ARCHAEOLOGICAL ASSESSMENT
AT
MALAHIDE ROAD,
NEWTOWN,
DUBLIN 17

ON BEHALF OF:
GEM GROUP

AUTHOR: JACQUI ANDERSON

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IAC PROJECT REF.: J3459
ABSTRACT

Irish Archaeological Consultancy Ltd has prepared this report on behalf of GEM Group, to study the impact, if any, on the archaeological and historical resource of a proposed mixed-use development at Malahide Road, in the townland of Newtown, Dublin 17 (ITM 720835/740417). The report was undertaken by Jacqui Anderson of IAC Ltd.

There are no recorded monuments within the vicinity of the proposed development area, though a 16th/17th century house (DU015-067) is listed in the SMR c. 180m west of the proposed development area.

The assessment has shown that there is low potential for archaeological remains to survive within the site, given the extensive disturbance that is apparent within the baseline resources, which was confirmed during the field inspection.

As such, it is highly likely that if any archaeological deposits survived within the site, they have since been removed. No negative impacts are predicted upon the archaeological resource as a result of the development going ahead.

No further archaeological mitigation is deemed to be necessary as part of the proposed development.
# CONTENTS

## ABSTRACT

## CONTENTS

- List of Figures ................................................................. iii
- List of Plates ................................................................. iii

## 1 INTRODUCTION

1.1 General ........................................................................... 1
1.2 The Development .......................................................... 1

## 2 METHODOLOGY

2.1 Paper Survey .................................................................... 3
2.2 Field Inspection ............................................................. 5

## 3 RESULTS OF DESKTOP STUDY

3.1 Archaeological and Historical Background ....................... 6
3.2 Summary of Previous Archaeological Fieldwork ............... 8
3.3 Cartographic Analysis ..................................................... 9
3.4 City Development Plan .................................................. 9
3.5 Aerial Photographic Analysis ......................................... 10
3.6 Field Inspection ........................................................... 10

## 4 CONCLUSIONS .................................................................. 11

## 5 IMPACT ASSESSMENT AND MITIGATION STRATEGY

5.1 Impact Assessment ......................................................... 12
5.2 Mitigation ........................................................................ 12

## 6 REFERENCES ...................................................................... 13

## APPENDICES

- Appendix 1 SMR/RMP Sites within the Surrounding Area .......... i
- Appendix 2 Stray Finds within the Surrounding Area ............... ii
- Appendix 3 Legislation Protecting the Archaeological Resource ...... iii
- Appendix 4 Impact Assessment and the Cultural Heritage Resource ... vi
- Appendix 5 Mitigation Measures and the Cultural Heritage Resource .. viii

## FIGURES

## PLATES
LIST OF FIGURES
Figure 1  Location of the proposed development area, showing recorded monument
Figure 2  Plan of proposed development
Figure 3  Extracts from pre-OS historic mapping
Figure 4  Extracts from historic OS maps of 1843 and 1907

LIST OF PLATES
Plate 1  Northern half of proposed development, facing southwest
Plate 2  Northern half of proposed development, facing northeast
Plate 3  Southern half of proposed development, facing south
Plate 4  Southern half of proposed development, facing north
1 INTRODUCTION

1.1 GENERAL
The following report details an archaeological assessment undertaken in advance of a proposed mixed-use development at Malahide Road, in the townland of Newtown, Dublin 17 (Figure 1, ITM 720835/740417). This assessment has been carried out to ascertain the potential impact of the proposed development on the archaeological and historical resource that may exist within the area. The assessment was undertaken by Jacqui Anderson of Irish Archaeological Consultancy Ltd (IAC), on behalf of GEM Group.

The archaeological assessment involved a detailed study of the archaeological and historical background of the proposed development site and the surrounding area. This included information from the Record of Monuments and Places of County Dublin, the topographical files within the National Museum and all available cartographic and documentary sources for the area. A field inspection has also been carried out with the aim to identify any previously unrecorded features of archaeological or historical interest.

