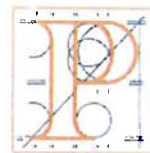


# Validation Checklist

Lodgement Number : **LDG-066065-23**  
Case Number: **ABP-317874-23**  
Customer: **Jempsey Sand and Gravel Limited**  
Lodgement Date: **24/08/2023 14:33:00**  
Validation Officer: **Daniel O'Connor**  
PA Name: **Wicklow County Council**  
PA Reg Ref: **221306**  
Case Type: **Normal Planning Appeal PDA2000**  
Lodgement Type: **Appeal**



An  
Bord  
Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm PA Case Link	Confirmed-Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid -- Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Yes
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
3rd Party Acknowledgement	Not Applicable
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes
Valid Lodgement Channel	Yes

## 1st Party

BP01 to issue to Appellant/Applicant with receipt ✓

BP07 to issue to Planning Authority with copy of appeal ✓

PA Notified ✓

Please Keep a copy of the letters for the file ✓

Run at: 25/08/2023 10:27

Run by: Daniel O'Connor

Lodgement Cover Sheet - LDG-066065-23

Details

Lodgement Date	24/08/2023
Customer	Dempsey Sand and Gravel Limited
Lodgement Channel	In Person
Lodgement by Agent	Yes
Agent Name	Enviroguide Consulting
Correspondence Primarily Sent to	Agent
Registered Post Reference	

Categorisation

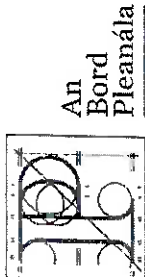
Lodgement Type	Appeal
Section	Processing

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Appeal

Run at: 24/08/2023 14:44  
Run by: Aisling Litster



An Bord Pleanála

ABP-317874-23  
017091-23

Lodgement ID	LDG-066065-23
Map ID	
Created By	Aisling Litster
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	22306

PA Name	Wicklow County Council
Case Type (3rd Level Category)	

Observation/Objection Allowed?	
Payment	PMT-051210-23
Related Payment Details Record	PD-051091-23

Decision - refused  
Date of decision - 2/8/23  
Last day of appeal - 29/8/23

A Case Details Manual	
A Case Number	
A Decision	
A Decision Date	
Judgement Deadline	
Development Description	
Development Address	

Appeals Type	
--------------	--

An Bord Pleanála,  
64 Marlborough St.  
Dublin 1.

24th August 2023

<b>AN BORD PLEANÁLA</b>	
LDG-	066065-23
ABP-	
24 AUG 2023	
Fee: €	3000
Type:	CHQ
Time:	14:26
By:	Hand

Dear Sir/Madam,

Enviroguide, 3D Core C, Block 71, The Plaza, Park West D12 F9 TN, on behalf of Dempsey Sand and Gravel Ltd. of Walterstown, Hollywood, Co. Wicklow wishes to appeal the decision of Wicklow County Council to refuse permission (Planning Register Number 22/1306) in respect of a Proposed Development at Walterstown, Hollywood, Co. Wicklow.

<b>Development</b>	<p>The Proposed Development is an extraction of sand and gravel materials from the site at Walterstown, Hollywood, Co. Wicklow.</p> <p>The proposed site area is 8.44 hectares, and the proposed extraction area is 5.52 hectares. The Proposed Development includes a surface mounted weighbridge, wheel wash, portacabin office, canteen and welfare facilities with all site ancillary works, and fencing. It is proposed to extract 50,000 tonnes per annum for a period of 10 years.</p> <p>An Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS) have been submitted in respect of the Proposed Development.</p>
<b>Location</b>	Walterstown, Hollywood, Co. Wicklow.
<b>Planning Authority</b>	Wicklow County Council

Planning Authority Reg. Ref.	22/1306
Applicant(s)	Dempsey Sand and Gravel Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party

We enclose a cheque in the amount of €3,000, as per our call with An Bord Pleanála on 23.08.2023, confirming the appropriate fee being an A4 development.

- The appeal does not include retention;
- The appeal does relate to commercial development; and
- The appeal or application does include an EIAR or NIS.

#### **Wicklow County Council: Reason for Refusal**

The Planning Authority decided to refuse permission for the development for 1 stated reason as follows:

1. Having regard to the Environmental Impact Assessment Report, and the unsolicited further information received on the 8<sup>th</sup> June 2023, it is considered that the details submitted have not provided sufficient information in respect to archaeology, noise assessment, and surface water run-off, such that it cannot be concluded that negative impacts on archaeology, noise impacts and pollutions impacts on the Toor River ( Little Douglas River) and Kinds River can be avoided, and to allow this development would be contrary to the objectives of the Wicklow County Development Plan 2022-2028, would seriously injure the amenities of properties in the vicinity by reason of noise, and would have an adverse impact on the water environment and biodiversity of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

#### **First Party Appeal: Grounds of Appeal**

Having regard to the Planner's Report dated 25.07.2023, it can be concluded that in principle, the Proposed Development can be considered as being acceptable and in general compliance with national, regional, and local policies.

A number of site-specific issues are identified in the reason for refusal which will be addressed in this document.

The grounds of appeal are addressed under 3 headings in response to the individual issues contained within the reason for refusal.

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1. Archaeology
2. Noise assessment
3. Surface water run-off

### **Archaeology**

An Archaeological Assessment report, carried out by De Faoite Archaeology, was submitted to the Planning Authority - please see enclosed under Appendix 1.

The report included a desktop study, and a field inspection was carried out. The report concludes that ground conditions are not suitable for geophysical survey given numerous furze bushes, small fields with barbed wire fencing, granite boulders, and the ground is uneven. Mitigation measures are identified by De Faoite Archaeology i.e. Test trenching, and further mitigation where necessary. The Archaeological Assessment report indicates that there are several possible clearance cairns visible which are overgrown, and it is recommended that these be further examined and cleared of vegetation during the course of test trenching **prior to the commencement of the proposed development** to confirm that they are not of archaeological significance.

The Archaeological Assessment report submitted as part of the planning application is considered to be proportionate at the application stage and aims to give reassurance to the Planning Authority that any potential impacts on archaeological resources will be adequately mitigated against prior to commencement. The proposed mitigation measures and proposed planning conditions are considered sufficient to allow a planning determination with the safeguards that if there are any archaeological resources they will be properly protected to the satisfaction of the Planning Authority.

### **Assessment of the Planning Authority**

The Archaeological Assessment report carried out by De Faoite Archaeology was noted by the Planning Authority. The Planning Authority also noted the submission from the Department of Housing, Local Government & Heritage. The submission from the Department of Housing, Local Government & Heritage refers to clearance cairns which are identified as an irregular and unstructured collection of fieldstones which have been removed from arable land or pasture to allow for more effective agriculture and collected into a usually low mound or cairn-Commonly of Bronze Age origins.

The Planning Authority considers that the submitted Archaeological Assessment report carried out by De Faoite Archaeology does facilitate an understanding of the background archaeology, but in order for full resolution of the site in terms of archaeology, pre-development assessments are required.

### **Grounds of Appeal**

Further to the above, the recommendation from the Department of Housing, Local Government & Heritage is noted and should be implemented viz: "It is recommended that a condition requiring a pre-development Archaeological Impact Assessment be attached to any grant of planning permission".

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### **Recommended archaeological conditions from the Department of Housing, Local Government & Heritage**

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological impact assessment with test trenching of the proposed development. No sub-surface work should be undertaken in the absence of the archaeologist without his/her express consent.
2. The archaeological desktop assessment which has been completed contains documentary and cartographic research and will be built up to include targeted archaeological test trenches (licensed under the National Monuments Acts 1930-2014) taking into account the proposed plans for development. Test trenches shall be excavated at locations specified by the archaeologist within the proposed development area, having consulted the site plans and results of fieldwork to determine the presence/absence of archaeological remains.
3. The archaeologist shall prepare and submit a written report, including an archaeological impact statement, to the Planning Authority and to the Department in advance of any groundworks and/or construction works. Where archaeological material/features are shown to be present, preservation in situ, establishment of 'buffer zones', preservation by record (excavation) or archaeological monitoring may be required. Mitigatory measures to ensure the preservation and/or recording of archaeological material/features shall be suggested in the archaeological assessment report and the Department will advise further with regard to any archaeological requirements following receipt of the assessment.
4. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to the relevant authorities and permission to proceed has been received in writing from the Planning Authority in consultation with the Department.
5. The Planning Authority and the Department shall be furnished with a final 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.

Having regard to the nature of the Proposed Development, the Archaeological Assessment report submitted to the Planning Authority, the recommendation of the Department of Housing, Local Government & Heritage, the Applicant requests that issues arising for archaeology consideration should be addressed by way of condition and do not warrant a reason for refusal.

