



**Archaeological Desk Study /
Development Impact Statement
on a Proposed Development Site East
of Stoney Hill Road, Rathcoole, Co. Dublin**

for

Virtus Project Management

on behalf of

Romeville Developments Ltd.

August 2022

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1 Introduction

- 1.1 This report assesses the archaeological significance of a proposed development site at Rathcoole, Co. Dublin. The study area is within the townland of Rathcoole on the southern margin of the modern village to the southeast of Stoney Hill Road, (Figure 1)¹. The report was prepared for Virtus Project Management on behalf of Romeville Developments Ltd.
- 1.2 The main purpose of the report is to assess the impact of the proposed development on the local receiving archaeological environment and to propose ameliorative measures to safeguard any monuments, features or finds of antiquity or archaeological interest in that location.
- 1.3 The report accompanies a planning application by Romeville Developments Ltd. for planning permission on c. 2.9 hectares. The proposed development comprises of the demolition of 1 no. residential property and 1 no. ancillary outbuilding and will consist of the construction of a residential development of 42 no. 3 bedroom dwellings in a mix of terraced and semi-detached units. The proposed dwellings will comprise of 2 no. typologies (Typology F and Typology L). Typology F will comprise of 21 no. dwellings and Typology L will comprise of 21 no. dwellings. Typology L are two storey and typology F are two storey, plus second floor loft accommodation with front dormer windows. The total proposed residential development gross floorspace is circa: 5,622 sqm.

The proposed development also includes 84 surface car parking spaces, c. 3,281 sq.m public open spaces in an eastern and western park, (including proposed play equipment), an additional large parkland to the south of the site of c. 11,797 sq.m comprising the first phase of a linear park, private domestic gardens, a new vehicular, pedestrian and cycle entrance from Stoney Hill Road, an internal road network, including footpaths / cycleways, 3 no. refuse/bin stores, public lighting, landscaping, boundary treatments, drainage and engineering works and all other associated and ancillary development / works.

¹ ITM National Grid Reference 702130 / 726257

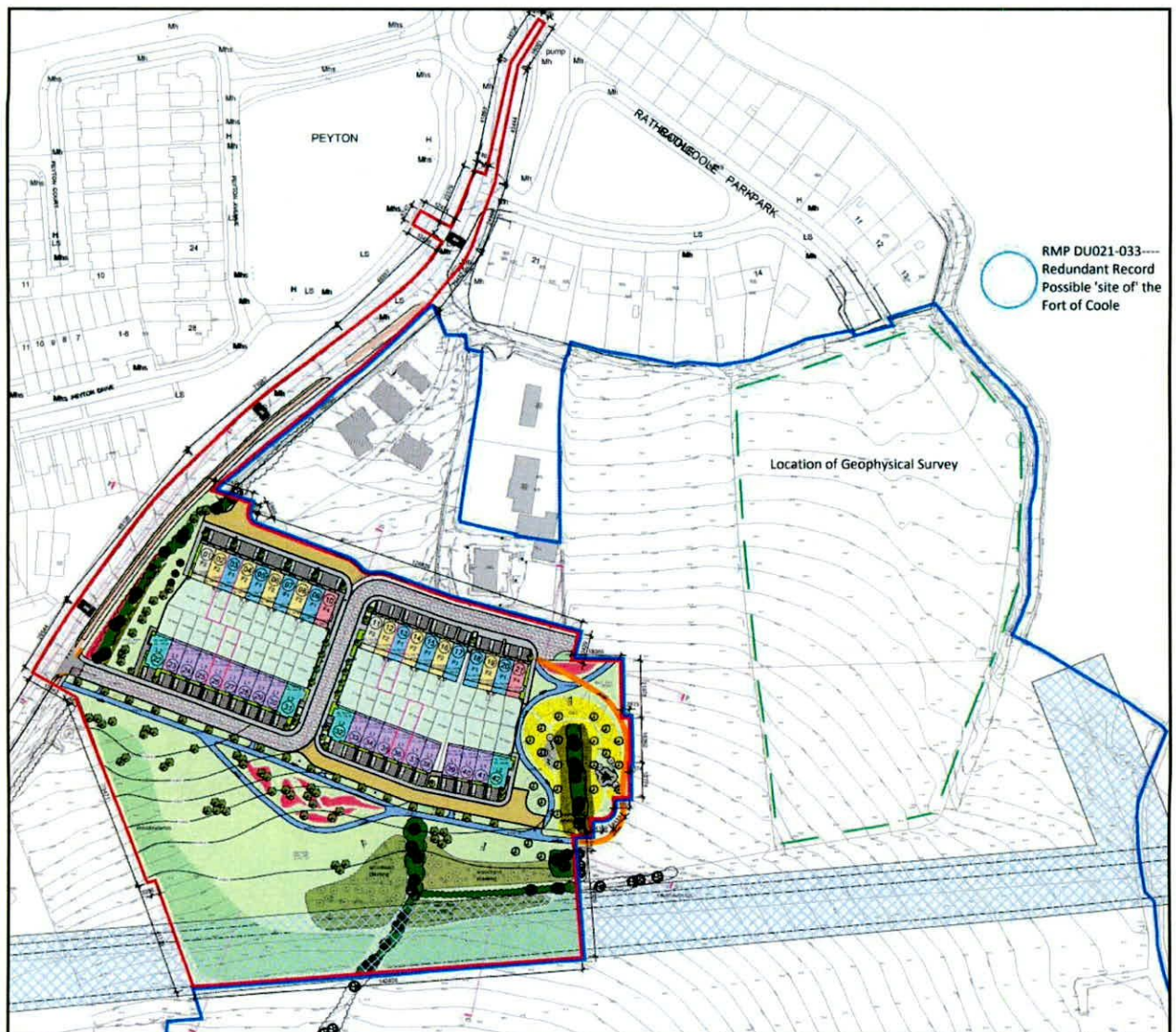


Figure 1 – Site Location, Rathcoole, Co. Dublin in red, adjoining lands in applicant ownership in blue, geophysical survey in green, Redundant RMP Site in light blue

1.4 No known archaeological sites are located within the development application area. Archaeological field inspection and geophysical survey were carried out at and adjacent to the site. No definitive archaeological sites were uncovered within the application area during the fieldwork. A single fragment of potentially worked flint was recovered from the surface of a formally ploughed field which maybe pre-historic in date and there is a suggestion of a potential site within the area in blue but not within the current application identified by the geophysical survey.