1.2 THE DEVELOPMENT
The proposed development comprises of the following:

- Demolition of all existing structures on the site;
- Provision of 331 no. Build to Rent residential units (82 no. 1 bed units, 13 no. 2 bed-3 person units, 226 no. 2 bed-4 person units, 8 no. 2 bed duplex units and 2 no. 3 bed duplex units), in two no. blocks (Block A, containing 93 units, to the south west and Block B, containing 238 units, to the north east), ranging in height from 8 to 10 no. storeys (including ground and mezzanine floor levels);
- Block A contains a double height ground floor level containing two no. commercial units (for Class 1- Shop / Class 2- Office / Restaurant / Café use), a reception area, and an internal / undercroft ground floor car park accessed off Grove Lane incorporating bicycle parking and refuse storage areas. 2 no. duplex units over two levels are located to the rear of Block A;
- Block B contains a double height ground floor level containing ancillary communal support facilities and amenities, which includes a reception area, a shared work space, a gym and a laundry, a commercial unit (for Class 1- Shop / Class 2- Office / Restaurant / Café use), and a childcare facility, with associated outdoor play area. 8 no. duplex units are located to the rear of Block B over two levels. Block B includes an internal / undercroft car park area over four levels (including partial basement) to be accessed from the Malahide Road and incorporating car, motorcycle, bicycle parking and refuse storage areas;
- Block B contains an internal communal amenity space at seventh floor level, lettable storage space from first to eighth floor level and office space from first to sixth floor level and eighth floor level;
- The proposal contains a total of 201 no. car parking spaces, 640 no. cycle spaces and 11 no. motorcycle spaces;
• Public realm improvements are proposed along the Malahide Road and Grove Lane frontage and a central area of public open space is proposed between Block A and B. Outdoor communal open space areas are proposed at podium level and roof level;
• The proposed development will provide balconies / terraces on all elevations, boundary treatments and landscaping, two no. ESB sub-stations, drainage and service works, the closing off of existing vehicular entrances, the creation of a vehicular access and egress point from the Malahide Road (R107) and from Grove Lane, an enhanced pedestrian / cycle crossing on the Malahide Road and other associated works, and all ancillary site development works necessary to facilitate the development.
2 METHODOLOGY

Research for this report was undertaken in two phases. The first phase comprised a paper survey of all available archaeological, historical and cartographic sources. The second phase involved a field inspection of the site.

2.1 PAPER SURVEY

- Record of Monuments and Places for County Dublin;
- Sites and Monuments Record for County Dublin;
- National Monuments in State Care Database;
- Preservation Orders List;
- Topographical files of the National Museum of Ireland;
- Cartographic and written sources relating to the study area;
- Dublin City Development Plan 2016–2022;
- Aerial photographs;

Record of Monuments and Places (RMP) is a list of archaeological sites known to the National Monuments Section, which are afforded legal protection under Section 12 of the 1994 National Monuments Act and are published as a record.

Sites and Monuments Record (SMR) holds documentary evidence and field inspections of all known archaeological sites and monuments. Some information is also held about archaeological sites and monuments whose precise location is not known e.g. only a site type and townland are recorded. These are known to the National Monuments Section as ‘un-located sites’ and cannot be afforded legal protection due to lack of locational information. As a result, these are omitted from the Record of Monuments and Places. SMR sites are also listed on a website maintained by the Department of Culture, Heritage and the Gaeltacht (DoCHG) – www.archaeology.ie.

National Monuments in State Care Database is a list of all the National Monuments in State guardianship or ownership. Each is assigned a National Monument number whether in guardianship or ownership and has a brief description of the remains of each Monument.

The Minister for the DoCHG may acquire national monuments by agreement or by compulsory order. The state or local authority may assume guardianship of any national monument (other than dwellings). The owners of national monuments (other than dwellings) may also appoint the Minister or the local authority as guardian of that monument if the state or local authority agrees. Once the site is in ownership or guardianship of the state, it may not be interfered with without the written consent of the Minister.

Preservation Orders List contains information on Preservation Orders and/or Temporary Preservation Orders, which have been assigned to a site or sites. Sites
deemed to be in danger of injury or destruction can be allocated Preservation Orders under the 1930 Act. Preservation Orders make any interference with the site illegal. Temporary Preservation Orders can be attached under the 1954 Act. These perform the same function as a Preservation Order but have a time limit of six months, after which the situation must be reviewed. Work may only be undertaken on or in the vicinity of sites under Preservation Orders with the written consent, and at the discretion, of the Minister.

The topographical files of the National Museum of Ireland are the national archive of all known finds recorded by the National Museum. This archive relates primarily to artefacts but also includes references to monuments and unique records of previous excavations. The find spots of artefacts are important sources of information on the discovery of sites of archaeological significance.

Cartographic sources are important in tracing land use development within the development area as well as providing important topographical information on areas of archaeological potential and the development of buildings. Cartographic analysis of all relevant maps has been made to identify any topographical anomalies or structures that no longer remain within the landscape.

- Down Survey Map of the Barony of Coolock, c. 1655
- John Rocque’s Map of the City and County of Dublin, 1760
- John Taylor’s Map of the Environs of Dublin, 1816
- Ordnance Survey maps of County Dublin, 1843, 1907

Documentary sources were consulted to gain background information on the archaeological, architectural and cultural heritage landscape of the proposed development area.

Development Plans contain a catalogue of all the Protected Structures and archaeological sites within the county. The Dublin City Development Plan (2016–2022) was consulted to obtain information on cultural heritage sites in and within the immediate vicinity of the proposed development area.

Aerial photographic coverage is an important source of information regarding the precise location of sites and their extent. It also provides initial information on the terrain and its likely potential for archaeology. A number of sources were consulted including aerial photographs held by the Ordnance Survey and Google Earth.