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Furthermore, it may also be noted that previous applications granted by the Planning Authority have conditioned pre-development archaeology tests. Please see enclosed condition 22 of planning reference 18/677 under Appendix 2.

## Noise Assessment

Chapter 9 of the Environmental Impact Assessment Report assessed the Proposed Development for noise impact.

The EIAR (section 9.2) identified that the primary noise impacts associated with this Proposed Development are likely to be due to:

- Excavation of aggregates using a Front-End Loader;
- Screening plant;
- Trucks entering and exiting the Proposed Development.

A screening was carried out for 'quiet area' status (Section 9.3.1 and it was concluded (Table 9.1) that the site is not considered to be a quiet area. The recommended noise limits are set out in the EIAR based on the Appropriate Guidance.

### *Recommended Noise Limits based on Appropriate Guidance (Source: EPA)*

Parameter	Emission Standard	Basis of Standard
Noise – Day (08.00 to 20.00 hours)	<55 dB(A) <sub>L<sub>Aeq</sub> 1 Hour</sub>	EPA Guideline Document for Extractive Industries (2006)
Noise – Night (20.00 to 08.00 hours)	<45 dB(A) <sub>L<sub>Aeq</sub> 1 Hour</sub>	

Note: 95% of all noise levels will comply with the specified limit value(s). No noise level will exceed the limit value by more than 2 dBA.

Section 9.5.1 of the EIAR identifies the Nearest Sensitive Receptors (as defined by the EPA) as one-off residential dwellings and are located approximately 440m - 490m from the site of the Proposed Development.

### *Sensitive Receptors*

Name	Type	Coordinates		Orientation Relative to Site Boundary
		X	Y	
Coonmore	Residential	53.072621	- 6.544292	440m Southeast
Coonmore	Residential	53.072394	- 6.545325	470m Southeast
Walterstown	Residential	53.072273	- 6.543335	490m Southeast

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Table 9-3 in the EIAR sets out the mobile machinery and fixed plant associated with the Proposed Development and associated dB(A) levels according to manufacturer specifications and/or BS 5228-1, and the inverse square law:

*Table 3: Mobile plant associated with proposed activities and corresponding noise values*

Plant Item	Ref	dB(A) @10m	dB(A) @440m	dB(A) @ 470m	dB(A) @ 490m
<b>Front-End Loader</b>	BS 5228-1	80	47.1	46.6	46.2
<b>Screener</b> <i>Powerscreen 2100x</i>	Manufacturer Specification & BS 5228-1	81	48.1	47.6	47.2
<b>Dumper Truck</b> <i>Volvo A25</i>	Manufacturer Specification	70	37.1	36.6	36.2

The EIAR concludes: "The predicted noise levels from all plant items are expected to fall below the daytime noise limit of 55dB(A) at all sensitive receptors; therefore, noise limit criteria will not be exceeded at or beyond this location, and sensitive receptors will not be affected".

- Notwithstanding this the EIAR (Section 9.6) sets out a series of mitigation measures as set out in *BS 5228-1: A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise* to further reduce any potential impacts from noise on the sensitive receptors or the Environment in general as follows: Installation of 3No. site boundary noise sensors which will sound if the noise level at the site boundary reaches a set decibel level and will allow the site operator to take immediate remedial action.
- Selection of plant with low inherent potential for generating noise.
- Siting of plant as far away from sensitive receptors as permitted by site constraints.
- Avoid unnecessary revving of engines and switch off plant items when not required.
- Keep plant machinery and vehicles adequately maintained and serviced.
- Proper balancing of plant items with rotating parts.
- Keep internal routes well maintained and avoid steep gradients.
- Minimise drop heights for materials or ensure a resilient material underlies.
- Use of alternative reversing alarm systems on plant machinery.
- Where noise becomes a source of resonating body panels and cover plates, additional stiffening ribs or materials will be safely applied where appropriate.
- Limiting the hours during which site activities likely to create high levels of noise are permitted.
- Appointing a site representative responsible for matters relating to noise.
- Monitoring typical levels of noise during critical periods and at sensitive locations.

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- Monitoring typical levels of noise during critical periods and at sensitive locations. In particular the installation of site boundary noise sensors will ensure that once the noise reaches a set level at the boundary, the alarm will activate and the noise can be controlled and will not reach nuisance levels at the sensitive receptors.

In addition the topography of the site and the nature of excavations are such that the operations will further reduce the potential for noise impact from the Proposed development. This natural mitigation has not been taken into account in the above assessment.

### **Assessment of the Planning Authority**

The Executive Scientist of the Planning Authority in his report of 18/01/2023 refers to the area as having a "very quiet noise environment" and recommends refusal inter alia for the reason that "The likely risk of tonal and impulsive noise nuisance for the downwind dwellings due to their proximity and clear lines of site to the proposed pit and the long exposed haul-route and the very quiet noise environment of the area"

Based on this a Noise Monitoring Baseline Survey was carried out to show the area is not a 'Quiet Area' as set out in EPA Guidance NG 4 – see Appendix 2.

The noise survey concluded that as the daytime background noise level from the Noise Survey exceeded 40dB LAF90, the Site is not considered to be an area of low background noise as per EPA Guidance, NG4. Therefore the information contained in the Environmental Impact Assessment Report (EIAR) that accompanied the planning application is robust and the conclusions can be relied upon.

The Executive Scientist does not recommend refusal on noise grounds in his subsequent supplementary report of 21/06/2023.

The Planner's Report, dated 25.07.2023, states "Whilst noise survey point No. 1 is recognisable as the entry point off the Regional Road, No. 2 is not so readily identified. Point No. 2 is indicated as being to the east side of proposed quarry, it is presumed it is at a point close to the quarry on the east to show that the existing noise levels are clearly during daytime above a 'Quiet Area' definition. However, in the absence of a clear locational detail this cannot be fully interrogated."

### **Grounds of Appeal**

A map detailing the monitoring points is included in Appendix 3 of this document. The information presented in the EIAR is robust and can be relied upon to determine that the Proposed Development will not have any significant impact on any sensitive receptor as a result of noise. Once implemented the mitigation measures detailed in the EIAR will further ensure that the appropriate noise levels will be maintained.

It should be noted that the comments in planners report regarding a "Quiet Area" are moot as this site does not qualify under this definition as demonstrated above. The Applicant does recognise the rural nature of the site and is fully committed to implementing all of the

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mitigation measures as set out in the EIAR. By doing so this will ensure that there will not be any environmental nuisance from noise as a result of the Proposed Development.

### **Surface Water Run-Off**

The Proposed Development will include a permeable internal haul road with a paved area at the entrance at the R657. Water from the paved road area will be collected in drains and following treatment will discharge to ground with no discharge to surface water (refer to Drawing Nos. Appeal 01, 02 and 03). Rainwater from the permeable haul road will infiltrate via the permeable road surface to ground and will not be diverted and discharged directly to any water course including the Toor River /Little Douglas Stream. Any surface water from the quarry pit will be retained in the quarry due to the topography of the quarry.

A 10m double row of silt fencing is proposed either side of the bridge river crossing on both banks and also silt fencing along the bridge as a precautionary measure to prevent any sediment in runoff from the bridge and haul road entering Toor River /Little Douglas Stream including in the event of heavy rainfall.

The EIAR prepared for the Proposed Development concluded:

- *The Toor River and King's River are both within the 'Kings (Liffey) River\_020' WFD river sub-basin. The Kings (Liffey) River\_020 has a 'good' status however is considered 'at risk'. Results of the DQRA (Detailed Quantitative Risk Assessment) have shown there will be no impact to the Rivers, with attenuation and degradation of contaminants occurring within the gravel aquifer.*
- *Based on the design of the Proposed Development, embedded avoidance measures and identified mitigation measures that will prevent or limit impact and deterioration of water bodies the identified potential impact on WFD (Water Framework Directive) status of water bodies will be prevented.*

Therefore on the basis that all proposed mitigation measures are in place there is not identified potential impact on surface water quality including the Toor River (Little Douglas Stream) and King's River or the WFD status of any water body within the same catchment as the Proposed Development.

### **Assessment of the Planning Authority**

The Planning Authority concludes that it is unclear how the surface water diverted from the haul road will be treated before it ultimately flows downhill towards the river. It considered that the proposed silt fencing on its own would not trap the finer silt and the silted surface water flowing off to the sides of the haul route will undoubtedly form a channel beside the haul route flowing downgradient towards the river. The report states that the proposed river crossing is 350m upstream of the confluence with the Kings Liffey-20, which is currently at Good Status, a status that must be protected under the terms the Water Framework Directive. The reports also states that the Applicant may also need consent under Section 50 of the Arterial Drainage Act for the construction of the bridge and confirmation of permission to maintain the haul road provided by the landowner. Refusal is recommended due to the risk of silted surface water

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generated on the haul-route and the proposed bridge discharging and impacting on the Little Douglas Stream and the Kings\_Liffey River downstream.