- 1.5 As with any development site close to a Recorded Monument, there is a potential for archaeological remains to be uncovered during the construction of the proposed development. The archaeological potential of the site is based on its location adjacent to a Recorded Monument (Ref: DU021-030008-), the site of Medieval Village of Rathcoole, located c. 300m to the north of the application area.
- 1.6 The application area is also located beyond the constraint area of another Recorded Archaeological Monuments, that is the un-located site of a fort (Ref: DU021-033----) after which Rathcoole derives its name. The site of the fort (Ref: DU021-033----) is highlighted on the South Dublin County Council Development Plan and is positioned on the County Development Plan beyond the site location boundary and also outside the lands in the possession of the applicant (Figure 1).

The records of the National Monuments Service record the site as un-located and doubt is expressed in their records as to its location. There remains a possibility that the truncated remains of this site and other archaeological structures / finds may come to light in the course of development works proceeding. Accordingly, archaeological monitoring and test excavation is advised in advance and during construction work as a condition, should planning permission be granted for the development.

2 Methodology

This report is based on a desk study, geophysical survey and field inspection of the application area. The following are the main sources consulted for this project.

2.1 Desk Study

2.1.1 Record of Monuments and Places

The primary source of information is the Sites and Monuments Record (SMR) and the Record of Monuments and Places (RMP) held by the Department of Housing, Local Government and Heritage (DoHLGH) and digitally on line at www.archaeology.ie. The Sites and Monuments Record (SMR), as revised in light of fieldwork, formed the basis for the establishment of the statutory RMP pursuant to the National Monuments Legislation 1930-2004 (Appendix I), with particular reference to Section 12 of the 1994 National Monuments (Amendment) Act. The RMP documents recorded upstanding and sub-surface archaeological monuments, their original location (in cases of destroyed monuments) and the position of possible sites identified as cropmarks on vertical aerial photographs dating to before 1700AD (with some later ones being included). It is based on a comprehensive range of published and publicly available documentary and cartographic sources.

2.1.2 The topographical files of the National Museum of Ireland (NMI)

The topographical files of the NMI identify recorded stray finds that have been donated to the state in accordance with National Monuments legislation and are now held in the museum's archive. The files are provenanced to townland, and sometimes include reports on excavations undertaken by NMI archaeologists.

2.1.3 Cartographic Sources and Aerial Photographs

The following maps were consulted corresponding to the location of the proposed development area: William Petty's Down Survey of the Barony of Newcastle and Uppercross (1656), John Rocque's map of County Dublin (1756),

the first edition six-inch Ordnance Survey map (1843) and the revised 25 inch Ordnance Survey maps of 1912.

Aerial photographs of the site are not helpful in assessing it as the area was completely built over prior to the advent of air photography.

2.1.4 *Excavations Bulletins and Excavations Database*

'Excavations' is an annually published bulletin, now funded by the Department of the Housing, Local Government and Heritage, which contains summary accounts of all excavations carried out annually in Ireland. The bulletins range from 1970 to 2009, and can be accessed on the Internet at www.excavations.ie. Both the bulletins and database were consulted to establish whether excavations have been previously carried out in the vicinity of the application area under consideration here.

2.1.5 *Other documentary sources*

The documentary and literary references consulted are listed in the footnotes within this document. The South Dublin County Council Development Plan (2016-2022) explicitly protects Recorded Monuments listed on the Record of Monuments and Places, it was also consulted². Please note that RMP Ref: DU021-033---- has been listed in the plan although it is recorded as 'un-located' following field inspection by the National Monuments Service and is listed as a 'Redundant Record' on the National Monuments Service digital database³.

2.2 *Site Inspection and Geophysical Survey*

A site inspection was undertaken on the 3rd September 2018 to assess the present usage of the proposed application area and its topography (Plates 1, 2 and 3). The 'site of' the rath of 'Cumhal' was inspected as part of the field inspection (Plate 3). No earthwork or archaeological site is visible within the scrub woodland located 100m east and beyond the application area boundary.

A geophysical survey was undertaken in March 2018 by JML Surveys to assess if 'site of' the rath of 'Cumhal' could be identified in the field adjacent to the

² <https://www.southdublindevplan.ie/adopted-plan>

³ <http://webgis.archaeology.ie/historicenvironment/> See DU021-033----

monument as recorded and located on the Record of Monuments and Places (Figure 1).

3 Archaeological, Historical and Topographic Background (Desk Study)

3.1 Introduction

The site at Rathcoole is located in the Barony of Newcastle in the County of Dublin. The wider region of south Dublin has been inhabited from the pre-historic period with settlement evidence dating from 7000BC up to the present day.

3.2 Prehistoric Period (c. 7,000BC – c. 500BC)

Dublin was first inhabited in the Mesolithic (7000-3800 BC), a period when semi-nomadic hunter gatherers first settled in the region⁴. Settlement remains have been uncovered along the River Liffey in the form of wooden basket type fish traps recovered from the alluvial muds at Spenser Dock⁵ and also along the coastal fringes of the county, where scatters of early stone tools suggest that these Stone Age people exploited marine and riverine food resources. These were the earliest inhabitants of the region prior to the advent of farming in the new stone age (Neolithic).

Early farmers (Neolithic 3800-2200 BC) were drawn to the rich fertile lands both to the north and south of the River Liffey when the native forests were first cleared and the first generation of farmers established a foothold in Ireland. The settlements are not often found, however surrogate evidence for settlement is demonstrated by the survival of many prehistoric Megalithic Tombs in the interior of the county, such as the individual burial mound at Drimnagh and the portal tombs at Howth, Kiltarnan and hilltop cairns likely to be passage tombs on the fringes of the Dublin Mountains above Rathcoole. Other stray finds of stone axes and pre-historic flint tools have been recovered and indicate the wider settlement in the Neolithic in Dublin. The discovery of a Neolithic dwelling house at Grange Castle Business Park in 2001 indicates the wider potential for

⁴ Stout, G. and Stout, M. (1992) *Patterns in the Past: County Dublin 5000BC-1000AD* in F.H.A. Aalen and K. Whelan (eds.) *Dublin City and County: From Prehistory to Present*. Geography Publications, Dublin

⁵ McQuaid, M. (2009) 'Spencer Dock, North wall Quay, Dublin, Prehistoric Fish Traps' in *Excavations 2007; Summary accounts of archaeological excavations in Ireland*, Bennett, I. (ed), Wordwell, Bray

previously unrecorded Neolithic settlement in the rural hinterlands of Dublin City⁶.