Excavations Bulletin is a summary publication that has been produced every year since 1970. This summarises every archaeological excavation that has taken place in Ireland during that year up until 2010 and since 1987 has been edited by Isabel Bennett. This information is vital when examining the archaeological content of any area, which may not have been recorded under the SMR and RMP files. This information is also available online (www.excavations.ie) from 1970–2018.
2.2 FIELD INSPECTION

Field inspection is necessary to determine the extent and nature of archaeological and historical remains, and can also lead to the identification of previously unrecorded or suspected sites and portable finds through topographical observation and local information.

The archaeological field inspection entailed -

- Walking the proposed development and its immediate environs.
- Noting and recording the terrain type and land usage.
- Noting and recording the presence of features of archaeological or historical significance.
- Verifying the extent and condition of any recorded sites.
- Visually investigating any suspect landscape anomalies to determine the possibility of their being anthropogenic in origin.
3 RESULTS OF DESKTOP STUDY

3.1 ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

The proposed development is located at Malahide Road, Newtown, Dublin 13. The site is immediately to the east of the R107 and is southwest of a shopping centre and west of a residential block. There is one site listed in the SMR within 500m of the proposed development site, a house dating to the 16th/17th century, located c. 180m west of the proposed development area (DU015-067).

3.1.1 Prehistoric Period

Mesolithic Period (6000–4000 BC)
While recent discoveries may suggest a human presence in Ireland since the Upper Palaeolithic (Dowd and Carden, 2016), the Mesolithic is the earliest time for which there is widespread evidence of human occupation of the island. These communities depended heavily on natural resources, fishing, hunting and gathering for subsistence. As these communities lived mobile transient lives, moving throughout the landscape to exploit seasonal resources, they left little in terms of settlement evidence. Usually the only trace of Mesolithic activity that remains is a scatter of lithics or a shell midden. Lithic scatters represent the stone waste created during the production of stone tools, while shell middens represent the waste from the exploitation of coastal resources. The northern coast of County Dublin was clearly utilised by Mesolithic communities, as suggested by numerous shell middens discovered along the coast.

Neolithic Period (4000–2500 BC)
The Neolithic period saw the introduction of agriculture to Ireland. This instigated the clearance of forestry and construction of field boundaries to facilitate cereal production and the rearing of stock. As a result, there was a stronger territorial bond with the landscape in which people lived. This, along with other complex factors, led to the construction of large communal megalithic tombs. These sites acted not only as tombs but as markers in the landscape and monuments to the dead. It is likely that these sites took on an important ritual role in Neolithic society. There are no known Neolithic sites recorded in the vicinity of the proposed development area.

Bronze Age (2500–800 BC)
The Bronze Age began with the widespread use of metal in Ireland for the first time. The tradition of megalithic tombs ceased and instead there was a greater focus on the burial of the individual. Burials were often deposited, sometimes with a pottery vessel in a subterranean cist or pit burial. Both inhumation and cremation were practised, sometimes within cemeteries.

The most common indication of Bronze Age activity in Ireland is the fulacht fia. These sites are horse-shoe shaped mounds of heat-affected stones and charcoal accompanied by a trough or troughs, often found in close proximity to a water source or on marshy ground. Stones were heated on a fire and transferred to a trough of
water in order to heat the water. These sites have traditionally been interpreted as cooking sites (O’Kelly, 1954). However, it has also been suggested that they represent places were dying, tanning, bathing or brewing took place (Quinn and Moore, 2009). Two *fulachtaí fia* are recorded c. 1.9km east-northeast of the proposed development area (DU015-096 and DU015-097).

**Iron Age (800 BC–AD 500)**
While projects such as the ‘Late Iron Age and “Roman” Ireland’ Project and development-led excavations have added greatly to understanding of Ireland during this time, there is still comparatively little evidence of this period. Further north on the coast near Rush, a number of Iron Age sites have been identified. There are currently no known sites of Iron Age date in the environs of the proposed development area.

3.1.2 Early Medieval Period (AD 500–1100)
The early medieval period is portrayed in the surviving literary sources as entirely rural. The basic territorial unit was known as a *túath*, each ruled by a king. Byrne estimates there were at least 150 kings in Ireland at any given time (1973). The proposed development area was part of the kingdom of *Brega* which was a subdivision of the larger territory of *Mide*, which was ruled by the Southern *Uí Néill* kings. It was a turbulent, sometimes violent time. As a result, defended farmsteads were common, with defensive enclosures known as ringforts, raths or cashels. There is a ringfort recorded c. 830m north-northwest of the proposed development site (DU015-033).