## Grounds of Appeal

The assessment presented by the Planning Authority seeks reassurance that the Proposed Development will not impact on the Little Douglas Stream [note that this water course is also referred to as the Toor River / Douglas Stream] and the Kings\_Liffey River and specifically due to runoff from the haul road including finer silt.

The Planning Authority appears to have assumed *that 'the haul road as it approaches the proposed bridge will be cambered'* (Wicklow County Council Planning Report 31.01.2023). In fact, the haul road will not be cambered as it approaches the bridge. The haul road design is for a permeable surface with filter drains to allow infiltration of any rainfall and prevent surface runoff from the road, the road design has been updated to now include a cross-fall towards the filter drain located along the full length of the haul road (refer to Drawing No. Appeal 02). The filter drain is a preventative design measure to provide additional capacity for any rainfall that does not infiltrate the road surface during heavy rainfall events.

The road levels also fall away from the bridge and river crossing and therefore any surface water runoff will as noted by the Planning Authority (Wicklow County Council Planning Report 31.01.2023) *'to drain away from the river'*. Details of the bridge construction and road gradients are presented in Section A-A on Drawing No Appeal 03. While the Planning Authority appears to have misinterpreted the design for the haul road. The Planning Authority notes that surface water will *'drain away from the river'* yet seeks clarification on how *'surface water diverted from the haul road will be treated before it ultimately flows downhill towards the river'*. This is a misinterpretation of the design as the road levels gently fall away from the river and therefore any surface water runoff will be directed away from the river.

It is important to note that the haul road surface will be permeable and rainwater will infiltrate to via the road surface to ground and surface water will not be diverted and drained from the road towards the bridge and river.

The precautionary measures of a cross gradient and filter drains together with the use of silt fences (combined geotextile fabric and straw bale) will prevent any sediment entrained in surface runoff from directly discharging to the river. Water passing through the filter drains and silt fences will be treated.

The proposed double rows of silt fencing along the river banks and which will be extended as a single row fence around the bridge are a precautionary measure to intercept and silt and sediment entrained in runoff during heavy rainfall. The proposed haul road will also include filter drains in the vicinity of the bridge to capture any runoff during heavy rainfall. The proposal to treat any water that may runoff the road includes the use of filter drains, aco drains and gully trap (silt traps) and silt fences.

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The use of filter drains is a proven method to treat any potential contaminants typical of road runoff (e.g. silt/sediment/suspended solids, metals, hydrocarbons) through adsorption to the surrounding soil, biochemical degradation of pollutants and physical filtration of water as specified in the Transport Infrastructure Ireland (TII) document 'Drainage Design for National Road Schemes - Sustainable Drainage Options RE-CPI-07001' (TII, 2014). The gradient of the filter drains will be similar to the road and will fall away from the bridge and river. However the purpose of the filter drains is to allow water to percolate to ground rather than divert water. Therefore even in the event of heavy rainfall runoff from the road will not be diverted to flow downhill towards the river.

Having regard to the above and the comments in the Wicklow County Council Planning Report, additional Drawings have been prepared as part of this appeal, to provide additional clarification of the proposal for the silt fences. Please see the attached drawings (refer to Drawing No. Appeal 03) for details of the silt fence and straw bale construction. The Planning Authority notes, 'silt fencing on its own would not trap the finer silt' which could potentially be the case if a single geotextile fabric fence is used. However the proposal for this proposed development is to install a double row of silt fences each constructed of a geotextile fabric and series of straw bales to ensure both fine silt and coarser sediment is captured and allowing water to filter through diffusely. The construction design includes the installation of the fence fabric and straw bales partially below ground surface to prevent any pathway for water beneath the fence/bales (refer to Drawing No. Appeal 03).

Procedures will be in place for the inspection and maintenance of all water treatment infrastructure at the Proposed Development including Aco drains, filter drains, interceptor, soakaway as well as the silt fences/straw bales. Silt fences and straw bales will be inspected weekly and following heavy rainfall to ensure that any maintenance including replacement of straw bales or geotextile fabrics will be completed immediately as required. Drains, gully traps (silt traps) will be maintained to ensure that stone fill is replaced where necessary.

As detailed in the EIAR: *'All necessary works carried out adjacent to the Toor River (including the bridge upgrade and the construction of silt fencing) will be carried out in accordance with an approved method statement prepared by an appropriately qualified Environmental Officer/ Ecological Clerk of Works (ECOW)'*. This will include works associated with maintenance of the silt fences on the riverbanks to ensure the work is undertaken in a manner to prevent any impact on the water courses including:

- Works not to take place during rainfall events.
- Additional temporary silt fences or other measures identified by the ECOW to be installed to prevent any accidental release of sediment from silted geotextiles or bales.
- Plant, equipment and personnel required for the works will not be permitted to enter the river.
- Site traffic will not be permitted to cross the bridge while any maintenance work on the silt fencing is taking place.

The EIAR specifies that *'All sludges and other waste from wheel-wash and water treatment infrastructure will be removed from the Site by the approved contractor in accordance with all*

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*legislative requirements.'* These wastes include any sludges/ sediment from the drainage along with spent, damaged or silted geotextile fabrics and straw bales. Records will be maintained for all waste removed from the Site.

The Applicant proposes to install an alarmed continuous logging turbidity monitoring system (sondes) downstream of the bridge crossing as detailed in the EIAR to verify that there are no impacts to water quality of the Toor River (Little Douglas Stream) and King's River (refer to Drawing No. Appeal 01 for monitoring location). This monitoring will be carried out for both the Construction Phase and Operational Phase of the Proposed Development. The alarm will be monitored full-time by a nominated person. As detailed in the EIAR emergency response procedures will be in place for the Proposed Development which will be implemented in the unlikely event of the turbidity alarm being triggered these procedures will be implemented.

The Planning Authority notes *'the proposed river crossing is 350m upstream of the confluence with the Kings Liffey-20, which is currently at Good Status, a status that must be protected under the terms the Water Framework Directive.'* As concluded in the EIAR there will be no impact on achieving the objectives of the Water Framework Directive (WFD) as a result of the Proposed Development:

- *Based on the design of the Proposed Development, embedded avoidance measures and identified mitigation measures that will prevent or limit impact and deterioration of water bodies the identified potential impact on WFD status of water bodies will be prevented.*
- *The Proposed Development will not cause a deterioration in status of water bodies hydraulically connected with the Proposed Development Site taking account of design avoidance and mitigation measures. The Proposed Development will not jeopardise objectives to achieve good surface water or good ecological potential and the attainment of good surface water chemical status. The Proposed Development will not permanently exclude or compromise the achievement of the objectives of the WFD in other bodies of water within the same river basin district of the Site.*

The Applicant notes that the recommendation in the report from the Ex Scientist Waste Management (included in the Wicklow County Council Planning Report dated 25.06.2023) is that *'The Waste Management Section has no objection to the granting of permission for this application from a waste, geology or hydrogeological perspective'.*

It is also noted that the HSE report included in the Wicklow County Council Planning Report dated 31.01.2023 states: *'The EHS is of the opinion that if all mitigation identified in the EIAR is implemented in full there will be adequate protection of surface and ground water during the proposed development'.*

As recommended by the Ex Scientist (Pollution Control) Wicklow County Council Planning Report 31.01.2023] It is recommended that the Applicant be conditioned to provide proof of completion of all mitigation measures recommended in the EIAR.

The Application should also be conditioned to obtain the relevant consents under Section 50 of the Arterial Drainage Act.

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Details of confirmation of permission to maintain the haul road provided by landowner were included with the Application documents and copies are appended to this report for reference (Appendix 4).

Further to the above, the recommendation from MD Engineer Blessington is noted. It is recommended that "surface water- details of proposed heavy duty aco drain to be agreed with Wicklow County Council. The Applicant should be conditioned to prevent any surface water entering the public road."

Having regard to the proposed mitigation measures and information submitted with the application and additional supporting details provided with this appeal document, the Applicant demonstrates that there are no risks associated with surface water runoff to surface water quality of the Toor River/Douglas Stream and the King's River, including the 'good' WFD status of the King's River and accordingly, do not warrant a reason for refusal.

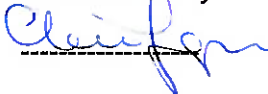
### Conclusion

Overall, the Environmental Impact Assessment Report submitted to the Planning Authority concludes the Proposed Development would not impact the amenities of properties in the vicinity by reason of traffic, noise, biodiversity, or visual impacts. Additionally, it can be concluded that in principle, the Proposed Development can be considered as being acceptable and in general compliance with national, regional, and local policies.

