

Date: 10/11/2022

Your Ref: SD22A-0342

Our Ref:

The County Secretary

South Dublin County Council

Re: Application by Riverside Projects Limited for the construction of a four-storey apartment block (4224 sq.m) consisting of 58 age friendly residential units comprising 20 one bedroom units and 38 two bedroom units with associated private balconies, associated lift and stair cores, entrance lobby, and circulation space; Provision of a community facility (99.3 sq.m) and ancillary accommodation including refuse store (26.9 sq.m), cycle store (36 sq.m), plant room (46.2 sq.m), sub-station (14 sq.m), switch room (16 sq.m), landscaped public open space (907.4 sq.m) and communal open space (1225.6 sq.m), and 30 car parking spaces and 80no. cycle parking spaces to serve the development; Vehicular access to the development will be provided via an upgraded entrance from Tay Lane with a minor pedestrian access provided from Eaton Drive to facilitate direct linkages to the town centre; Planning permission is also sought for all ancillary site and development works above and below ground to facilitate the development including the provision of internal access roads and pedestrian / cycle pathways and linkages, boundary treatment, public lighting, hard and soft landscaping, services, rooftop PV panels and associated signage at lands located to the east of Tay Lane, Newcastle Road, Rathcoole, Dublin 24

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We refer to the Council's notification in relation to the above-proposed development. Outlined below are the archaeological recommendations of the National Monuments Service (NMS) of the Department of Housing, Local Government and Heritage.

It is noted that the recorded monument RMP No. DU021-030004- Ritual site - holy well is within the proposed development site. The proposed development site is also within the zone of notification for the recorded monument RMP No. DU021-030008- Settlement cluster. These monuments are subject to statutory protection in the Record of Monuments and Places established under Section 12 of the National Monuments (Amendment) Act 1930-2014.

The NMS has received a report titled *Archaeological Desk-based Assessment Report on Proposed Development at Tay Lane, Rathcoole, Co. Dublin* by Colm Flynn Archaeology in relation to the above proposed development.

According to the report, the proposed development site will impact upon the recorded monument RMP No. DU021-030004- Ritual site - holy well.

The proposed landscaped open space at the location of the well will involve minimal ground impacts and the importing and depositing of new soil for sensitive planting. In the absence of information regarding the extent of the archaeology below the extant ground surface, the impact of the proposed development on the archaeological heritage of the receiving environment is unknown.

It is recommended in the report that

- *Preservation in situ is the preferred outcome regarding known archaeology. Therefore, avoidance of any direct impacts on archaeology is recommended.*
- *Pre-construction archaeological test trenches should be excavated within the proposed development area. These test trenches should examine the nature and extent of the known archaeology, and establish if any other archaeology is within the development site.*

The NMS agrees with these recommendations.

Therefore in line with national policy—see Section 3.6.2 of *Frameworks and Principles for the Protection of the Archaeological Heritage 1999*—the NMS recommends that a Conservation Management Plan for the recorded monument RMP No. DU021-030004- Ritual site - holy well and an Archaeological Impact Assessment, to include archaeological testing, of the proposed development site and an updated Construction Environmental Management Plan (CEMP) be carried out as a Condition of any grant of planning permission.

Archaeological Condition:

1. A Conservation Management Plan for the recorded monument - RMP No. DU021-030004- Ritual site - holy well - shall be prepared, following consultation with the National Monuments Service, and submitted to the planning authority for their written agreement prior to commencement of development. The plan shall provide for the long-term maintenance and management of the recorded monument – RMP No. DU021-030004- Ritual site - holy well - to ensure that preservation in situ of the site can be achieved and maintained.
2. The plan shall be agreed in advance of the commencement of construction works to ensure that the management and coordination of all phases of construction works are consistent with the policies and procedures for the long-term protection and preservation of the recorded monument RMP No. DU021-030004- Ritual site - holy well.
3. The plan shall incorporate a landscaping plan and/or stabilisation works programme, as appropriate, for the recorded monument RMP No. DU021-030004- Ritual site - holy well- that is sympathetic to the monument and incorporates appropriate surface expression of the sub-surface remains of the recorded monument RMP No. DU021-030004- Ritual site - holy well which shall be excluded from the land areas designated ‘amenity’ or ‘green’ space within the development. The plan shall incorporate appropriate exclusion zones and site stabilisation mitigation measures to ensure that the recorded monument RMP No. DU021-030004- Ritual site - holy well shall remain secure and preserved in-situ and following consultation with NMS.

4. Interpretative signage shall be installed at agreed locations. The design and content of this signage shall be prepared in consultation with the National Monuments Service and should be approved by the planning authority. The final Conservation Management Plan, including details of implementation, shall be submitted to the planning authority and the National Monuments Service.

5. The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/ site clearance/dredging/underwater works and/or construction works.

6. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required.

7. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

8. The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in in the Conservation Management Plan and the Archaeological Impact Assessment specify, following consultation with NMS. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

Please note that it is strongly recommended that the wording of the Archaeological Condition above be retained in the grant of permission to ensure that the archaeological requirements are understood and carried out by the relevant professional, thank you.

Kindly forward a copy of your decision to the following address as soon as it issues:

The Manager,

Development Application Unit,
The Department of Housing, Local Government and Heritage,
Newtown Road,
Wexford

In addition, please acknowledge receipt of this letter and forward the relevant receipt to the address above.

Is mise le meas,



Níall Garahy
Archaeologist
National Monuments Service
Dept. of Housing, Heritage and Local Government