The Vikings began their raids against Irish monastic communities in 795 AD. By 837 AD, the Vikings began to settle on Irish shores. The native Irish under Flann Sinna, King of Tara, managed to expel the Vikings from Dublin in 902 for a time, though this was mostly due to the Viking’s increased focus on Britain during this time (Stout, 2017). The Vikings had returned by 913 and Dublin began to grow as an urban centre. The Viking’s controlled not only Dublin City but large parts of the county during the 9th to 12th centuries. There is evidence that influence of Scandinavian Dublin reached as far north as Swords and as far west as Finglas, placing the proposed development area within the range of the Dublin Vikings during this period (Murphy and Potterton, 2010). Prior to the arrival of the Anglo-Normans, it has been suggested that the townland of Ballygriffin was known as *Baile Hamund* (Appleton, 1985). This means the homestead or townland of *Hamund*, a name with Norse connections. Most notably, it was the name of the last King of Denmark, *Hamund MacThorkil*. The same *Hamund* came to Dublin in the 12th century after being dispossessed in Denmark. It is more likely that it was an earlier *Hamund* who was associated with the area now known as Balgriffin, which lies to the immediate east of the proposed development area.

3.1.3 Medieval Period (AD 1100–1600)
The first of the Anglo-Norman landings in Ireland took place in County Wexford in 1169, at the invitation of the former king of Leinster, Dermot MacMurrough Kavanagh. The Anglo-Normans, joined by 500 *Uí Chennselaig* men, took the Viking town of Wexford. Through a policy of military force and integration, the Anglo-
Normans colonised much of the country. The name of the townland Balgriffin is believed to have originated from *Baile Ghriffin*, meaning townland or homestead of Gruffudd, a Welsh name, suggesting Anglo-Norman connections.

The medieval church dedicated to St. Sampson (DU015-012) was first mentioned in sources in 1178 when its titles were confirmed by Archbishop O' Toole. This church is located c. 1.15km northeast of the proposed development area. It is unclear if the church is in fact of early medieval origin as there was a possible 10th century graveslab on the site (DU015-012002). A second church dating to the medieval period, known as Grange Abbey, is located c. 1.33km east. Excavations at this site revealed an early phase of activity possibly dating to the 13th century (Bennett 1986:22).

### 3.1.4 Post-Medieval Period (AD 1600–1800)

During the 18th and 19th centuries the built heritage of this area was typified by large manors with associated demesne landscapes and villages interspersed with medium-sized houses and farmsteads. The 18th century, a relatively peaceful period, saw the large-scale development of demesnes and country houses in Ireland. The large country house was often only a small part of the overall estate of a large landowner and provided a base to manage often large areas of land that could be located nationwide.

Lands associated with the large houses were generally turned over to formal gardens, which were much the style of continental Europe. Gradually this style of formal avenues and geometric gardens designs was replaced during the mid-18th century by the adoption of parkland landscapes – to be able to view a large house within a natural setting. Considerable constructional effort went into their creation - earth was moved, field boundaries disappeared, streams were diverted to form lakes and quite often roads were completely diverted to avoid travelling anywhere near the main house or across the estate. Several demesne landscapes are depicted on the historic OS mapping of the area. These include Newtown House c. 180m west and which is listed in the SMR (DU015-067); Airfield Lodge, c. 240m northeast and Claregrove House, c. 250m east, within the former demesne of which the proposed development area is located. Newtown House is no longer extant.

### 3.2 SUMMARY OF PREVIOUS ARCHAEOLOGICAL FIELDWORK

A review of the Excavations Bulletin (1970–2018) has revealed that there has only been one archaeological investigation in the vicinity of the proposed development area.

Archaeological monitoring was carried out to the immediate north and east of the proposed development area during the construction of the adjacent shopping centre under licence 02E1073. No features of archaeological significance were discovered during these works (Bennett 2002:0555).
3.3 CARTOGRAPHIC ANALYSIS

Down Survey Map of the Barony of Coolock, c. 1655
These maps were drawn as a means of identifying landownership and as a result are not comprehensively accurate. However, the main topographical features and important places are usually depicted. A small village is shown at Coolock but otherwise there is no detail shown.

John Rocque’s Map of the City and County of Dublin, 1760 (Figure 3)
At the time of this map, it appears that a small group of buildings labelled ‘Newtown’ is depicted north of the village of Coolock. It is likely that this is the settlement after which the townland of Newtown is named, within which lies the proposed development area. The church (DU015-076001) is annotated as in ruins.

John Taylor’s Map of the Environs of Dublin, 1816 (Figure 3)
Taylor’s map depicts the north of the city as rural, however, there are a large number of country estates and parklands surrounding the proposed development area.

First Edition Ordnance Survey Map, 1843, scale 1:10,560 (Figure 4)
This is the first accurate historic mapping of the area around the proposed development area. The landscape is shown as mainly rural with numerous country houses and demesnes. These include Newtown House c. 180m west and which is listed in the SMR (DU015-067); Airfield Lodge, c. 240m northeast and Claregrove House, c. 250m east. The proposed development area is depicted within the demesne of the Claregrove House, with the north of the site occupied by woodland.