In terms of the reason for refusal from the Planning Authority, the Applicant considers it unreasonable, and the issues of concern pertaining to archaeology, noise and surface water run-off can be dealt with by way of condition and the full implementation of the mitigation measures as set out in the EIAR.

We trust that the Board will take this response into consideration in making its decision.

Yours sincerely



Claire Fagan

Enviroguide

On behalf of Dempsey Sand and Gravel Ltd

Enviroguide  
[enviroguide.ie](http://enviroguide.ie)

Directors: C McCarthy, P Vamadevan (UK), K Hughes (UK), R Stebbings (UK) Company Secretary: R Stebbings (UK)



**Appendix 1**

**Planning Authority Reg. Ref.      22/1306**



De Faoite Archaeology

Unit 10  
Riverside Business Centre  
Tinahely  
Co. Wicklow

# Dempsey Sand and Gravel

Walterstown and Coonmore,  
Hollywood,  
Co. Wicklow

Archaeological Assessment Report  
Planning Ref: 221306  
Wicklow County Council

Yvonne Whitty

May 2023

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## 1 Introduction

This report concerns the results of an archaeological assessment carried out for Dempsey Sand and Gravel Consulting in advance of a quarry development at Walterstown and Coonmore, Hollywood Co. Wicklow.

This assessment addresses the likely impacts of this development on areas of archaeological potential and will define an appropriate archaeological mitigation strategy should the development be granted planning.

Although no RMP sites will be impacted upon by the development, given its scale further archaeological mitigation is necessary. Based on the results of the desk-based assessment and site visit it is recommended that should the development be granted planning that a programme of test trenching should be undertaken by archaeologists under licence to the National Monuments Service of the DoHLGH to identify if previously unidentified archaeology will be impacted upon by the proposed development. The test trenching should be undertaken in advance of ground works commencing so as to identify any previously unrecorded archaeology which may be impacted upon by the proposed development.

Dependant on the results of the test trenching, further mitigation may be required, such as the preservation in-situ or by record (archaeological excavation) of any features that may be identified and/or archaeological monitoring. Any further mitigation will require agreement from the DoHLGH.

It is also recommended that the field clearance cairns are further inspected to confirm that they are not of archaeological significance as some of these were overgrown with brambles at the time of the site visit.

## 2 Proposed Development

As extracted from the EIAR which accompanies this planning application; the applicant, Dempsey Sand & Gravel Limited, is seeking permission to develop a quarry at the Site at Walterstown and Coonmore, Hollywood, Co. Wicklow, for the extraction of sand and gravel at a maximum rate of 50,000 tonnes per annum (tpa). The total extraction for the lifetime of the quarry over a ten-year period is 500,000 tonnes. The overall site area, including the internal haul road, is 8.44ha. The proposed extraction area is 5.52ha. Subject to the grant of planning permission, sand and gravel will be extracted in phases using a Front-End Loader within the 5.52 ha extraction area. The sand and gravel extraction process will comprise the removal of material from the working face using a Front-End Loader. Once removed, the extracted aggregates will be transported to the Screening Plant using a Dumper Truck or Front-End Loader. The dry Screening Plant is mobile so there will be no designated area for stockpiles, rather they will be flexible. The extracted aggregate will be graded into different product grades using the mechanical dry Screening Plant. Graded materials may be temporarily stored in designated stockpiles and/or consigned directly from site according to customer demand. Lorries will be loaded with the final product using a Loading Shovel (Front-End Loader). Once each vehicle is loaded it will exit the site via the weighbridge and wheel wash. Construction will involve all site infrastructure required for the Proposed Development including site access, haul roads, office, and truck wheel wash.

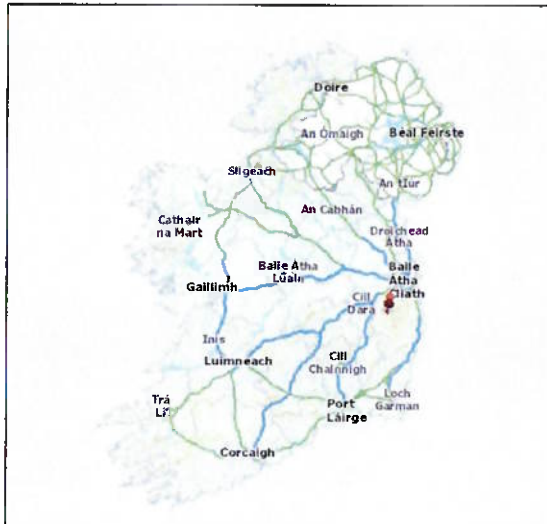


Plate 1: Site location Walterstown, Co. Wicklow.



Plate 2: Site location Walterstown, Co. Wicklow.

### 3 Site Location and Description

The proposed development site is at Coonmore and Walterstown, Hollywood, Co. Wicklow is situated in Hollywood Civil Parish, in the Barony of Lower Talbotstown, Co. Wicklow, north of the R756. The overall site area, including the internal haul road, is 8.44 Hectares. The total area owned by Dempsey Sand & Gravel Ltd. (the Applicant) is 49.78Ha. The site is currently a greenfield site consisting of several grazing fields bounded by hedgerows. The site is set back from the public road and is accessed via a private lane which runs for a distance of approximately 500m from its junction with the R756 to the southwest.

The general surrounds of the site are covered with existing hedgerows, scrubs of gorse on dry areas and rushes on the wetter areas, and a scatter of trees. The closest river network waterbody from the Proposed Development Site is the King's River (Liffey) which is mapped as running along the eastern boundary of the applicant's land area, flowing northwards towards the Blessington Lakes (HA10). This is located approximately 800m east of the proposed quarry site. The Proposed Development Site is bounded to the north and to the east by agricultural fields. The Little Douglas Stream (Toor River) forms the southern boundary of the Proposed Development Site, and a forestry plantation forms the western boundary of the site.

The setting is predominantly rural with surrounding land uses of agriculture, forestry, and a number of one-off residential dwellings.

The fields contain earth fast boulders and clearance cairns in places. The field boundaries comprise stone boundary ditches which are falling down and in a poor state of repair. There are large cluster of gorse bushes throughout the proposed development site and the ground is rough under foot. There is evidence of machine clearance of boulders as there are dips and hollows in parts of the field following the removal of these large stones.



Plate 3: Entrance to the proposed development site.





Plate 4: Entrance to site across the Little Douglas Stream (Toor River).



Plate 5: Field clearance cairn of granite boulders.



Plate 6: View northwest towards forestry plantation, note earth fast boulders and small stone field boundary ditches.



Plate 7: Field boundary ditch revetted with granite boulders.





Plate 8: Granite boulders, note one has been removed from its original position as a result of field clearance.



Plate 9: Stone field boundary facing northeast.





Plate 10: Rough ground facing northeast.



Plate 11: Farmhouse which will be retained facing southwest. A steel container will be located in the yard which will function as the site office.





Plate 12: Farm shed which adjoins the house facing south and will be retained.



Plate 13: Interior of farm shed.

#### **4 Archaeological Desktop Assessment**

The following sources were consulted in the preparation of this Impact Assessment.

- Record of Monuments and Places (RMP)
- A review of previous archaeological assessments/ investigations.

- Topographical files of the National Museum of Ireland.
- Ordnance Survey (OS) and pre-Ordnance Survey maps.
- Historic Illustrations and documents
- Aerial photography
- Site visit

#### **4.1 Place names analysis**

Place names are a valuable source of information. A place name can indicate possible archaeological and historical monuments in the area, local folklore, land ownership and topography.

The Ordnance Survey surveyors recorded townland names in the 1830's and 1840's, when the country was mapped for the first time. Several references used for the place name analysis include Irish Local Names Explained by P.W Joyce (1884), the website [www.logainm.ie](http://www.logainm.ie) (Placename Database of Ireland) and 'The Place Names of County Wicklow, Irish form and meaning of parish townland and local names' by Liam Price (1935).

The townland in which the proposed development will take place is Walterstown and Coonmore. Walterstown in Irish is 'Bhaile Ualtair Rua' and the first reference to this townland is in 1610 in the Calendar of Patent Rolls of James I ([www.logainm.ie](http://www.logainm.ie)). In Irish this translates as the 'Town of red Ualtair'. (Coonmore is first mentioned in 1787 where it is called Coenmore. In Irish the townland is called An Cuan Mór which translates as 'The Great Hollow'. Both of these townlands are in the barony of Talbotstown Lower and in the civil parish of Hollywood.

