

## 4 CONCLUSIONS

This archaeological and architectural assessment was commissioned by Cape Wrath Hotel Unlimited to assess the potential for the survival of archaeological and architectural features in advance of a proposed cemetery development at Saggart, County Dublin. There are no archaeological sites within the development area or within the 300m study area. The nearest recorded archaeological site consists of a burnt mound (DU021-099), located c. 351m to the northwest.

There is one protected structure within the study area of the proposed development area, consisting of Saggart House (RPS 290), which located c. 268m to the south. The house itself is well screened by dense tree cover and vegetation and is not visible from the site. The area under assessment is partially within the former Saggart (Tassagart) demesne (NIAH Garden Survey 2221). The northern extent of the former demesne, within the proposed development area, is currently occupied by a golf course. The lodge adjacent to the northern extent of the proposed development area is modern in nature (having been constructed to replace the original removed by the N7 development).

A review of the Excavations Bulletin (1970–2022) has revealed that no archaeological investigations have been carried out within the proposed development area. In the wider area, extensive prehistoric features have been identified during previous archaeological investigations, in particular Bronze Age burnt mounds and a large Bronze Age burial monument.

Analysis of cartographic sources has revealed that the proposed development area was historically within open fields to the immediate south of the 'Great Southern Road' (now Naas Road). By the end of the 19th century, the site was located in the extended demesne associated with Saggart House. Analysis of the photographic coverage and a field inspection, confirmed that the site has been in use as a golf course since at least 1995. The proposed development area has been heavily disturbed during landscaping associated with the construction of the golf course.

## 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

- It is highly likely that previous ground works to establish the golf course currently occupying the proposed development area, would have led to the removal of any potential archaeological features or deposits that may have once been present. As such, there is no predicted impact on the archaeological resource as a result of groundworks associated with the proposed development.
- The proposed development area is situated within the former demesne (NIAH Garden Survey 2221) associated with the protected structure Saggart House (RPS 290), although there are no features or structures relating to the demesne within the proposed development area. The main house, situated c. 268m to the south, is well screened by existing vegetation and is not visible from the site. No impacts are predicted upon the setting of the structure.

### 5.2 MITIGATION

- No negative impacts are predicted on the archaeological resource as a result of the development going ahead. No archaeological mitigation is deemed to be necessary.
- No negative impacts predicted upon the architectural resource as a result of the development going ahead. Therefore, no architectural mitigation is deemed necessary.

**Please note that all recommendations are subject to approval by the National Monuments Service of the Heritage and Planning Division, Department of Housing, Local Government and Heritage.**



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## **CARTOGRAPHIC SOURCES**

William Petty's Down Survey Map, Barony of Newcastle, 1654-56

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, 1843-1910

## **ELECTRONIC SOURCES**

[www.excavations.ie](http://www.excavations.ie) – Summary of archaeological excavation from 1970–2022.

[www.archaeology.ie](http://www.archaeology.ie) – DoH LGH website listing all SMR/RMP sites.

[www.heritagemaps.ie](http://www.heritagemaps.ie) – The Heritage Council web-based spatial data viewer which focuses on the built, cultural and natural heritage.

[www.googleearth.com](http://www.googleearth.com) – Satellite imagery of the proposed development area.

[www.bing.com](http://www.bing.com) – Satellite imagery of the proposed development area

[www.geohive.ie](http://www.geohive.ie) – Ordnance Survey Ireland National Townland and Historical Map Viewer (including Aerial imagery 1995-2013)

[www.southdublinlibraries.ie](http://www.southdublinlibraries.ie) – History of The Royal Garter Stables

[www.southdublinhistory.ie](http://www.southdublinhistory.ie) – History of Saggart

<https://dcenr.maps.arcgis.com/apps/webappviewer/index.html?id=b7c4b0e763964070ad69bf8c1572c9f5> – GSI Open Topographic Data Viewer

## APPENDICES

### APPENDIX 1 ARCHITECTURAL SITES WITHIN THE SURROUNDING AREA

<b>RPS NO.</b>	290
<b>NIAH NO.</b>	n/a
<b>TOWNLAND</b>	Saggart
<b>PARISH</b>	Saggart
<b>BARONY</b>	Newcastle
<b>I.T.M.</b>	703963,727293
<b>CLASSIFICATION</b>	Saggart House
<b>DIST. FROM DEVELOPMENT</b>	c. 268m south
<b>DESCRIPTION</b>	House and gate
<b>REFERENCE</b>	South Dublin County Development Plan 2022-2028



## **APPENDIX 2 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 Housing, Local Government and Heritage) 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.

