Heritage Council, together with the forming of *Dúchas* (The Heritage Service), initially within the Department of Arts, Culture and the Gaeltacht and later operating within the DEHLG, constituted important new institutional arrangements in the field of integrated conservation. The forming of these bodies established the 'heritage sector' as a national sector of its own, dealing with the cultural heritage in a broad sense. Furthermore, the decade witnessed a shift in approach by *An Bord Pleanála* towards conservation issues, especially since the mid-1990s. Factors such as reform in the appointment procedures of the body, improvements in state and local authority policy on conservation and recognition that Irish society could increasingly afford to take 'a harder line' on conservation issues considering the economic boom contributed to this shift (Conservationist 1, 2000). McDonald (2002, 11) observes that the Board in the past tended to rule in favour of 'those with significant interest at stake'. However, towards the mid-1990s 'there was a perceptible shift in the Board's thinking towards sustainable development, pre-dating the re-formulation of proper planning and sustainable development in the Planning Act 2000'.

The 1990s also saw a remarkable shift in attitudes towards urban conservation at local planning level. The 1991 Dublin City Development Plan reflected the first significant increase in the number of listed buildings (Dublin Corporation, 1991). In the 1999 Dublin City Development Plan, the increase in listings was even more dramatic (Dublin Corporation, 1999). It is estimated that the 1999 Development Plan contains a total of 9,000 protected structures. Compared to other Irish cities a significant proportion of the building fabric in Dublin City merits protection status under the current development plan. Table 1 indicates the progression of listings/protected structures in the development plans for Dublin City. However, it should be taken into consideration that the earlier listings sometimes included several buildings.

For the first time, the local authority pursued somewhat of a leadership role in conservation practice by providing a model for how to combine conservation with appropriate use through a 'Living Over the Shop' scheme, using two eighteenth-century local-authority-owned buildings at No. 2 and No. 3 Capel Street in central Dublin. Figure 3 depicts the buildings after the completion of the refurbishment.

The 1990s witnessed growing recognition of the valuable role of voluntary conservation bodies by local authorities, which increasingly needed to become more professional in order to respond to more complex planning situations. For the first time, a partnership approach was adopted between the local authority and a voluntary conservation organisation, the Dublin Civic Trust (DCT), established in 1992 in order to provide the public with practical examples of building restoration. This led to the 'Historic Heart of Dublin' project, an EU-sponsored project whose aim was to 'act as a catalyst for constructive change and innovative intervention by fostering partnership structures that record and protect the remaining historic fabric of the city' (Dublin Civic Trust, 2001, 3). The project involved the identification of the historic building stock through the compiling of an inventory in two pilot areas of the inner city. This was an important step towards systematic inventorying of Dublin's building stock, especially with the NIAH having



**Figure 3. Numbers 2 and 3 Capel Street, Dublin, after refurbishment (Negussie, 2002)**

concentrated on towns other than Dublin. Another objective and outcome of the project was the development of a permanent conservation advice and exhibition centre at No. 4 Castle Street, restored by the DCT (Figure 4). Furthermore, it also resulted in extensive conservation of No. 2 Andrew Street and No. 9 Merchant's Quay, both located in central Dublin.