#### **4.2 National Museum of Ireland Topographical Files**

The topographical files are held in the National Museum of Ireland in Kildare Street. All files relating to the townlands and surrounding townlands to where the proposed development is to take place were inspected to ascertain whether any artefacts had been thus far recorded in the vicinity of the proposed development area. These files identify all recorded finds which are held in archive and have been donated to the state in accordance with national monuments legislation.

The townlands which were checked include Walterstown, Coonmore, Johnstown, Slievecorragh, Toor, Luglass Upper and Lower, Granamore, Lockstown Lower. There are no stray finds in either of the townlands in which the proposed development will take place. There is a record of a silver coin the NMI reg for the find is Slievecorragh and the townland find place is Johnstown (NMI ID 85525).

In the wider landscape, 1.5km northeast of the proposed development site associated finds from Vallemount include a socketed bronze axe head (NMI Ref: E92:388) was found during ploughing, an ace shaped ingot (NMI Ref: 1975:237) was found near the shore of the Poulaphouca reservoir and a flat copper axehead (NMI Ref: 2002:89) was found in Monamuck in the Poulaphouca reservoir.

After the exposure of a Neolithic house at Boystown or Baltyboys Upper further discoveries were made about a mile from the house which included the fragment of an Iron Age beehive quern and sixteen large and two mini saddle querns along with fifty rubber stones. This assemblage is the largest ever found in Ireland and Corlett suggests may indicate a saddle quern manufacturing site (Corlett 2009, 30). In 2010 the water levels of the reservoir were quite low and allowed for further discovery of archaeological objects; a flint Bann flake from Monamuck, which makes it the third from the shores of the reservoir (Corlett 2010, 22). Several

thumbnail scrapers were found at the edge of the reservoir and Corlett suggests that as this is above the normal water level this area can be field walked all year round, however the larger objects are only really found when the water levels drop. Two stone adzes were also found there.

The site where the saddle querns were discovered was revisited in 2010 by Corlett and Bronze Age pottery was found. A second saddle quern site was also discovered 500m north of the Neolithic House and 750m southwest of the first saddle quern site, all still in the townland of Boystown or Baltyboys Upper. Finds from this site include six saddle querns and six rubber stones, a broken stone axe, a flint arrowhead, and a flint hollow scraper (*ibid.*, 24).

In 2006 when the water level of the reservoir dropped; a mill was discovered when timbers and a millstone protruded from the ground at Burgage More (Corlett 2009, 27).

#### **4.3 Record of Monuments and Places (RMP Files)**

The Record of Monuments and Places (RMP) Files and unpublished archaeological excavations in relation to the rehabilitation works were inspected at The National Monuments Service Archive in the Irish Life Centre, Dublin 1 and all monuments were checked on [www.archaeology.ie](http://www.archaeology.ie). The files and reports if necessary were all inspected for additional information relating to the site and immediate environs. The watermain route is discussed below in relation to recorded monuments. RMP sites within a 1.2km radius of the proposed development site at Walterstown. There is a total of 8 RMP sites within 1.2km of the proposed development site and the closest are a standing stone and a ringfort (Plate 1). The sites are detailed below based on information available on the website [www.archaeology.ie](http://www.archaeology.ie).



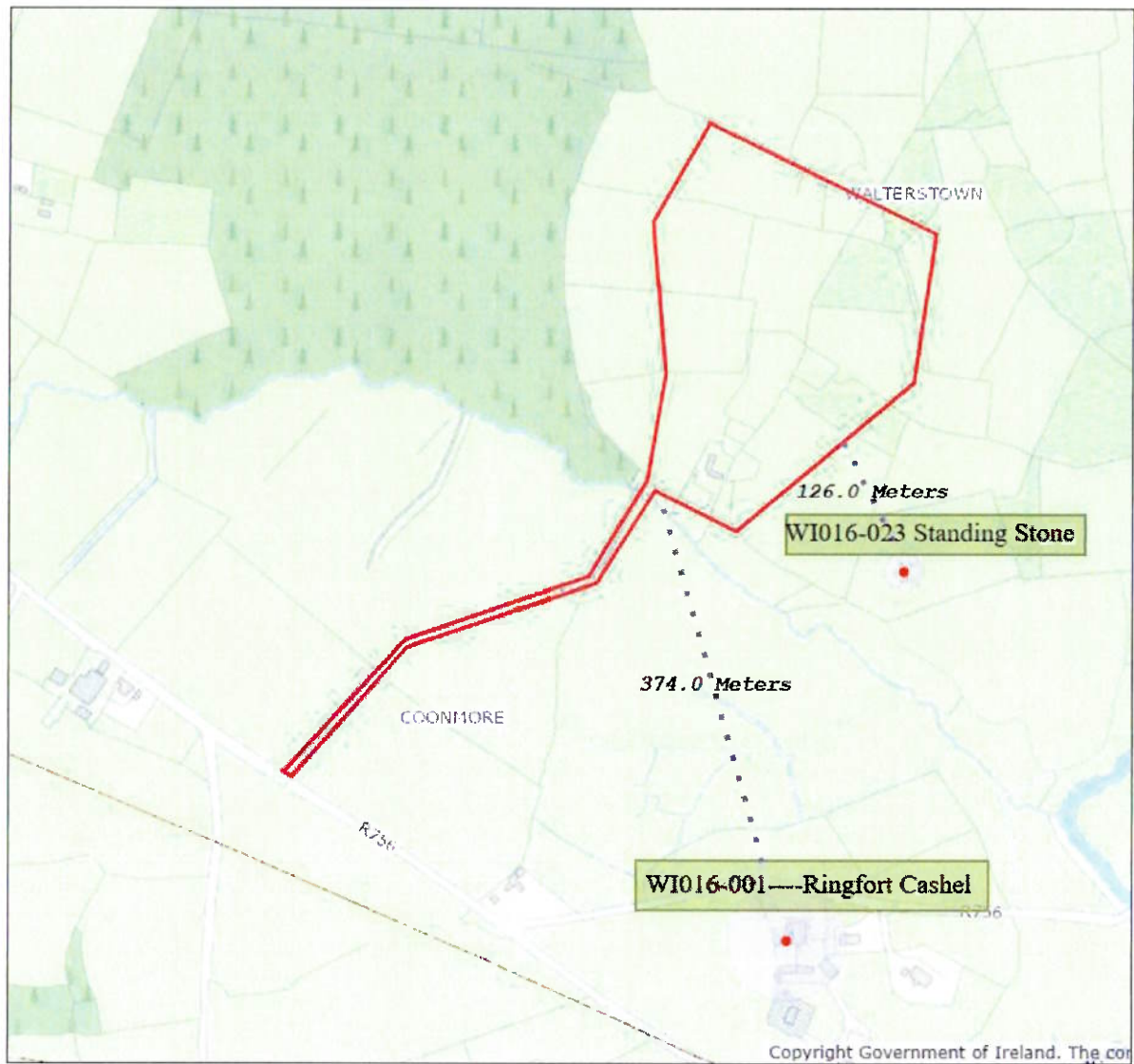


Plate 14: RMP sites within 500m of the proposed development site.

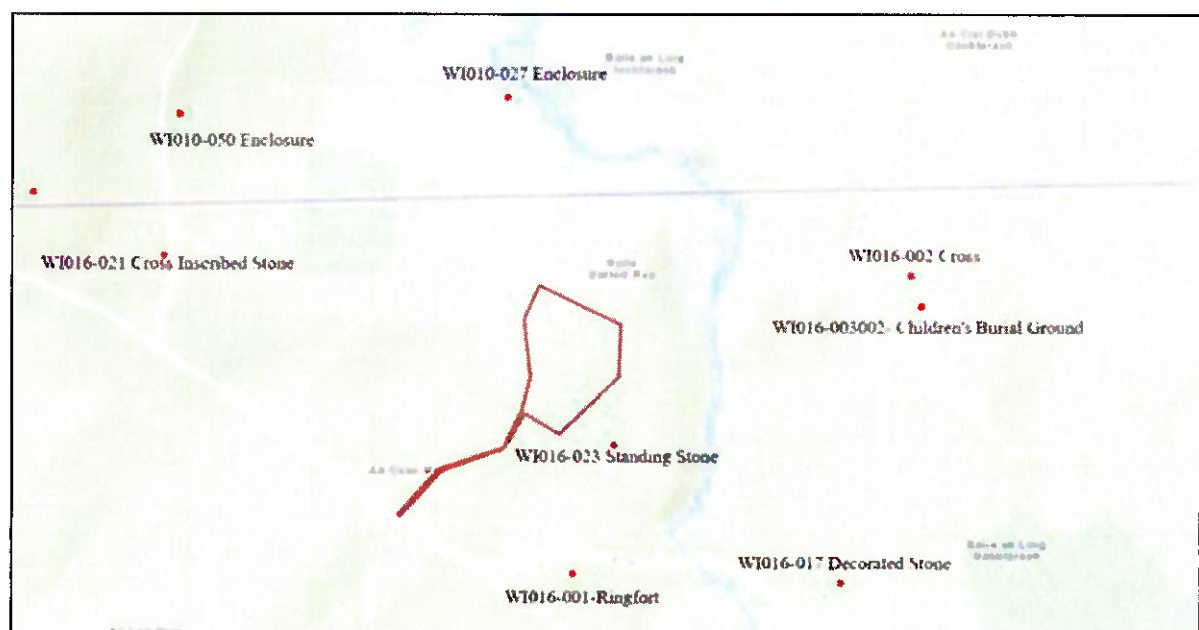


Plate 15: RMP sites within 1km of the proposed development site.