### **South Dublin County Council Development Plan (2022–2028)**

South County Dublin contains a large number of buildings, structures and sites of architectural, historic and/or artistic importance, in addition to numerous archaeological sites. This significant archaeological and architectural heritage is a valuable resource adding to the historical and cultural character of the County. The Development Plan contains policies which are intended to ensure the protection of this heritage. Village Design Statements can be utilised as a tool to guide development in smaller centres. It should be noted that archaeological sites and archaeological zones of interest are identified by a recorded monument reference number on the land use zoning maps. The recorded monument reference numbers are taken from the Record of Monuments and Places for Dublin, published by Department of the Environment, Heritage and Local Government.

#### **Policy NCBH13: Archaeological Heritage**

Manage development in a manner that protects and conserves the Archaeological Heritage of the County and avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest.

#### **NCBH13 Objective 1:**

To favour the preservation in-situ of all sites, monuments and features of significant historical or archaeological interest in accordance with the recommendations of the Framework and Principles for the Protection of Archaeological Heritage, DAHGI (1999), or any superseding national policy document.

#### **NCBH13 Objective 2:**

To ensure that development is designed to avoid impacting on archaeological heritage including previously unknown sites, features and objects.

#### **NCBH13 Objective 3:**

To protect and enhance sites listed in the Record of Monuments and Places and ensure that development in the vicinity of a Recorded Monument or Area of Archaeological Potential does not detract from the setting of the site, monument, feature or object and is sited and designed appropriately.

#### **NCBH13 Objective 4:**

To protect and preserve the archaeological value of underwater archaeological sites including associated features and any discovered battlefield sites of significant archaeological potential within the County.

#### **NCBH13 Objective 5:**

To protect historical burial grounds within South Dublin County and encourage their maintenance in accordance with conservation principles.



### **APPENDIX 3    LEGISLATION PROTECTING THE ARCHITECTURAL RESOURCE**

The main laws protecting the built heritage are the *Architectural Heritage (National Inventory) and National Monuments (Miscellaneous Provisions) Act 1999* and the *Local Government (Planning and Development) Acts 1963–1999*, which has now been superseded by the *Planning and Development Act, 2000*. The Architectural Heritage Act requires the Minister to establish a survey to identify, record and assess the architectural heritage of the country. The background to this legislation derives from Article 2 of the 1985 Convention for the Protection of Architectural Heritage (Granada Convention). This states that:

*For the purpose of precise identification of the monuments, groups of structures and sites to be protected, each member state will undertake to maintain inventories of that architectural heritage.*

The National Inventory of Architectural Heritage (NIAH) was established in 1990 to fulfil Ireland's obligation under the Granada Convention, through the establishment and maintenance of a central record, documenting and evaluating the architecture of Ireland (NIAH Handbook 2005:2). As inclusion in the inventory does not provide statutory protection, the survey information is used in conjunction with the *Architectural Heritage Protection Guidelines for Planning Authorities* to advise local authorities on compilation of a Record of Protected Structures as required by the *Planning and Development Act, 2000*.

#### **PROTECTION UNDER THE RECORD OF PROTECTED STRUCTURES AND COUNTY DEVELOPMENT PLAN**

Structures of architectural, cultural, social, scientific, historical, technical or archaeological interest can be protected under the Planning and Development Act, 2000, where the conditions relating to the protection of the architectural heritage are set out in Part IV of the act. This act superseded the Local Government (Planning and Development) Act, 1999, and came into force on 1st January 2000.