3.3 ***The Early Christian / Early Medieval Period***

The territory south of the River Liffey was known as the Cuala in the Early Medieval Period (AD 500-1100) and was ruled by many separate sub-infeudal kingdoms, with local kings ruling over territories vying for dominance and patronage over one another. The region was dominated by a ruling dynasty called the *Dál Messin Corb* in the 6th century and later came under the control of the *Uí Briúin Cualann*, who pushed the *Dál Messin Corb* power base to the south into Wicklow.

Rathcoole or *Ráith Cúil* is said to derive its name from the folk legend that Fionn Mac Cumhaill's father built a rath or fort in the area in Early Medieval times (AD 500-1000). There is evidence in the form of early cross slabs in the Church of Ireland graveyard in the village to suggest that the church site predates the coming of the Anglo-Normans and may be the site of an Early Medieval Ecclesiastical foundation. The dedication of a well in the village to St. Brigid suggests an association with the archdioceses of Kildare that pre-dates the change of patronage to St Patrick's Cathedral in Dublin.

3.4 ***Anglo-Norman Dublin and its Hinterland***

Dublin became the centre of English power in Ireland after the Norman invasion of the southern half of Ireland (Munster and Leinster) in 1169-71. On 15th May 1192 Dublin's first written Charter of Liberties was granted by John, Lord of Ireland, and was addressed to all his "French, English, Irish and Welsh subjects and friends". On 15th June 1229 his son Henry granted the citizens the right to elect a Mayor who was to be assisted by two provosts. By 1400, however, many of the Anglo-Norman conquerors were absorbed into Irish culture, adopting the Irish language and customs, leaving only a small area within Leinster around Dublin, known as the Pale, under direct English control.

⁶ O'Donovan, E. (2003-4) A Neolithic house at Kishoge, Co. Dublin in the *Journal of Irish Archaeology* Vol. XII and XIII, 1-27

After the Anglo Norman conquest (c. AD 1200) the lands of Rathcoole were incorporated into lands owned by the Archbishop of Dublin (St. Patrick's Cathedral). They formed one of the smaller archiepiscopal manors or farms owned by the church in the 13th century around the Dublin hinterland⁷.

The present Church of Ireland church (RMP Ref: DU021-03001-) occupies the site of medieval parish church which was assigned in the 13th century to St. Patrick's Cathedral (Ball, 125)⁸. In 1630 the church was in good repair and therefore the fabric of the existing building is thought to incorporate church walls dating from at least the 1600s, if not earlier⁹. A graveslab (RMP Ref: DU021-03003-) stands in the graveyard southeast of present Church of Ireland church. This has been trimmed down to form a Latin Cross (Ó hÉalidhe, 53)¹⁰. It is formed from granite and bears a Latin Cross in low relief with rounded hollow in the angles and a double raised ring (dimensions: h 0.87m, w 0.71m, t 0.23m). Austin Cooper's diaries from the 18th century also describes a stone with traces of a granite cross (RMP Ref: DU021-03005-) near a grave-slab in the present Church of Ireland graveyard. The precise location of this monument is unknown.

The village, like Saggart, was ruled by a portreeve, which is the title of an historical official possessing authority (political, administrative, or fiscal) over a town in the medieval period (AD 1220-1550). The term derives from the word port (which historically meant a market town or walled town, and not specifically a seaport) and the word reeve, meaning a high-ranking supervisory official. It is recorded in 1240 that Lucas, Archbishop of Dublin granted common pasture lands at 'Radcul' to the burgesses of the village (Lewis, 482)¹¹. Rathcoole developed in importance in the medieval period as a rural village in the hinterland of Dublin within the Pale.

⁷ Bradley, J. (1998) 'The Medieval Boroughs of County Dublin' in Manning, C. (ed). *Dublin and Beyond the Pale : Studies in honour of Patrick Healy*, Wordwell, Bray Co. Wicklow

⁸ Ball, F. E. (1905) *A History of the County Dublin; the people, parishes and antiquities from the earliest times to the close of the 18th century*, Part Third, being a History of that portion of the County comprised within the parishes of Tallaght, Cruagh, Whitechurch, Kilgobbin, Kiltiernan, Rathmichael, Old Connaught, Saggart, Rathcoole and Newcastle, Alex Tmon & Co. Dublin

⁹ Ní Mharcaigh, M. (1997) 'The Medieval Parish Churches of South-West County Dublin in the Proceedings of the Royal Irish Academy', Vol. **97C**, No. 5, 245-296

¹⁰ Ó hÉalidhe, P. (1973) 'The Early Christian Grave Slabs in the Dublin Region in the *Journal of the Royal Society of Antiquities of Ireland*', Vol. **103**

¹¹ Lewis, S. (1837) *A Topographical Dictionary of Ireland*, Vol. II, S. Lewis & Co. London

3.5 **Post Medieval Rathcoole (AD 1540-1900)**

By the 1650s the Down Survey of Ireland records that: 'At Rathcoole there Stand's two old Castles and many good habitabl Houses and Cabbins with the ruins of a Chappell, and at Racredan a Chappell and Mill in Repair'¹². Rathcoole was the first stage on the coach road from Dublin to the South of Ireland, and contained several fortified houses and was maintained as a defensive outpost of the Pale. By the time of the 1641 Rebellion, however, Rathcoole was a stronghold of the Irish. Most of the village's inhabitants seemed to join in the rebellion, chief amongst them the Scurlock family who had owned the manor of Rathcoole since 1470. By 1648 the Irish forces had been depleted and a garrison was set up by the government. Under its protection the village thrived. In the 17th century, around the time of the Restoration there were 30 English and 123 Irish inhabitants and the town was still under the rule of a portreeve, James Willion. A new inn, The Old Munster Arms Hotel, was built. It became a coaching inn when a weekly coach service between Dublin and Limerick began around 1760, a journey which took four days to complete. Fresh horses, supplied by the Royal Garter Stables near the present Citywest, took the coach to the next coaching inn: there was one at Blackchurch and another at the Red Cow.