Reference Number	Legal Status	Townland	Monument Type	Approx distance from watermain mains
WI016-023	Recorded Monument	Walterstown	Standing stone	126m
WI016-001	Recorded Monument	Coonmore	Ringfort-Cashel	374m
WI010-027--- -	Recorded Monument	Walterstown	Enclosure	513m
WI016-003001-	Recorded Monument	Lockstown Lower	Cross	805m
WI016-003002-	Recorded Monument	Lockstown Lower	Children's burial ground	851m
WI016-017	Recorded Monument	Lockstown Upper	Decorated Stone	904m
WI010-050	Recorded Monument	Slievecorragh	Enclosure	1.13m
WI016-021	Recorded Monument	Slievecorragh	Cross inscribed stone	1.14m

Table 1: RMP sites within 1.2km of the proposed development site.

Details of RMP sites from the SMR online files ([www.archaeology.ie](http://www.archaeology.ie)). All references found on the SMR files.

**WI016-023----**

**Class:** Standing stone

**Townland:** WALTERSTOWN

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** In improved pasture, on relatively level ground atop ridge. A granite stone (H 1m; Wth 0.75m; T 0.65m) with an oblong cross-section and a slightly fluted top.

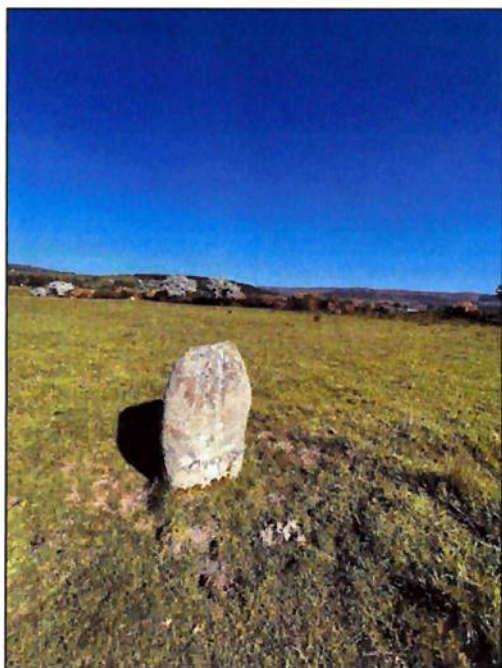


Plate 16: Standing Stone WI016-023----.

#### **WI016-001**

**Class:** Ringfort - cashel

**Townland:** COONMORE

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Situated on the NE edge of a gentle slope with higher ground to the W and NW. Part of circular or oval enclosure truncated at the N by a road. Defined at the S by curving earth and stone bank (present L 12m; Wth 1.2m) faced inside and out by a revetment of small boulders surviving, in places, to two courses. No indication of entrance, external fosse, or internal features. Shown on the 1838 OS 6-inch map.

#### **WI010-027----**

**Class:** Enclosure

**Townland:** WALTERSTOWN

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Situated on a steep-sided natural platform between a steep stream gully (at the W) and the King's River (at the E). Sub rectangular enclosure (dims. 18m N-S; 13.5m E-W). The edge of the platform is defined by an earthen bank (Wth 1-1.5m; H 0.5-1m) at the E, S and W. The entrance consists of a track (Wth 1.6m) formed by the incurving of one terminal of the bank and the outcurving of the other. Hachured on the 1838 OS 6-inch map.

#### **WI016-002----**

**Class:** Cross

**Townland:** LOCKSTOWN LOWER

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Situated on a very gentle NW-facing slope at the northern end of a low ridge. Simple, possibly unfinished, granite cross (H 1.07m) cut from a boulder found in a field boundary c. 100m NW of a children's burial ground (WI016-003002-).

#### **WI016-003002-**

**Class:** Children's burial ground

**Townland:** LOCKSTOWN LOWER

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Situated on a gentle W-facing slope on the side of a low ridge with higher ground to the S and SE. Rectangular enclosure (dims. 13.7m N-S; 12.4m E-W) defined by a wall (H 0.5m) of upright granite slabs. The interior is higher (H 0.2-0.4m) than the surrounding ground level. There are no indications of graves but there is a large earth fast boulder in the centre with a small cairn (diam. 2m) beside it. A simple granite cross (WI016-003001-) with the top broken and one arm missing rests against the boulder.

#### **WI016-021----**

**Class:** Cross-inscribed stone

**Townland:** SLIEVECORRAGH

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** On the face of granite outcrop/boulder (dims. 95cm x 28cm) exposed in a cut of a lane/gravel track. A simple cross (H 0.21m; Wth 0.16m) formed by an incised line (Wth 0.025 - 0.03m; D 0.005m).

#### **WI016-017----**

**Class:** Decorated stone

**Townland:** LOCKSTOWN UPPER

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Listed as 'Rock art' in the SMR (1986) this is the original location of the stone known as the 'Holywood stone' which was found here in 1908. The stone is carved with a labyrinth pattern and is on display in the Visitor Centre at Glendalough (WI023-009063-). (Orpen 1911; Price and Walshe 1933, 48).

#### **WI010-050----**

**Class:** Enclosure

**Townland:** SLIEVECORRAGH

**Scheduled for inclusion in the next revision of the RMP:** Yes

**Description:** Situated on an E-facing slope. Approximately circular enclosure (diam. 8-10m) defined by some large deeply set boulders with other looser stones built up around them. (Information A. O' Sullivan)

Monument Type	Quantity
Ringfort - cashel	1
Enclosure	2
Children's burial ground	1
Cross	2
Decorated stone	1
Standing Stone	1

**Table 2:** Monument types and quantity within 1.2km of proposed development site.

#### **4.4 Excavations Bulletin ([www.excavations.ie](http://www.excavations.ie)) (Appendix 2)**

The excavation bulletin website ([www.excavations.ie](http://www.excavations.ie)) was consulted to identify previous excavations that may have been carried out within the study area. This database contains summary accounts of excavations carried out in Ireland from 1970 to 2007. No excavations have been carried out within the townlands where the watermain rehabilitation passes through.

It was not possible to access the website [www.excavations.ie](http://www.excavations.ie) at the time of writing this report as it appeared to be down despite several attempts over the course of a few days.

#### **4.5 Cartographic Sources**

A review of all mapping was completed at the Glucksman Map Library, Trinity College Dublin. Analysis of historic mapping shows the human impact on the landscape and its evolving nature



over clearly defined time intervals. The comparison of editions of historic maps can show how some landscape features have been created, altered, or removed over a period of time.

Cartographic sources consulted at Trinity Map Library included Petty's Down Survey Barony Maps 1654, The Taylor and Skinner Road Maps which were surveyed in 1777, the relevant Ordnance Survey 6-inch map sheets 1<sup>st</sup> and 3<sup>rd</sup> edition and relevant 25" maps were also examined.

#### **4.5.1 William Pettys Down Survey Barony Map, circa 1656 'The Barony of Talbotstowne in the County of Wicklow'**

William Petty's Down Survey for the 'Barony of Talbotstowne in the County of Wicklow' was examined. These maps depict lands confiscated by the Cromwellians in the seventeenth century. Walterstown is not depicted on this map however the terrier notes that 'The quality of the said Barony is Generally Mountainous and rough pasture with some arable' <sup>1</sup>.