The act provides for the inclusion of Protected Structures into the planning authorities' development plans and sets out statutory regulations regarding works affecting such structures. Under new legislation, no distinction is made between buildings formerly classified under development plans as List 1 and List 2. Such buildings are now all regarded as 'Protected Structures' and enjoy equal statutory protection. Under the act the entire structure is protected, including a structure's interior, exterior, attendant grounds and also any structures within the attendant grounds.

The act defines a Protected Structure as (a) a structure, or (b) a specified part of a structure which is included in a Record of Protected Structures (RPS), and, where that record so indicates, includes any specified feature which is in the attendant grounds of the structure and which would not otherwise be included in this definition. Protection of the structure, or part thereof, includes conservation, preservation, and



improvement compatible with maintaining its character and interest. Part IV of the act deals with architectural heritage, and Section 57 deals specifically with works affecting the character of Protected Structures or proposed Protected Structures and states that no works should materially affect the character of the structure or any element of the structure that contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. The act does not provide specific criteria for assigning a special interest to a structure. However, the National Inventory of Architectural Heritage (NIAH) offers guidelines to its field workers as to how to designate a building with a special interest, which are not mutually exclusive. This offers guidance by example rather than by definition:

### **ARCHAEOLOGICAL**

It is to be noted that the NIAH is biased towards post-1700 structures. Structures that have archaeological features may be recorded, providing the archaeological features are incorporated within post-1700 elements. Industrial fabric is considered to have technical significance, and should only be attributed archaeological significance if the structure has pre-1700 features.

### **ARCHITECTURAL**

A structure may be considered of special architectural interest under the following criteria:

- Good quality or well executed architectural design
- The work of a known and distinguished architect, engineer, designer, craftsman
- A structure that makes a positive contribution to a setting, such as a streetscape or rural setting
- Modest or vernacular structures may be considered to be of architectural interest, as they are part of the history of the built heritage of Ireland.
- Well-designed decorative features, externally and/or internally

### **HISTORICAL**

A structure may be considered of special historical interest under the following criteria:

- A significant historical event associated with the structure
- An association with a significant historical figure
- Has a known interesting and/or unusual change of use, e.g. a former workhouse now in use as a hotel
- A memorial to a historical event.

### **TECHNICAL**

A structure may be considered of special technical interest under the following criteria:

- Incorporates building materials of particular interest, i.e. the materials or the technology used for construction
- It is the work of a known or distinguished engineer
- Incorporates innovative engineering design, e.g. bridges, canals or mill weirs

- A structure which has an architectural interest may also merit a technical interest due to the structural techniques used in its construction, e.g. a curvilinear glasshouse, early use of concrete, cast-iron prefabrication.
- Mechanical fixtures relating to a structure may be considered of technical significance.

### **CULTURAL**

A structure may be considered of special cultural interest under the following criteria:

- An association with a known fictitious character or event, e.g. Sandycove Martello Tower, which featured in Ulysses.
- Other structure that illustrate the development of society, such as early schoolhouses, swimming baths or printworks.

### **SCIENTIFIC**

A structure may be considered of special scientific interest under the following criteria:

- A structure or place which is considered to be an extraordinary or pioneering scientific or technical achievement in the Irish context, e.g. Mizen Head Bridge, Birr Telescope.

### **SOCIAL**

A structure may be considered of special social interest under the following criteria:

- A focal point of spiritual, political, national or other cultural sentiment to a group of people, e.g. a place of worship, a meeting point, assembly rooms.
- Developed or constructed by a community or organisation, e.g. the construction of the railways or the building of a church through the patronage of the local community
- Illustrates a particular lifestyle, philosophy, or social condition of the past, e.g. the hierarchical accommodation in a country house, philanthropic housing, vernacular structures.

### **ARTISTIC**

A structure may be considered of special artistic interest under the following criteria:

- Work of a skilled craftsman or artist, e.g. plasterwork, wrought-iron work, carved elements or details, stained glass, stations of the cross.
- Well-designed mass-produced structures or elements may also be considered of artistic interest.