There has been a manor (medieval farm) at Rathcoole since about 1300. The current house (Rathcoole House) built adjacent to the church was built c. 1750, by the Clinch family who owned extensive property at Hazelhatch and had business interests in Dublin City. Rathcoole House is a five-bay two-storey house. The kitchen and milling room were in the basement; a large hall, dining room and drawing room on the ground floor and five bedrooms on the first floor. The Clinch family's period of occupation ended in the early 1800s. Eighteen year old John Clinch was executed in 1798, after being charged with membership of the rebel army. Shortly afterwards, the remaining members of the Clinch family moved to their Dublin house and the house and land at Rathcoole was left to Patrick Sheil of Coolmine, who eventually bought the entire property in 1831. His family resided there until 1962. The older part of the house was demolished in 1933. The remaining building is now being refurbished. It is likely to occupy the site of the medieval manor house and buildings.

¹² Simington, R. (1940) *Civil Survey of Dublin 1654-56*, Vol. 2, Dublin

Felix Rourke, a well known United Irishman, was born in Rathcoole in 1765. His father was a farmer who also kept the turnpike gate and a posting stage on the Naas Road. Felix fought on a number of occasions during the Rebellion of 1798. He also took part in Robert Emmet's failed rising of 1803, for which he was indicted for high treason. He was found guilty and was hanged in Rathcoole on 10th September in that year. A monument to commemorate the participation of Rathcoole locals in the 1798 Rebellion was unveiled by the Táinaiste Mary Harney during the rebellion's bicentennial year in 1998. The monument is situated beside the courthouse on the main street.

3.6 **Modern Rathcoole**

In the early 1960s the village of Rathcoole was bypassed with the construction of the dual carriageway, which was opened in 1968. A third lane between Rathcoole and Newlands Cross, a flyover, a footbridge and a connecting road to Saggart were completed in 1999.

3.7 **Topographical Files, Irish Antiquities Division, National Museum of Ireland and the Record of Monuments and Places (RMP)**

Details for the Recorded Monuments in the vicinity of the application area are listed in Appendix II. These known archaeological sites are located outside and beyond the application area. They do indicate the potential for archaeological monuments to be located in the locality. One site, the recorded monument (RMP Ref: DU021-033----) is a possible fort known as the '*Rath of Cumhal*' from which Rathcoole derives its name. The site is thought to be located c. 100m to the east of the proposed application area, although this has not been established and the site has not been located on the ground (Plate 3).

No stray archaeological finds have been recorded as found in the application area in the records of the National Museum of Ireland Topographic Files.

3.8 **Previous Archaeological Investigations at Rathcoole**

A series of archaeological investigations have been carried out in and around Rathcoole in advance of development. The author (Excavation No. 14E0094¹³) carried out archaeological monitoring on three phases of archaeological monitoring at Aubrey Manor to the north of the Main Street. The monitoring revealed linear field boundaries that may reflect earlier medieval burgage plots running north / south. Two substantial hedgerow field boundaries were located within the development site. These boundaries were orientated north / south and were c. 25m apart (5 perches wide). They reflect the narrow nature of the property / burgage plots that extended perpendicular to the Main Street. Historic settlement was clearly orientated on the street front and is illustrated on early historic maps of the village such as the Down Survey Map of 1656 and Rocque's map of the village in 1760 (Figure 3).

Donald Murphy undertook archaeological test excavation on the site of the Peyton Housing Estate development in 2003 (Excavation No. 03E0765). No archaeological material was uncovered during the pre-development test excavations on site. A font or bullaun stone was identified on the margins of the housing estate along its northern boundary to the rear of the main street (See Appendix II, the font is listed as RMP No. DU021-031----). The area of the site was left as open space. The report recommends that the feature be moved to the church grounds.

John Tierney uncovered a small number of medieval pit features at Rathcoole House (RMP Ref. No. DU021-030----). The pits were excavated in 2015 when the building was renovated (Excavation No. 14E0457). This suggests that the focus of the medieval village was around the site of Rathcoole House and around the historic church and graveyard site.

A number of other archaeologists carried out archaeological watching briefs on developments in and around the town with little in the way of archaeological remains recorded. Such as Martin E. Byrne's investigations at the site of *Scoil Chronain* NS on the Main Street (Excavation No. 15E0570) and Antoine

¹³ Excavation numbers are attached to sites where archaeological investigations are recorded under license to the National Monuments Service.

Giacometti's investigations at Rathcoole Courthouse where nothing was uncovered either (Excavation No. 13E0442)

3.9 Cartographic Evidence

William Petty's Down Survey Map, 1656

The maps of the Civil Survey (Down Survey) illustrate Rathcoole in c. 1656. These maps illustrate the main street with small buildings (presumably houses) with the church on the south eastern side of the highway, the road to Nass is named, with the highway running from Dublin to Nass. The development lands are illustrated although no features are present on the map, (Figure 2).