Ordnance Survey Map, 1907, scale 1:2,500 (Figure 4)
There is little change to the environs of the proposed development area by this time of this map.

3.4 CITY DEVELOPMENT PLAN
The Dublin City Development Plan (2016–2022) recognises the statutory protection afforded to all RMP sites under the National Monuments Legislation (1930–2014). The development plan lists a number of aims and objectives in relation to archaeological heritage (Appendix 3). It is a policy of the Dublin City Development Plan to promote the in-situ preservation of archaeology as the preferred option where development would have an impact on buried archaeology. Where preservation in situ is not feasible, sites of archaeological interest shall be subject to archaeological investigations and recording in line with best practice, in advance of redevelopment.

There is one site listed in the SMR located within 500m of the area of proposed development, a 16th/17th century house located c. 180m west in the townland of Newtown (DU015-067). The site is now covered by residential development.
3.5 AERIAL PHOTOGRAPHIC ANALYSIS

Inspection of the aerial photographic coverage of the proposed development area held by the Ordnance Survey (1995-2013), Google Earth (2002–2018) and Bing Maps revealed no previously unidentified features of archaeological potential in or within the vicinity of the site.

The northern half of the proposed development area was occupied by industrial/commercial buildings as early as 1995, while the southern half of the proposed development area has acted as a car park since at least 2000. The surrounding landscape is characterised by residential developments, with a shopping centre to the immediate north. It appears from the most recent Google Earth imagery (24/06/18) that the car park in the southern portion of the site has become disused and overgrown.

3.6 FIELD INSPECTION

The field inspection sought to assess the site, its previous and current land use, the topography and any additional information relevant to the report. During the course of the field investigation the proposed development site and its surrounding environs were inspected (Figure 1).

The northern half of the proposed development consists of commercial buildings and their associated car parks and the southern half comprises an overgrown, hoarded-up car park (Plates 1-4). The site has clearly been subject to a large degree of disturbance. No archaeological features or features of archaeological potential were identified.
4 CONCLUSIONS

The proposed development area is located on the Malahide Road, in the townland of Newtown, Dublin 17. There are no recorded monuments within the proposed development area. The site of a 16th/17th century house (Newtown House) is recorded c. 180m to the west (DU015-067), which is listed in the SMR. No trace of the principal building or its associated demesne survives and it is covered by residential development.

A review of the Excavations Bulletin (1970–2018) has shown that one archaeological investigation has taken place in the environs of the proposed development area. Monitoring was carried out to the immediate north and east of the proposed development area during the construction of the adjacent shopping centre under licence 02E1073. No features of archaeological significance were discovered during these works (Bennett 2002:0555).

Analysis of the historic mapping was revealed the proposed development area once formed part of a demesne landscape associated with Claregrove House, within a wider landscape of small demesnes. These include Newtown House c. 180m west and which is listed in the SMR (DU015-067), Airfield Lodge, c. 240m northeast and Claregrove House, c. 250m east.

Examination of aerial photography has revealed the site has seen significant development since 1995. No previously unknown features of archaeological potential were identified in the aerial photography. The disturbed condition of the site was confirmed during a field inspection carried out as part of the assessment.
5 IMPACT ASSESSMENT AND MITIGATION STRATEGY

Impacts can be identified from detailed information about a project, the nature of the area affected and the range of archaeological resources potentially affected. Archaeological sites can be affected adversely in a number of ways: disturbance by excavation, topsoil stripping; disturbance by vehicles working in unsuitable conditions; and burial of sites, limiting access for future archaeological investigation. Upstanding archaeology can be affected adversely by direct damage or destruction arising from development, from inadvertent damage arising from vibration, undermining etc. and also by indirect impacts to a building’s visual setting, view or curtilage.

5.1 IMPACT ASSESSMENT

• The proposed development area has been subject to a large amount of disturbance. It is highly likely that if any archaeological deposits survived within the site, they have since been removed. As such no negative impacts are predicted upon the archaeological resource as a result of the development going ahead.

5.2 MITIGATION

• No further archaeological mitigation is deemed to be necessary as part of the proposed development.

Please note that all recommendations are subject to approval by the National Monuments Service of the Heritage and Planning Division, Department of Culture, Heritage and the Gaeltacht and the Dublin City Archaeologist.
6 REFERENCES

Appleyard, D.S, 1985 *Green fields Gone Forever- The Story of Coolock and Artane Area* Coolock Select Vestry, 1985


Chartered Institute for Archaeologists 2014a *Standards & Guidance for Field Evaluation*.

Chartered Institute for Archaeologists 2014b Standards & Guidance for Archaeological Excavation.