(From the NIAH Handbook 2003 & 2005 pages 15–20)

The Local Authority has the power to order conservation and restoration works to be undertaken by the owner of the protected structure if it considers the building to need repair. Similarly, an owner or developer must make a written request to the Local Authority to carry out any works on a protected structure and its environs, which will be reviewed within three months of application. Failure to do so may result in prosecution.



## **South Dublin County Council Development Plan 2022-2028**

Policy NCBH19: Protected Structures Conserve and protect buildings, structures and sites contained in the Record of Protected Structures and carefully consider any proposals for development that would affect the setting, special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

NCBH19 Objective 1: To ensure the protection of all structures (or parts of structures) and their immediate surroundings including the curtilage and attendant grounds of structures identified in the Record of Protected Structures.

NCBH19 Objective 2: To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011 or any superseding documents) including the principles of conservation.

NCBH19 Objective 3: To address dereliction and to welcome, encourage and support the rehabilitation, renovation, appropriate use and sensitive re-use of Protected Structures consistent with RPO 9.30 of the RSES. NCBH19

Objective 4: To support alternative uses for Protected Structures including former institutional sites in order to provide continued security of the heritage value of these buildings, attendant grounds and associated landscape features. To this end, the relaxation of site zoning restrictions may be considered in order to secure the preservation and conservation of the protected structure where the use proposed is compatible with the existing structure and where the proposed development is consistent with best practice conservation policies and the proper planning and sustainable development of the area.

NCBH19 Objective 5: To prohibit demolition and inappropriate alterations of Protected Structures unless in very exceptional circumstances.

NCBH19 Objective 6: To ensure that any works to upgrade the energy efficiency of Protected Structures and historic buildings are sensitive to traditional construction methods and materials and do not have a detrimental physical or visual impact on the structure. Regard should be had to the DAHG publication 'Energy Efficiency in Traditional Buildings' 2010.

NCBH19 Objective 7: To review the National Inventory of Architectural Heritage (NIAH) and update the Record of Protected Structures in accordance with any direct Ministerial recommendations.

NCBH19 Objective 8: To support the restoration of the Mill Race (RPS Ref. 007), recognising that it is in private ownership, from where it leaves the Liffey to where it enters the Mills area at Palmerstown having regard to the potential for biodiversity enhancements.



## **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 2022). 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.

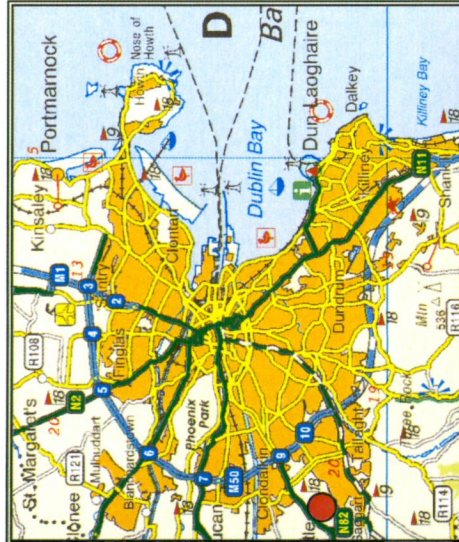
*Although not widely appreciated, positive impacts can accrue from developments. These can include positive resource management policies, improved maintenance and access to archaeological monuments, and the increased level of knowledge of a site or historic landscape as a result of archaeological assessment 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.



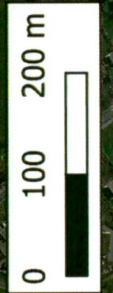


**Legend**

- Site Boundary
- Protected Structure
- Saggart Demesne
- Study Area (300m)

Title: Proposed development area showing recorded archaeological/architectural sites within the study area (Google Earth 2022)		Scale: 1:7000	Drawn By: JA
Project: Saggart, County Dublin		Date: 10/11/22	Checked By: FB
Client: Cape Wrath Hotel Unlimited		Job No.: J4061	Fig. 1
			Rev. 0