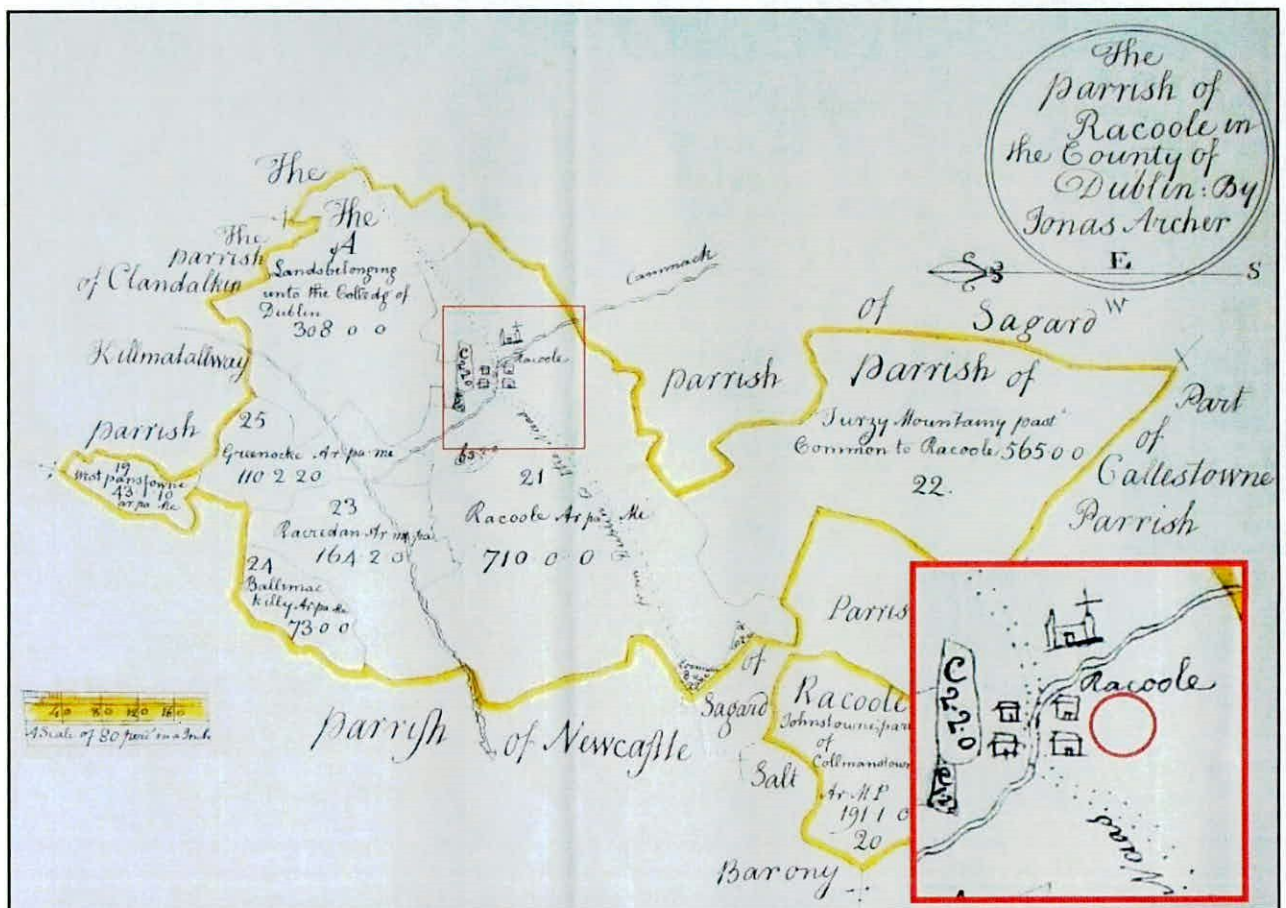


Figure 2 – Extract from the Down Survey Map 1655-8

John Rocque's Map of County Dublin, 1760

Rocque's map of Dublin again illustrates the village of Rathcoole as a linear main street with houses on either side. The map is more credible than the earlier 17th century illustration and details such as Stoney Hill Road have evolved and the fields where the development is proposed are illustrated as pasture (Figure 3).



Figure 3 – Extract from John Rocque's Map of County Dublin 1760

William Duncan's Map of the County of Dublin, 1821 and later historic maps

William Duncan's map is remarkably similar to the map illustrated by John Rocque. It appears that the layout of the town remained largely unchanged in the late 18th and early 19th centuries. The first edition Ordnance Survey map, surveyed between 1837 and 1843, illustrates the land as farmland with the addition of a small farm with outbuildings. The field system around the farm that survives today is also illustrated. It is highly likely that these buildings and field systems date from the 18th or early 19th centuries and that they were not illustrated on the earlier maps because the scale within the site boundary along the Stoney Road. The farm has remained in use up to the last decade.