#### **4.5.2 Jacob Neville Map 1760**

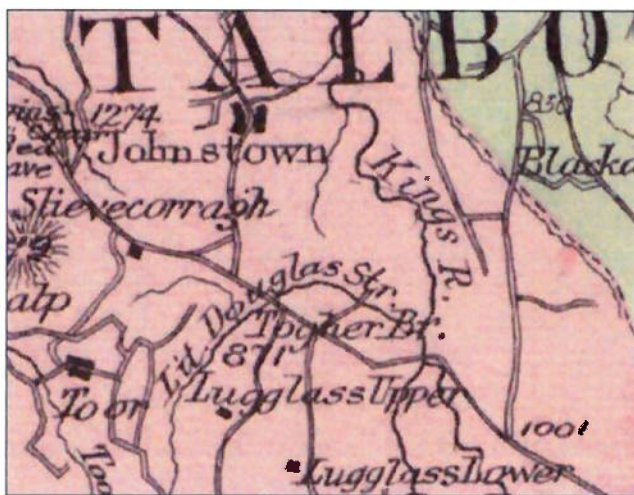


Plate 17: Jacob Neville Map 1760.

The name Walterstown does not appear on the 1760 Jacob Neville Map, however the Little Douglas Stream is labelled, this is also noted in the EIAR to be known as the Toor River (Enviroguide Consulting, December 2022).

#### **4.5.3 First Edition Ordnance Survey Map 1838 Sheet 5 Scale 6 inches to 1 mile**

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<sup>1</sup> [Down Survey Maps | The Down Survey Project \(tcd.ie\)](https://www.tcd.ie/~geography/DownSurveyMaps/)



Plate 18: First Edition Map ([www.archaeology.ie](http://www.archaeology.ie)).

At the time of the First Edition Map the site comprises several small fields, most of which were still extant at the time of the site visit which comprised stone boundary ditches. The entrance to the site is still as it is today comprising a long narrow lane which lead to a farmhouse and small shed surrounded by small plots of ground. The Douglas Stream is labelled at the entrance to the small farmhouse.

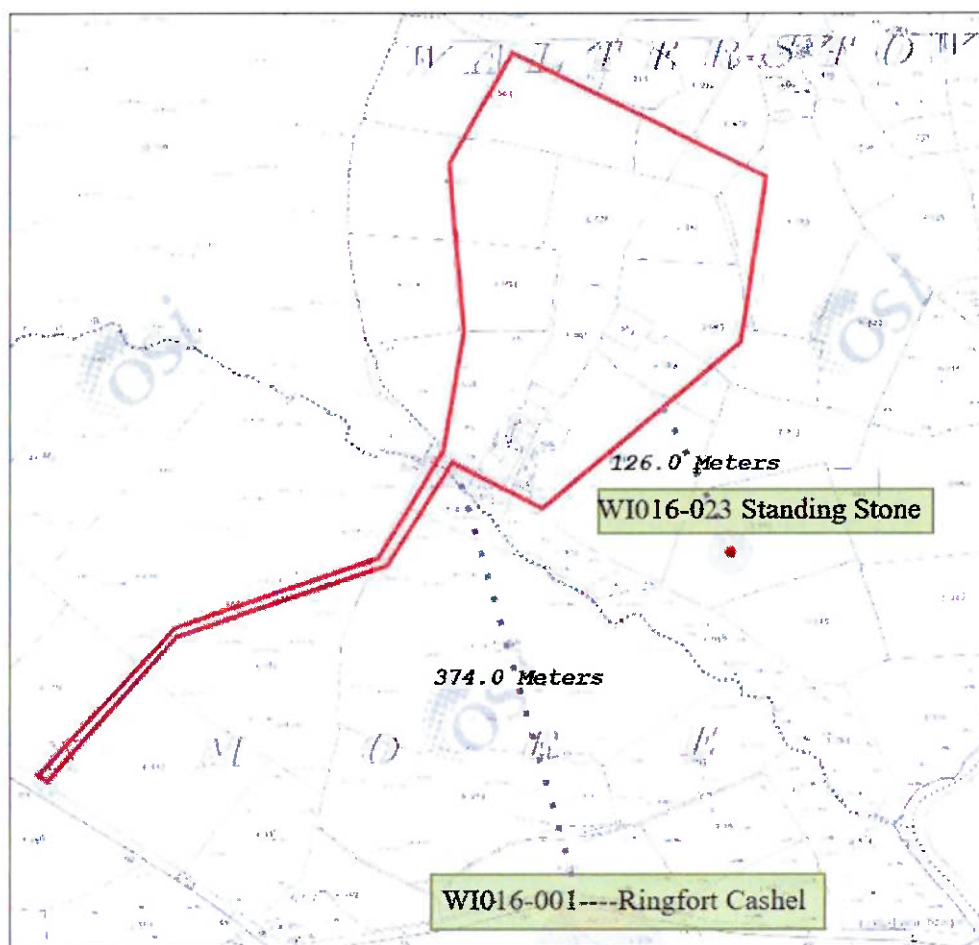


Plate 19: Third Edition Ordnance Survey Map 1908-09 ([www.archaeology.ie](http://www.archaeology.ie)).



Plate 20: Close up of Third Edition Map 1908-09.

By the time of the Third Edition Map an additional building has been added to the west of farmhouse and the shed. A grove of trees is also depicted.

#### **4.6 Architectural Heritage and Local Development Plan**

All townlands through which the watermain will pass were checked on the National Inventory of Architectural Heritage's (NIAH) website. The NIAH is a section within the Department of Arts, Heritage and the Gaeltacht whom identifying and record the architectural heritage of Ireland, from 1700 to the present day. The status of these buildings/structures was also checked in the County Development Plan for Wicklow 2010-2016.

No structures/buildings will be directly impacted upon by the proposed development. The old farmhouse will be retained as part of the development. The yard will be used to house a container which will function as the site office.

### **5 Legislative Background**

This assessment is guided by relevant legislation, standards, and guidelines in respect of archaeology, built and cultural heritage, as follows:

#### **European Legislation**

- Convention for the Protection of World Cultural and National Heritage, 1972
- Council of Europe Convention on the Protection of the Archaeological Heritage of Europe, (the 'Granada Convention') ratified by Ireland in 1997
- European Convention Concerning the Protection of the Archaeological Heritage (the 'Valetta Convention') ratified by the Republic of Ireland in 1997

#### **National Legislation**

- National Monuments Act 1930, amended 1954, 1987, 1994, 2004 and 2014.
- Heritage Act 1995
- Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999
- Planning and Development Act 2000-2018 (as amended).

Further policies relating to archaeological heritage are outlined in The **Draft Wicklow County Development Plan 2021-2027**:

#### **8.5 Built Heritage Objectives**

##### **Archaeology Objectives**

CPO 8.1 To secure the preservation of all archaeological monuments included in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, and of sites, features, and objects of archaeological interest generally. In the development management process, there will be a presumption of favour of preservation in-situ or, as a minimum, preservation by record. In securing such preservation the planning authority will have regard to the advice and recommendations of the National Monuments Service of the Department of Culture, Heritage, and the Gaeltacht.

CPO 8.2 No development in the vicinity of a feature included in the Record of Monuments & Places (RMP) or any other site of archaeological interest will be permitted which seriously



detracts from the setting of the feature or which is seriously injurious to its cultural or educational value.

CPO 8.9 To protect and promote the conservation of historic burial grounds (those that are generally no longer in use, but which may contain sites and features on the Record of Monuments and Places (RMP) and/or RPS) and support greater public access to these where possible.

## **6 Field Inspection**

A field inspection was carried out in advance of any site works to check for potential impacts on previously recorded archaeological monuments on 30<sup>th</sup> May 2023. The results of the site visit are discussed in Section 3 of this report. No previously unidentified archaeology was identified, the standing stone which will not be impacted by the proposed development was visited, it is 126m east of the proposed development site. The vernacular stone cottage with corrugated

## **7 Historical Background**

### **7.1 Introduction**

The study area comprises the townlands of Walterstown and Coonmore. All of these townlands are located in the Barony of Lower Talbotstown in the parish of Hollywood.

### **7.2 Prehistoric Period (7,000BC to 400AD)**

Evidence of Mesolithic activity (7,000-4,000BC) in Wicklow is scarce and primarily confined to a 4km coastal strip which extended east from Seabank near Arklow to Clommannon 5km north of Wicklow town, an explanation for this could be that the majority of this activity would have taken place in the coastal areas which are now submersed by and washed away by the sea (Stout 1994, 4; Corlett 1999, 11). A small number of inland settlements have been found at Ballyrogan Upper and at Coolbeg near Rathnew (Mitchell 1990, 45; Grogan & Kilfeather 1997, 1).

Evidence of later Mesolithic activity from a cave at St Bride's Head one mile east of Wicklow town which was discovered by Charles Martin in 1932 contained broken flints and flint pebbles covering a cave floor (Stout 1994). Mitchell spurred on by the findings in 1932 revisited the coast around Wicklow and found Mesolithic tools on the coast just south of Wicklow town and also at Brittas Bay just north of Arklow. At the latter location he found a large scatter of flint debris near a stream which included scrapers, blades, and rough outs (ibid, 5).