**IAC Archaeology**



















Rocque 1760

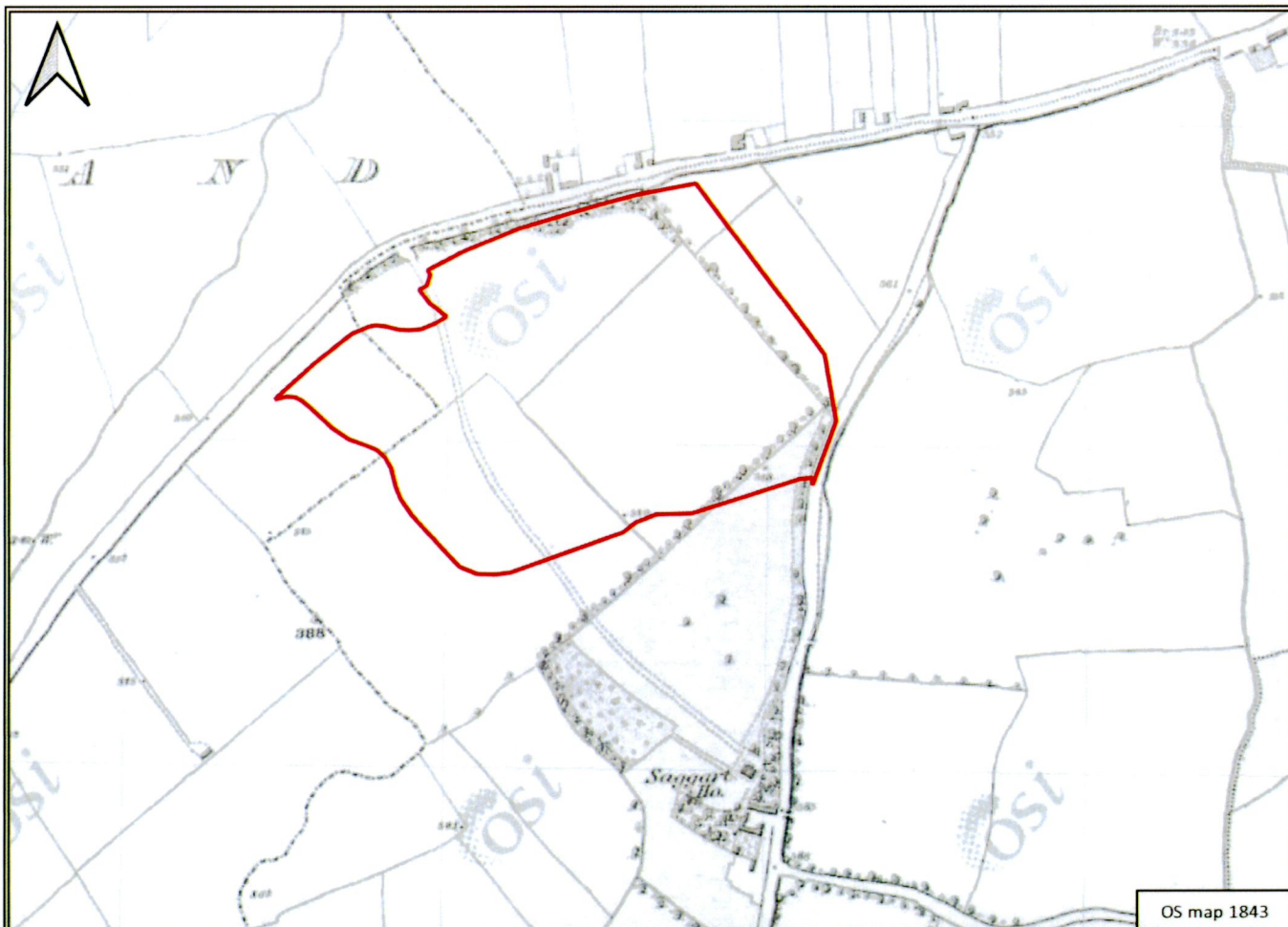


Taylor 1816

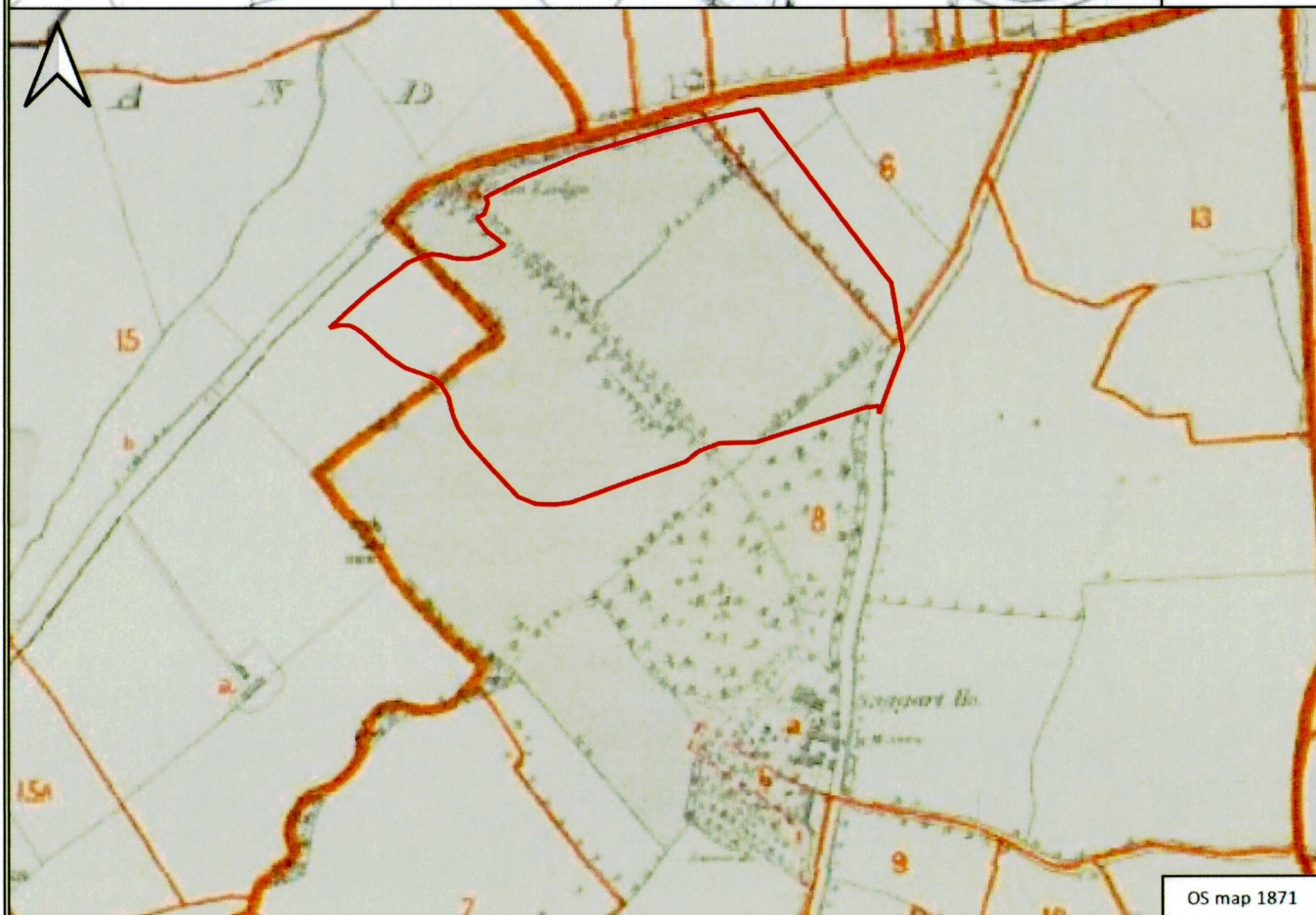








OS map 1843



OS map 1871

**IAC** Archaeology

Title: Extracts from hisotirc OS maps (1843 and 1871) showing the proposed development area  
 Project: Saggart, County Dublin  
 Client: Cape Wrath Hotel Unlimited

Scale: NTS

Date: 10/11/22

Job No.: J4061

Drawn By: JA

Checked By: FB

Fig. 4 Rev. 0