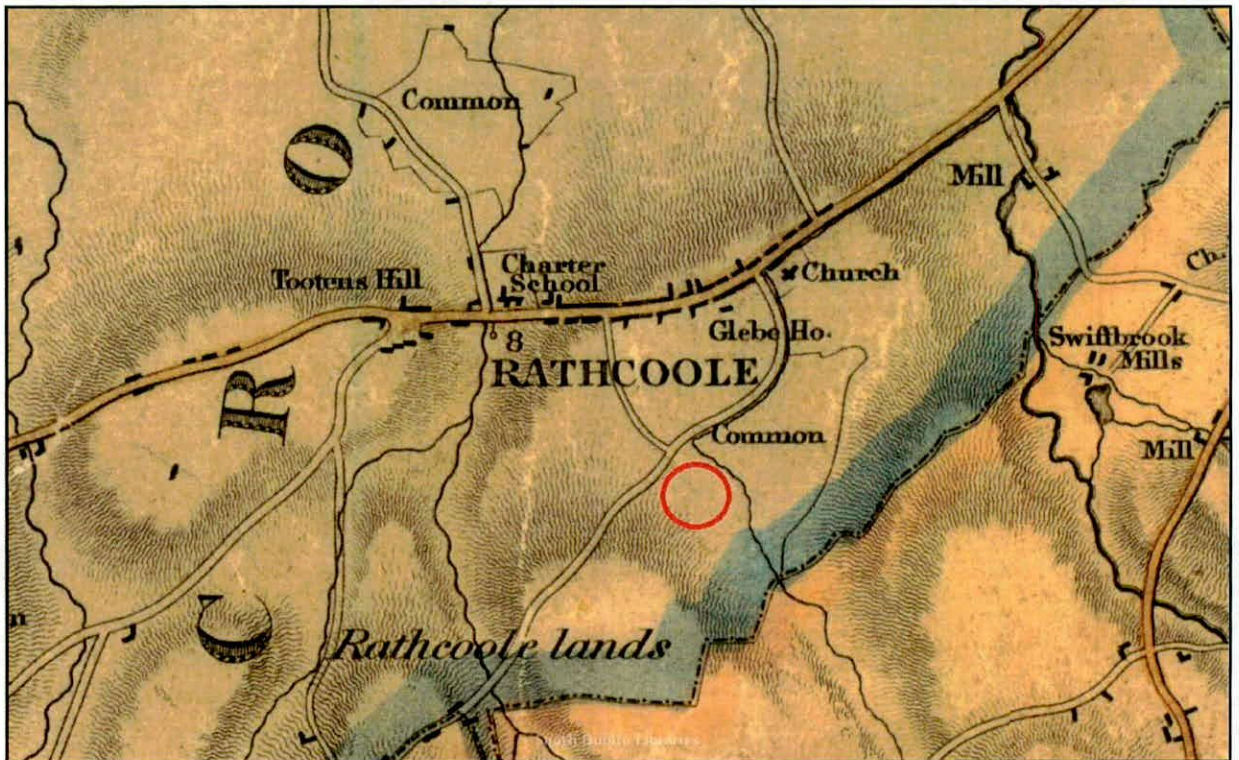


Figure 4 -Extract from William Duncan's Map of the County of Dublin, 1821, showing Rathcoole Village and surrounding area

4 Site / Field Inspection and Geophysical Survey

- 4.1 A site inspection was undertaken on 3rd September 2018 and on 22nd July 2022 to assess the present usage of the proposed application area. The site consists of a series of agricultural fields both in pasture and formally ploughed (Plate 1). A small former farm building occupies the northwestern corner of the application area dating from the late 20th century (Plate 2). The ground slopes noticeable from the east to west down to Rathcoole Village on the edge of the foothills of the Dublin Mountains. The Cammock River flows to the northeast via a river valley that runs parallel and above the village. The northern boundary of the site is occupied farm land fringed by recent woodland that has colonized the eastern side of a lane that forms the eastern site boundary. A single fragment of flint was recovered from the disturbed topsoil close to the farm buildings along Stoney Hill Road, its archaeological derivation is questionable and it maybe a fragment of broken naturally occurring flint.



Plate 1 – The field adjacent to Stoney Hill Road, looking north to Peyton and Rathcoole, Co Dublin



Plate 2 – The lane separating the fields and scrub woodland area to the east of the proposed development, Rathcoole, Co. Dublin, looking north



Plate 3 – The scrub woodland to the east of the proposed development, Rathcoole, Co. Dublin, looking east

- 4.2 A geophysical survey was carried out just beyond the proposed application area in 2018 (Figure 1, 5 and 6)¹⁴. No definitive archaeological features were uncovered by the survey, although there is a potential trace of an archaeological site located to the northeast of DU021:033---- within application area (Figure 6). Nothing is visible on the field surface (Plate 4).



Figure 5 – Summary Greyscale Image, Rathcoole, Co. Dublin (after Leigh 2018)

¹⁴ Geophysical Survey Report Rathcoole, County Dublin by J. M. Leigh Surveys Ltd. 124 Oaklawn West, Leixlip, County Kildare, Date 23/03/2018 and Licence Ref: 18R0033

Joanna Leigh who conducted the geophysical survey concluded in her report with the following commentary:

'A negative broad response runs through the data set from north to south. This corresponds with a change in slope within the field and may represent the remains of a former boundary or trackway. Subtle curvilinear trends appear to form a vague circular pattern. Although it is possible that plough damaged archaeological features are represented here an archaeological interpretation is tentative. It is noted that no clear responses indicative of archaeology were recorded and the trends identified are barely discernible in the data. The trends may represent natural variations in the sub-soil'.



Plate 4 – The site of the geophysical anomaly annotated as 'C' (after Leigh 2018), Rathcoole, Co. Dublin, looking north

The area annotated as 'C' in her final report drawing (Figure 6) and has been identified only tentatively as a potential archaeological site. The image on which

the tentative interpretation is based is faint (Figure 5). This potential site is located outside the current application area. It is noted that this potential feature is located within the lands owned by the applicant and accordingly no temporary site works or topsoil storage should be permitted in this area ('C' on Figure 6) should planning permission be granted. It is acknowledged that house building is likely, subject to permission being granted, to be sequential and commence at the western side of the site close to the permanent access road on Stony Road and to work east as construction and sales progress from the west to east. In this scenario, temporary stockpiling and or builder's compounds are restricted from this area until all the archaeological conditions that effect that area are complete.