Chartered Institute for Archaeologists 2014c Standards & Guidance for an Archaeological Watching Brief (Monitoring).


**CARTOGRAPHIC SOURCES**

Down Survey Map of the Barony of Coolock, c. 1655.

John Rocque’s Map of the City and County of Dublin, 1760.

John Taylor’s Map of the Environs of Dublin, 1816.

Ordnance Survey maps of County Dublin, 1843, 1907.

**ELECTRONIC SOURCES**


www.archaeology.ie – DoCHG website listing all SMR sites.


www.heritagemaps.ie – The Heritage Council web-based spatial data viewer which focuses on the built, cultural and natural heritage.

www.googleearth.com – Satellite imagery of the proposed development area.

www.bingmaps.com – Satellite imagery of the proposed development area.

www.logainm.ie – Placenames Database of Ireland launched by *Fiontar agus Scoil na Gaeilge* and the DoCHG.
## APPENDICIES

### APPENDIX 1  SMR/RMP SITES WITHIN THE SURROUNDING AREA

<table>
<thead>
<tr>
<th>SMR NO.</th>
<th>DU015-067</th>
</tr>
</thead>
<tbody>
<tr>
<td>RMP STATUS</td>
<td>No</td>
</tr>
<tr>
<td>TOWNSHIP</td>
<td>Newtown</td>
</tr>
<tr>
<td>PARISH</td>
<td>Coolock</td>
</tr>
<tr>
<td>BARONY</td>
<td>Coolock</td>
</tr>
<tr>
<td>I.T.M.</td>
<td>720544/740360</td>
</tr>
<tr>
<td>CLASSIFICATION</td>
<td>House - 16th/17th century</td>
</tr>
<tr>
<td>DIST. FROM DEVELOPMENT</td>
<td>c. 180m west</td>
</tr>
</tbody>
</table>

**DESCRIPTION**

The Down Survey (1655-6) map shows a gabled house at the location shown as 'Cappa House' on the 1937 OS 6-inch map. Described in the Civil survey (1654-6) as a thatched house (Simington 1945, 193). This area forms part of Darndale housing estate. Not visible at ground level.

**REFERENCE**

www.archaeology.ie/ SMR file
APPENDIX 2 STRAY FINDS WITHIN THE SURROUNDING AREA

Information on artefact finds from the study area in County Dublin has been recorded by the National Museum of Ireland since the late 18th century. Location information relating to these finds is important in establishing prehistoric and historic activity in the study area.

There are no stray finds recorded from the proposed development or its immediate environs.
APPENDIX 3  LEGISLATION  PROTECTING THE ARCHAEOLOGICAL RESOURCE

PROTECTION OF CULTURAL HERITAGE

The cultural heritage in Ireland is safeguarded through national and international policy designed to secure the protection of the cultural heritage resource to the fullest possible extent (Department of Arts, Heritage, Gaeltacht and the Islands 1999, 35). This is undertaken in accordance with the provisions of the European Convention on the Protection of the Archaeological Heritage (Valletta Convention), ratified by Ireland in 1997.

THE ARCHAEOLOGICAL RESOURCE

The National Monuments Act 1930 to 2014 and relevant provisions of the National Cultural Institutions Act 1997 are the primary means of ensuring the satisfactory protection of archaeological remains, which includes all man-made structures of whatever form or date except buildings habitually used for ecclesiastical purposes. A National Monument is described as ‘a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, traditional, artistic or archaeological interest attaching thereto’ (National Monuments Act 1930 Section 2). A number of mechanisms under the National Monuments Act are applied to secure the protection of archaeological monuments. These include the Register of Historic Monuments, the Record of Monuments and Places, and the placing of Preservation Orders and Temporary Preservation Orders on endangered sites.

OWNERSHIP AND GUARDIANSHIP OF NATIONAL MONUMENTS

The Minister may acquire national monuments by agreement or by compulsory order. The state or local authority may assume guardianship of any national monument (other than dwellings). The owners of national monuments (other than dwellings) may also appoint the Minister or the local authority as guardian of that monument if the state or local authority agrees. Once the site is in ownership or guardianship of the state, it may not be interfered with without the written consent of the Minister.

REGISTER OF HISTORIC MONUMENTS

Section 5 of the 1987 Act requires the Minister to establish and maintain a Register of Historic Monuments. Historic monuments and archaeological areas present on the register are afforded statutory protection under the 1987 Act. Any interference with sites recorded on the register is illegal without the permission of the Minister. Two months’ notice in writing is required prior to any work being undertaken on or in the vicinity of a registered monument. The register also includes sites under Preservation Orders and Temporary Preservation Orders. All registered monuments are included in the Record of Monuments and Places.