**Figure 4. Number 4 Castle Street, Dublin (Negussie, 2001)**

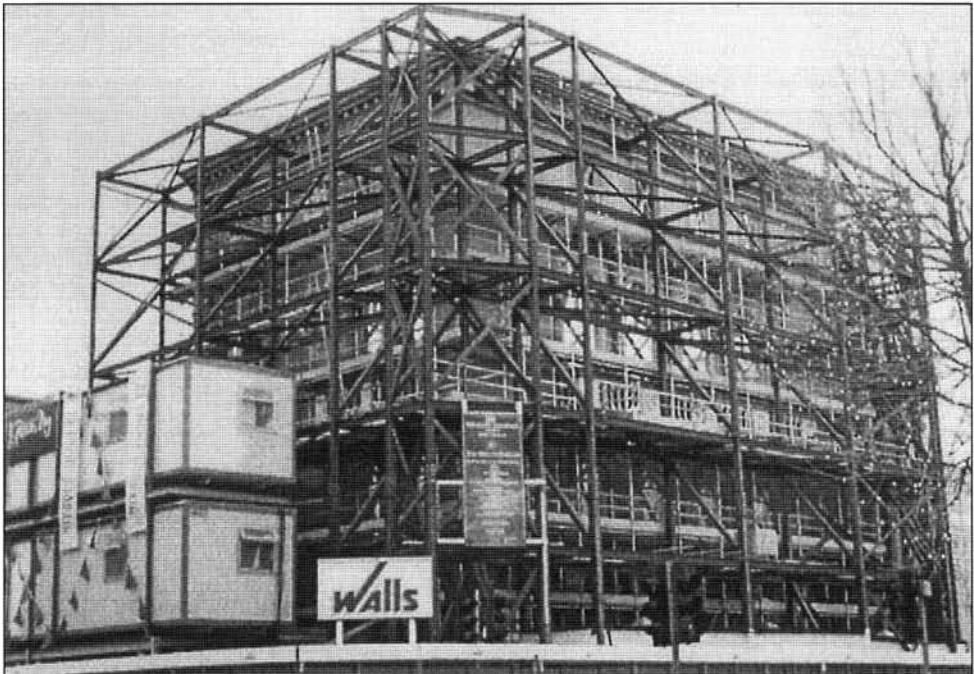


This tendency towards partnership was also reflected in co-operation between the Department of the Environment and Local Government and the IGS, in order to produce general conservation guidelines. Nevertheless, the 1990s also saw more conflict-based voluntary conservation action through legal challenge of planning schemes by Lancefort, a company established by conservationists as a platform for legal pursuit of planning matters, and use of the European Court of Justice as a means of putting pressure on state authorities to comply with European law. As suggested by a conservationist:

‘To say that everything had been fine if everybody had been engaged in co-operation is a mistake. There is a perception that we (the activists) are subversive in Ireland. The courts were very antagonistic generally. In fact, the Supreme Court never once found in favour of environmentalists, even when there were very strong European points made. But while we were regarded as outcasts and subversives in the domestic arena, we are regarded as taking the legal perspective established by the European Commission. For example, we had a complaint against the Hilton Hotel, which involved demolition or facade retention of between seven and eleven buildings on College Street ... I don’t believe that co-operation was the most effective and appropriate route for people who were concerned with the environment in the 1990s. If you have an interest in protecting the built environment the most noticeable thing is not the opportunity for co-operation’ (Conservationist 1, 2000).

Figure 5 illustrates the façade retention at College Street, where developers were granted permission for either demolition or alteration of fourteen historic buildings, despite vigorous conservation lobbying and a third-party appeal to the planning appeals board.

**Figure 5. Controversial Façade Retention at College Street, Dublin** (Negussie, 1999)





### **Recent Developments and Future Prospects**

Some further progress in planning for urban conservation has been made. For example, under the National Programme, Dublin City Council (formerly Dublin Corporation) has become one of the first local authorities to establish a Local Heritage Plan (2000–2006), a long-term action plan for both the archaeological and architectural heritage and the natural environment. The objectives are to improve the heritage information base, to enhance communication between stakeholders, to raise heritage awareness, to promote best conservation practice and to implement key projects (Dublin City Council, 2002). Also, the Dublin City Development Plan of 1999 is currently under review, which provides new opportunities for architectural conservation areas to be tested as a planning instrument. So far, only one architectural conservation area has been designated through a variation to the development plan adopted in 2001. However, there are also certain setbacks from an institutional and financial point of view. Although its functions are continuing within the Department of Environment, Heritage and Local Government, Dúchas has been deconstructed as a separate heritage organisation. The heritage sector has also witnessed significant financial cutbacks. For example, the annual figure for the allocation of conservation grants in Ireland dropped from Euro 1.24 million in 1999 to Euro 700,000 in 2002.

In relation to the voluntary sector, certain contemporary tendencies have been observed which may have future implications for conservation. For example, it has been suggested that a major challenge for voluntary conservation bodies is to involve the younger generations:

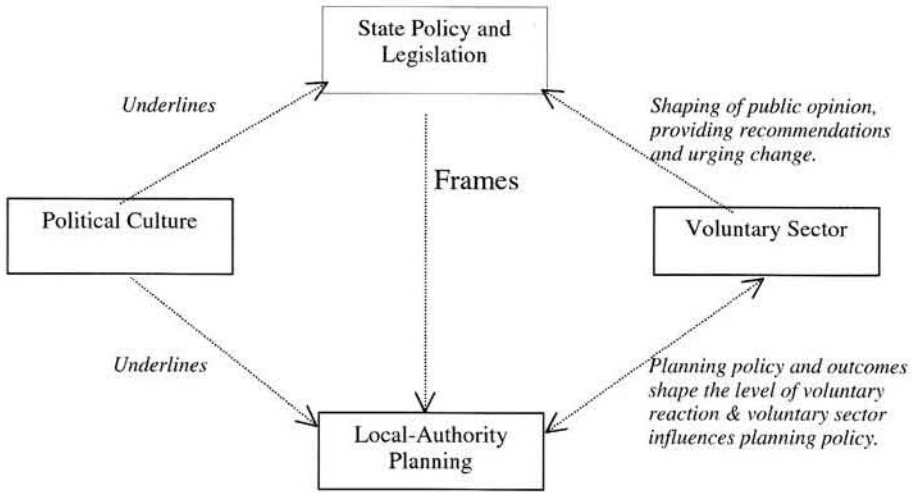
‘The voluntary sector is now under enormous pressure. The new generation of people in their twenties’ are not joining the organisations, apart from the more radical road protesters but they have been a very small minority. So you have a generation that is driven by climbing up to the top of the job ladder and enjoying the good time atmosphere of the current moment and wanting to follow the swim of fashion. The environmental message with its grim, old testament prophecies of global warming saying if you don’t behave yourselves is very unfashionable’ (Conservationist 2, 2000).

A trend of professionalisation of voluntary conservation groups who are required to respond more professionally in the planning process has also been noted, something which implies serious funding difficulties. For example, attempts to professionalise An Taisce in order to make it ‘more goal-orientated’ and ‘more business-like’ compared to in the past (Conservationist 1, 2000) may prove difficult to sustain financially if voluntary bodies are to continue as independent NGOs.

### **Conclusions**

The evolution of built heritage policy, conservation planning and outcomes in Dublin City since the 1950s has been determined by interrelationships between national and local authorities and the voluntary sector (Figure 6). Political and economic factors, cultural values and societal trends have also shaped the overall approach to the built heritage. The voluntary sector has played a crucial role in putting pressure on national authorities throughout the period studied (1950–2000) by shaping public opinion and raising awareness of conservation, a role which has in other European countries such as Sweden

**Figure 6: The Interrelationship Between Political Culture, State and National Authorities and the Voluntary Sector (Negussie, 2002)**



for a longer time been pursued more actively by the state. It has also contributed directly to local planning policy and its implementation by providing building inventories, recommendations, making appeals against decisions and providing constant critique slowly leading to improvements in the policy regime. The state dictates the legislative framework within which local planning authorities are able to protect the built heritage. Also, state policy and local planning policy and implementation have been shaped by political culture, including cultural attitudes and socio-economic factors. However, while central government plays a key role in providing policy and legislation on conservation, not until the late 1990s did the government assume a more significant responsibility for conservation of the built heritage.

Negussie (1996) lent support to Burtenshaw et al.'s (1991) model as described above, and suggested that Ireland had not yet reached the third step towards a framework for urban conservation, involving the enacting of conservation legislation and governments' acceptance of their financial responsibilities to sponsor rehabilitation of historic property. At that point, Ireland found itself somewhere between the first phase (inventorisation) and the second phase (legislative protection). However, since then, progress has been made in the legislative regime as well as in the planning system. Ireland has experienced a shift into a third phase of conservation reaction, which involves putting into place adequate conservation legislation. However, while the model of national reaction to conservation is useful in understanding developments in conservation and management of the built heritage, these do not always follow clear-cut phases. Nevertheless, many of the requirements of the Granada Convention have now been put in place in Ireland, although the challenge ahead centres around the question of enforcement and further debate on what to conserve and how to adapt and reuse buildings appropriately. The Washington Charter emphasised that conservation of historic towns and historic urban areas should form an integral part of policies of economic and social development. While progressive conservation legislation has been achieved within the planning code, there is need for

further integration of built heritage protection into other political spheres and national policies, e.g. transportation and social policies. Recent conservation legislation also needs to be tested further in order to see how well new instruments such as architectural conservation areas are being used. Finally, it remains to be seen to what extent enhanced cultural attitudes towards urban conservation will continue to progress in a more austere economic climate with public sector cutbacks.

### **Note**

This paper is based on doctoral research carried out in the Department of Geography, Trinity College Dublin. All the interview excerpts and captions have been taken from this research (Negussie, 2002). In order to protect anonymity, interviews with key actors in the conservation and heritage sectors are referred to as 'Conservationist', 'Planner', 'Policy Advisor' etc.

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