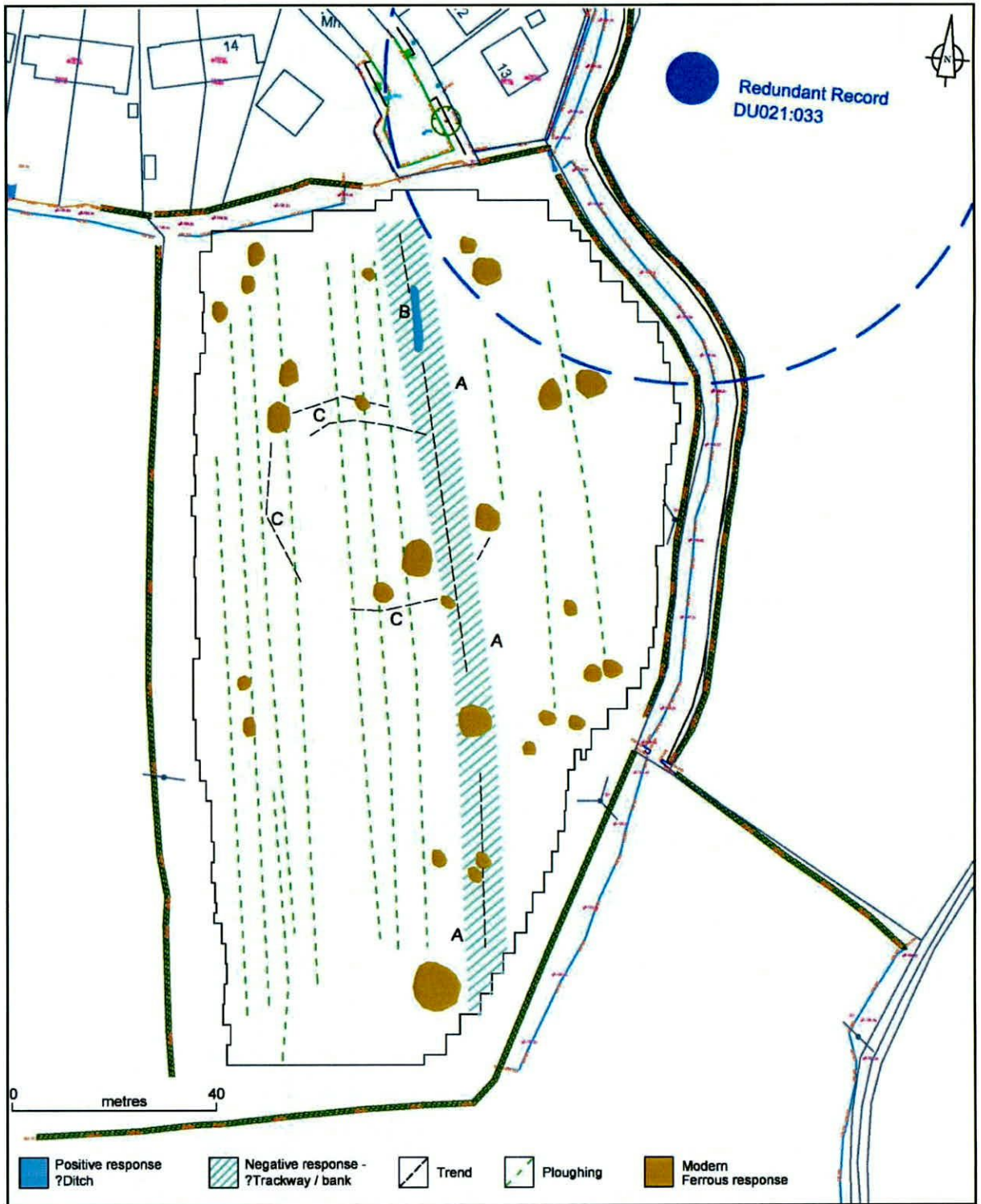


Figure 6 – Interpretation of the Archaeological Geophysical Survey (after Leigh 2018)

5 Conclusions and Recommendations

5.1 The proposed development site is situated on the southern rural fringe of Rathcoole Village and is separated from the historic village by a phase of modern 20th and 21st century housing developments, such as Peyton and Rathcoole Park.

5.2 The development site is located outside and beyond any known archaeological sites. Four archaeological sites are listed in the records of the RMP (Record of Monuments and Places within the National Monuments Service) as being within ½km of the proposed development site. The constraint area of these sites is not near the application area (See Appendix II), with the exception of DU021-033----.

5.3 The lands in the owners possession partially overlaps the suggested 'site of' the rath of 'Cumhal' (RMP Ref: DU021-033----). The National Monuments Service has subsequently cast doubt on the exact location of this site and this has resulted in the downgrading of the sites status to 'Class: Redundant Record'. It is important to be clear that whilst this area is within the applicant's wider ownership, the current application area does not overlap with the site of the rath.

5.4 *Archaeological Potential of the Site*

It is possible that other previously unknown archaeological features exist within the application area and survive as sub-surface features.

5.5 Based upon the conclusion from this report it is recommended that the planning authority (subject to planning approval) attach two archaeological conditions requiring that archaeological monitoring and / or test excavation (be carried out on site after planning permission is granted but before development commences). These conditions would require further archaeological work if archaeological discoveries are made. The planning conditions, should permission be granted, should require:

- Archaeological Monitoring on any sub-surface works associated with the permitted development should be carried out. This will involve having the ground-breaking element of the development works monitored by

an archaeologist. These works should be undertaken under license to the National Monuments Service in the Department of Housing, Local Government and Heritage (DoHLGH). The monitoring should be undertaken by a qualified archaeologist as set out in National Monuments Legislation.

- It is noted that a potential archaeological feature was identified in the geophysical survey at the eastern end of the site. It is recommended that the area of the archaeological potential ('C' on Figure 6) is assessed by the excavation of archaeological test trenches as a condition of planning prior to development works being undertaken in that location in future phased developments should they be permitted. The archaeological test excavation should be undertaken under license to the National Monuments Service in the Department of Housing, Local Government and Heritage (DoHLGH). The assessment / test excavation should be undertaken by a qualified archaeologist as set out in National Monuments Legislation. The area of potential is located on lands where housing development is proposed by the applicant and accordingly no temporary site works or topsoil storage should be permitted in this area ('C' on Figure 6) until the required archaeological assessment or any subsequent archaeological excavation has been completed.

5.6 The attention of the developer is drawn to the relevant portions of the National Monuments Acts (1930-2004; Appendix I), which describes the responsibility of the site owners to report the finding of archaeological items if any should be discovered during construction works to the National Museum of Ireland (Irish Antiquities Division) and the National Monuments Section of the Department of Housing, Local Government and Heritage who will determine the nature and extent of archaeological work to be carried out on site. This legislation also outlines the developer's obligation to facilitate and fund all archaeological works that may be considered necessary by the National Monuments Section or the National Museum in respect of development proposals.

5.7 All recommendations in this report are subject to approval of South Dublin County Council, *An Bord Pleanála*, the National Monuments Section of the

Department of Housing, Local Government and Heritage and the National
Museum of Ireland.

Appendix I National Monuments Legislation (1930-2004)

All archaeological sites have the full protection of the national monuments legislation (Principal Act 1930; Amendments 1954, 1987 and 1994). In the 1987 Amendment of Section 2 of the Principal Act (1930), the definition of a national monument is specified as:

any artificial or partly artificial building, structure or erection or group of such buildings, structures or erections

any artificial cave, stone or natural product, whether forming part of the ground, that has been artificially carved, sculptured or worked upon or which (where it does not form part of the place where it is) appears to have been purposely put or arranged in position,

any, or any part of any, prehistoric or ancient

(i.) tomb, grave or burial deposit, or (ii) ritual, industrial or habitation site, and any place comprising the remains or traces of any such building, structure or erection, any cave, stone or natural product or any such tomb, grave, burial deposit or ritual, industrial or habitation site...