PRESERVATION ORDERS AND TEMPORARY PRESERVATION ORDERS

Sites deemed to be in danger of injury or destruction can be allocated Preservation Orders under the 1930 Act. Preservation Orders make any interference with the site
illegal. Temporary Preservation Orders can be attached under the 1954 Act. These perform the same function as a Preservation Order but have a time limit of six months, after which the situation must be reviewed. Work may only be undertaken on or in the vicinity of sites under Preservation Orders with the written consent, and at the discretion, of the Minister.

**RECORD OF MONUMENTS AND PLACES**

Section 12(1) of the 1994 Act requires the Minister for Arts, Heritage, Gaeltacht and the Islands (now the Minister for the Department of Culture, Heritage and the Gaeltacht) to establish and maintain a record of monuments and places where the Minister believes that such monuments exist. The record comprises a list of monuments and relevant places and a map/s showing each monument and relevant place in respect of each county in the state. All sites recorded on the Record of Monuments and Places receive statutory protection under the National Monuments Act 1994. All recorded monuments on the proposed development site are represented on the accompanying maps.

Section 12(3) of the 1994 Act provides that ‘where the owner or occupier (other than the Minister for Arts, Heritage, Gaeltacht and the Islands) of a monument or place included in the Record, or any other person, proposes to carry out, or to cause or permit the carrying out of, any work at or in relation to such a monument or place, he or she shall give notice in writing to the Minister of Arts, Heritage, Gaeltacht and the Islands to carry out work and shall not, except in case of urgent necessity and with the consent of the Minister, commence the work until two months after giving of notice’.

Under the National Monuments (Amendment) Act 2004, anyone who demolishes or in any way interferes with a recorded site is liable to a fine not exceeding €3,000 or imprisonment for up to 6 months. On summary conviction and on conviction of indictment, a fine not exceeding €10,000 or imprisonment for up to 5 years is the penalty. In addition, they are liable for costs for the repair of the damage caused.

In addition to this, under the *European Communities (Environmental Impact Assessment) Regulations 1989*, Environmental Impact Statements (EIS) are required for various classes and sizes of development project to assess the impact the proposed development will have on the existing environment, which includes the cultural, archaeological and built heritage resources. These document’s recommendations are typically incorporated into the conditions under which the proposed development must proceed, and thus offer an additional layer of protection for monuments which have not been listed on the RMP.

**THE PLANNING AND DEVELOPMENT ACT 2000**

Under planning legislation, each local authority is obliged to draw up a Development Plan setting out their aims and policies with regard to the growth of the area over a five-year period. They cover a range of issues including archaeology and built heritage, setting out their policies and objectives with regard to the protection and enhancement of both. These policies can vary from county to county. The Planning and Development Act 2000 recognises that proper planning and sustainable
development includes the protection of the archaeological heritage. Conditions relating to archaeology may be attached to individual planning permissions.

Dublin City Development Plan 2016–2022

It is the Policy of Dublin City Council:
CHC9: To protect and preserve National Monuments.
1. To protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of the re-use of buildings, light buildings, foundation design or the omission of basements in the Zones of Archaeological Interest.
2. That where preservation in situ is not feasible, sites of archaeological interest shall be subject to ‘preservation by record’ according to best practice in advance of redevelopment.
3. That sites within Zones of Archaeological Interest will be subject to consultation with the City Archaeologist and archaeological assessment prior to a planning application being lodged.
4. That the National Monuments Service will be consulted in assessing proposals for development which relate to Monuments and Zones of Archaeological Interest.
8. To have regard to DAHG policy documents and guidelines relating to archaeology.

It is an Objective of Dublin City Council:
CHCO10:
1. To implement the archaeological actions of the Dublin City Heritage Plan 2002-6 in light of the Dublin City Heritage Plan Review 2012.
3. To maintain, develop and promote the Dublin City Archaeological Archive (DCAA) at Pearse Street Library and Archives.
4. To ensure the public dissemination of the findings of licensed archaeological activity in Dublin through the Dublin County Archaeology GIS.
5. To develop a long-term management plan to promote the conservation, management and interpretation of archaeological sites and monuments and to identify areas for strategic research.
6. To have regard to the city’s industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans (LAPs) and the assessment of planning applications and to publish the DCIHR online. To review the DCIHR in accordance with Ministerial recommendations arising from the national Inventory of Architectural Heritage (NIAH) survey of Dublin City and in accordance with the Strategic Approach set out in Section 11.1.4 of this Chapter
7. To promote awareness of, and access to, the city’s archaeological inheritance and foster high-quality public archaeology.
8. To promote archaeological best practice in Dublin city.
APPENDIX 4 IMPACT ASSESSMENT AND THE CULTURAL HERITAGE RESOURCE

POTENTIAL IMPACTS ON ARCHAEOLOGICAL AND HISTORICAL REMAINS

Impacts are defined as ‘the degree of change in an environment resulting from a development’ (Environmental Protection Agency 2017). They are described as profound, significant or slight impacts on archaeological remains. They may be negative, positive or neutral, direct, indirect or cumulative, temporary or permanent.

Impacts can be identified from detailed information about a project, the nature of the area affected and the range of archaeological and historical resources potentially affected. Development can affect the archaeological and historical resource of a given landscape in a number of ways.

- Permanent and temporary land-take, associated structures, landscape mounding, and their construction may result in damage to or loss of archaeological remains and deposits, or physical loss to the setting of historic monuments and to the physical coherence of the landscape.

- Archaeological sites can be affected adversely in a number of ways: disturbance by excavation, topsoil stripping and the passage of heavy machinery; disturbance by vehicles working in unsuitable conditions; or burial of sites, limiting accessibility for future archaeological investigation.

- Hydrological changes in groundwater or surface water levels can result from construction activities such as de-watering and spoil disposal, or longer-term changes in drainage patterns. These may desiccate archaeological remains and associated deposits.

- Visual impacts on the historic landscape sometimes arise from construction traffic and facilities, built earthworks and structures, landscape mounding and planting, noise, fences and associated works. These features can impinge directly on historic monuments and historic landscape elements as well as their visual amenity value.

- Landscape measures such as tree planting can damage sub-surface archaeological features, due to topsoil stripping and through the root action of trees and shrubs as they grow.

- Ground consolidation by construction activities or the weight of permanent embankments can cause damage to buried archaeological remains, especially in colluviums or peat deposits.

- Disruption due to construction also offers in general the potential for adversely affecting archaeological remains. This can include machinery, site offices, and service trenches.
Although not widely appreciated, positive impacts can accrue from developments. These can include positive resource management policies, improved maintenance and access to archaeological monuments, and the increased level of knowledge of a site or historic landscape as a result of archaeological assessment and fieldwork.

PREDICTED IMPACTS
The severity of a given level of land-take or visual intrusion varies with the type of monument, site or landscape features and its existing environment. Severity of impact can be judged taking the following into account:

- The proportion of the feature affected and how far physical characteristics fundamental to the understanding of the feature would be lost;

- Consideration of the type, date, survival/condition, fragility/vulnerability, rarity, potential and amenity value of the feature affected;

- Assessment of the levels of noise, visual and hydrological impacts, either in general or site-specific terms, as may be provided by other specialists.
APPENDIX 5 MITIGATION MEASURES AND THE CULTURAL HERITAGE RESOURCE

POTENTIAL MITIGATION STRATEGIES FOR CULTURAL HERITAGE REMAINS

Mitigation is defined as features of the design or other measures of the proposed development that can be adopted to avoid, prevent, reduce or offset negative effects.

The best opportunities for avoiding damage to archaeological remains or intrusion on their setting and amenity arise when the site options for the development are being considered. Damage to the archaeological resource immediately adjacent to developments may be prevented by the selection of appropriate construction methods. Reducing adverse effects can be achieved by good design, for example by screening historic buildings or upstanding archaeological monuments or by burying archaeological sites undisturbed rather than destroying them. Offsetting adverse effects is probably best illustrated by the full investigation and recording of archaeological sites that cannot be preserved in situ.

DEFINITION OF MITIGATION STRATEGIES

ARCHAEOLOGICAL RESOURCE

The ideal mitigation for all archaeological sites is preservation in situ. This is not always a practical solution, however. Therefore, a series of recommendations are offered to provide ameliorative measures where avoidance and preservation in situ are not possible.

Archaeological Test Trenching can be defined as ‘a limited programme of intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area or site on land, intertidal zone or underwater. If such archaeological remains are present field evaluation defines their character, extent, quality and preservation, and enables an assessment of their worth in a local, regional, national or international context as appropriate’ (CiFA 2014a).

Full Archaeological Excavation can be defined as ‘a programme of controlled, intrusive fieldwork with defined research objectives which examines, records and interprets archaeological deposits, features and structures and, as appropriate, retrieves artefacts, ecofacts and other remains within a specified area or site on land, intertidal zone or underwater. The records made and objects gathered during fieldwork are studied and the results of that study published in detail appropriate to the project design’ (CiFA 2014b).

Archaeological Monitoring can be defined as ‘a formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons. This will be within a specified area or site on land, inter-tidal zone or underwater, where there is a possibility that archaeological deposits may be
disturbed or destroyed. The programme will result in the preparation of a report and ordered archive (CIFA 2014c).

*Underwater Archaeological Assessment* consists of a programme of works carried out by a specialist underwater archaeologist, which can involve wade surveys, metal detection surveys and the excavation of test pits within the sea or riverbed. These assessments are able to access and assess the potential of an underwater environment to a much higher degree than terrestrial based assessments.
Plate 1 Northern half of proposed development, facing southwest

Plate 2 Northern half of proposed development, facing northeast

Plate 3 Southern half of proposed development, facing south

Plate 4 Southern half of proposed development, facing north