Under Section 14 of the Principal Act (1930): It shall be unlawful...

to demolish or remove wholly or in part or to disfigure, deface, alter, or in any manner injure or interfere with any such national monument without or otherwise than in accordance with the consent hereinafter mentioned (a licence issued by the Office of Public Works National Monuments Branch),

or

to excavate, dig, plough or otherwise disturb the ground within, around, or in the proximity to any such national monument without or otherwise than in accordance...

Under Amendment to Section 23 of the Principal Act (1930),

A person who finds an archaeological object shall, within four days after the finding, make a report of it to a member of the Garda Síochána...or the Director of the National Museum...

The latter is of relevance to any finds made during a watching brief.

In the 1994 Amendment of Section 12 of the Principal Act (1930), all the sites and 'places' recorded by the Sites and Monuments Record of the Office of Public Works are provided with a new status in law. This new status provides a level of protection to the listed sites that is equivalent to that accorded to 'registered' sites [Section 8(1), National Monuments Amendment Act 1954] as follows:

The Commissioners shall establish and maintain a record of monuments and places where they believe there are monuments and the record shall be comprised of a list of monuments and such places and a map or maps showing each monument and such place in respect of each county in the State.

The Commissioners shall cause to be exhibited in a prescribed manner in each county the list and map or maps of the county drawn up and publish in a prescribed manner information about when and where the lists and maps may be consulted.

In addition, when the owner or occupier (not being the Commissioners) of a monument or place which has been recorded, or any person proposes to carry out, or to cause or permit the carrying out of, any work at or in relation to such monument or place, he shall give notice in writing of his proposal to carry out the work to the Commissioners and shall not, except in the case of urgent necessity and with the consent of the Commissioners, commence the work for a period of two months after having given the notice.

The National Monuments Amendment Act enacted in 2004 provides clarification in relation to the division of responsibilities between the Minister for Housing, Local Government and Heritage, Finance and Arts, Sports and Tourism together with the Commissioners of Public Works. The Minister for Housing, Local Government and Heritage will issue directions relating to archaeological works and will be advised by the National Monuments Section and the National Museum of Ireland. The Act gives

discretion to the Minister for Housing, Local Government and Heritage to grant consent or issue directions in relation to road developments (Section 49 and 51) approved by An Bord Pleanála and/or in relation to the discovery of National Monuments

14A. (1) The consent of the Minister under section 14 of this Act and any further consent or licence under any other provision of the National Monuments Acts 1930 to 2004 shall not be required where the works involved are connected with an approved road development.

(2) Any works of an archaeological nature that are carried out in respect of an approved road development shall be carried out in accordance with the directions of the Minister, which directions shall be issued following consultation by the Minister with the Director of the National Museum of Ireland.

Subsection 14A (4) Where a national monument has been discovered to which subsection (3) of this section relates, then

(a) the road authority carrying out the road development shall report the discovery to the Minister

(b) subject to subsection (7) of this section, and pending any directions by the Minister under paragraph (d) of this subsection, no works which would interfere with the monument shall be carried out, except works urgently required to secure its preservation carried out in accordance with such measures as may be specified by the Minister

The Minister will consult with the Director of the National Museum of Ireland for a period not longer than 14 days before issuing further directions in relation to the national monument.

The Minister will not be restricted to archaeological considerations alone, but will also consider the wider public interest.

Appendix II RMP sites in the environs of the proposed development site

Four archaeological sites are listed in the records of the RMP (Record of Monuments and Places within the National Monuments Service)¹⁵ as being within 1/2km of the proposed development site. The constraint area of these sites is not within the application area. The descriptions herein are copied from the files of the RMP with some minor additions.

RMP No: DU021-033----**Townland:** Rathcoole**Site Type:** Ringfort (location unknown) listed as Redundant Record**Distance from the proposed development:** 150m

Description: According to Ua Broin (1943, 82)¹⁶ there was a curving depression on the commons land east of Rathcoole close to what he refers to as a winding passage. This feature he interpreted as the rath of 'Cumhal'. The 'winding passage' is a naturally formed valley of a stream (Plate 2). There are no surface indications to suggest that there was any man-made feature here, this was strongly suggested after a field inspection by Paddy Healy in 1974 (see Plate 3).

RMP No: DU021-031----**Townland:** Rathcoole**Site Type:** Font**Distance from the proposed development:** 200m

Description: This is a hemispherical pieces of granite with hollowed upper surface (diam. 0.60m, D 0.45m). It is situated beside a fence in a field known as the 'trough field'. It narrows to a point along the inner base. Local tradition records that it was used as a holy water font attached to a local church (Ua Broin 1943, 73, 85)¹⁷.

RMP No: DU021-030001-9-**Townland:** Rathcoole**Site Type:** Medieval Settlement**Distance from the proposed development:** 250m

Description: The borough of Rathcoole was established by the Archbishops of Dublin as early as 1242 and was 1326 acres and had 66 burgesses (Mc Neill 1950, 67, 183-4)¹⁸. The settlement form is linear and consists of a single main street. A triangular marketplace was located at the south end of this.

¹⁵ The digital files of the Record of Monuments and Places (RMP) are available online as an evolving digital archive at <http://webgis.archaeology.ie/historicenvironment/>

¹⁶ Ua Broin, L. (1943) Rathcoole, Co. Dublin, and Its Neighbourhood. Notes on Place-Names, Topography and Traditions in the *Journal of the Royal Society of Antiquaries of Ireland*, Seventh Series, Vol. 13, No. 3, 79-97.

¹⁷ *ibid* Ua Broin, L.

¹⁸ McNeill, C. (1950) *Calendar of Archbishop Alen's Register*. Dublin.

RMP No: DU021-041----

Townland: Coolmine

Site Type: Ecclesiastical site

Distance from the proposed development: 500m

Description: All that survives of this site is a buttress which was placed at the southwest corner of the building shown as a rectangular structure on the OS 1843 map. Built of coursed limestone masonry (height c. 4m). There are putlog holes present. These lands belonged to St. Patricks Cathedral (D'Alton 1838, 726-727)¹⁹. The site is identified as the 'site of monastery' on the 1st and revised editions of the Ordnance Survey of Ireland.

¹⁹ D'Alton, J. (1838) *The history of the County of Dublin*, Hodges and Smith, Dublin.



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