Evidence of later Mesolithic activity in the study area comprises three Bann flakes which have been recovered from the shores of the Poulaphuca Reservoir. This area would have in antiquity overlooked the Kings River, a tributary of the river Liffey (Corlett 1999, 22). The possibly ritually deposited Bann flake found during the excavation of a Neolithic house WI010-058 located northwest of Vallemount indicates possible further late Mesolithic activity in the area.

The earliest evidence for settlement and movement through the west Wicklow mountains dates to the Neolithic (c.4000-2500 BC), the period of the first farming communities in Ireland. Settlement evidence in the vicinity of the rehabilitation works is evidenced by a Neolithic house WI010-058 and associated features in Boystown or Baltyboys Upper. This site was excavated by Chris Corlett in 2007 and 2009. The house was discovered in 2006 when the water level of the Poulaphuca Reservoir was low. This monument is located approximately 2km north-northeast of the proposed development site.

The excavation records define the Neolithic house as an almost square structure. The site yielded a significant amount of Neolithic pottery, a flint axe and the possibly ritually deposited

Bann flake as discussed earlier (Corlett, 2009). Stray finds from the topographical files record the discovery of flint scatters in Monamuck (IA/16/1998).

In the Bronze Age (2500 – 600 BC), the west Wicklow Mountains and the Kings River valley were settled by farming communities. There is a significant prehistoric funerary landscape east in Carrig, 6km northeast of the proposed development site. These monuments are located on the lower slopes of Lugnagun hill and comprise a cluster of three cairns, two standing stones and an unclassified enclosure. A wedge tomb and standing stone were located west of the above cluster. The closest standing stone however was found in the townland of Walterstown, 126m east of the proposed development site.

Stray finds recorded in the Topographical Files from Valkeymount, just 2.3km north of the proposed development site indicates Bronze Age activity in the environs. A socketed bronze axe head (NMI Ref: E92:388) was found during ploughing, an ace shaped ingot (NMI Ref: 1975:237) was found near the shore of the Poulaphouca reservoir and a flat copper axehead (NMI Ref: 2002:89) was found in Monamuck in the Poulaphouca reservoir.

During the Late Bronze Age there was a significant route way across the Wicklow hills, perhaps over the Wicklow gap linking the east coast with the Leinster plains. There are significant collections of metalwork in the Kildare lowlands for example a hoard of bronze metalworking tools found in Bishopsland.

Details of the character of settlement in the Wicklow Mountains during the Iron Age (400 BC – AD 400) are sparse. Excavations carried out in 1980 and in January 2013 at Britonstown WI009-039, approximately 4.6km northwest of the proposed development site have confirmed the presence of an enclosed flat cemetery. These burials span the enigmatic Pagan Iron Age/early Christian transition.

### **7.3 Early Medieval Period (500- 1150 AD)**

The medieval period in Ireland began around 500. This was a time of massive social change with the arrival of Christianity the new and soon to be dominant religion and the development of new political dynasties.

At the Iron Age/ Early medieval transition Ireland was made up of up to 150 tuatha or tribal units/ petty ruled over by a chief or king. In turn these tribal units formed part of larger territorial units ruled over by over Kings. In the sixth/seventh century Wicklow was ruled by the Dál Messin Corb a leading Leinster dynasty of whom St Kevin of Glendalough was a member. This tribe was later taken over by the Uí Mail who rose to power as the Kings of Leinster having killed Maelodran, a legendary hero of the Dál Messin Corb tribe (Smyth 1994, 48, Corlett 1999, 35). The disused placename Cellugarrconn (Cell Uí Garrcon, "The church of the Ua Garrchon") close to Lackan, 7km northeast of the proposed development site gives evidence of these people's presence in the north of Wicklow (Smyth 1994, 52).

The Uí Dúnlainge tribe were Kings of North Leinster in the seventh century and became Kings of Leinster from the eighth to the eleventh century until the Uí Cheinnselaigh who formerly controlled Southern Leinster became the dominant power (Smyth 1994, 41).

Little is known about the early history of the Irish church. By the first half of the fifth century there was a significant Christian community living in Ireland. In the year 431 the bishop Palladius was sent by Pope Celestine to the "Christians in Ireland" (Edwards 1990, 99, 4; Charles-Edwards 2000, 182). The late fifth century saw the beginnings of extensive missionary activity in Ireland. St Patrick, the national, is the best known of the early missionaries. Saint Patrick on his return to Ireland as a missionary is reputed to have landed at what is now Wicklow town and later establish a church in the area. Christianity quickly took hold, and the process of full conversion was complete by the seventh century.

Archaeological evidence for early medieval Christianity includes cemeteries, hermitages, and pastoral church sites along with large and small monasteries. Additional monuments found in isolation and associated with ecclesiastical site are holy wells, souterrains, bullaun stones, ogham stones and crosses (Edwards 1990, 99-131). There is a great deal of evidence for early Christian activity in the environs of the Poulapuca reservoir, 2.6km northeast of the proposed development site. Within a 2km radius of the reservoir there is a church, two inscribed stone crosses, two crosses and two children's burial grounds.

The valley that today lies below the Poulaphouca reservoir would have been within the sphere of St Kevin's monastic settlement at Glendalough. Furthermore, local tradition says that St Kevin's Road followed the townland boundary between Humphreystown and Ballintober and crossed the King's River into Monamuck at a ford of steppingstones (Mac Gabhann 1994, 939). The 'steppingstones' are depicted on the First Edition OS Map however this crossing is now submerged beneath the reservoir.

St Kevin's Road WI017-001, is a medieval road traditionally believed to run through the King's River Valley via the Wicklow Gap to Glendalough. Physical traces of the road are still to be found running from the Wicklow Gap through the townland of Brockagh running down the Glendasan valley and in the field directly opposite the entrance to Glendalough (Nugent 2009, 76-82). A series of excavations carried out in 1968, 1972 by the National Museum of Ireland (Ó Riordan 1968; Wallace & Ryan 1972), at the Wicklow Gap and in the townland of Brockagh in 2005 & 2006 by the School of Archaeology at UCD have shown that the road had a metalled surface, of complex composition (McDermott & Nugent 2005).

The building of such a road was a vast undertaking and would have required a considerable labour force. Land would have needed to be prepared, ditches dug, foundation deposits laid, and granite boulders split to create the sections of paving. Given the cost and effort of construction, it is likely the road was constructed at the height of Glendalough's power in the 10<sup>th</sup> to the 12<sup>th</sup> century. (Healy 1972, 4; Nugent forthcoming).

When the valley was surveyed by Dublin scholars prior to the creation of the reservoir the surveyors were told by locals that they often had ploughed through paving stones in the townland of Blackditches, Togher and Bawnoge, on the way to Sally Gap. This route, possibly St Kevin's Road was still used by the inhabitants of Blackditches up until the creation of the reservoir (Mac Gabhann 1994, 939).

Other monuments dating to the early medieval period in the vicinity of the works include two children's burial grounds one at Ballyknockan WI010-024 at 1.5km and Lockstown Lower WI016-003002 at 805m east of the proposed development site.

Childrens burial grounds generally known as a Cillín have been in use from the early medieval period up until the 20<sup>th</sup> century and are more common in the west of Ireland than the east (Grogan and Kilfeather 1994, 153). They are an area of un-consecrated ground where unbaptised or stillborn children were buried. Suicides and victims of drowning were also buried there. They are often located on marginal land, at townland boundaries, outside Church sites, at crossroads or in ringforts.

The graves were generally marked by simple, low, upright stones or slabs usually without any inscription. Some Cillíni are enclosed as is the case at Lockstown Lower while others are marked by mounds of earth and stone as is at Ballyknockan. Interestingly the Archaeological Inventory for County Wicklow noted that in 1994 there are only two such sites recorded in Wicklow and both of these sites are within the study area of this report.

Ballyknockan WI010-024 was excavated in 1938 by Raftery prior to the construction of the reservoir. It was known as 'Reilig' and visible as a slight mound which was 20m in diameter. The only artefacts recovered from the excavation were two small graveslabs, one in the form of

a cross. No human remains were uncovered however this was explained by the acidic nature of the soil which would not have allowed for preservation (Rafferty 1943).

Lockstown Lower WI016-003002 has not been excavated and is defined by a rectangular enclosure 13m in length, 12.4m in width which is surrounded by a wall 0.5m in height of upright granite slabs. There are no visible graves, however a granite boulder in the centre has a small carin of stones, 2m in diameter beside it and this may contain burials. A simple granite cross WI016-003001 with the top broken and one arm missing rests against the boulder (Grogan and Kilfeather 1997, 153). Another cross is located 100m northwest of the burial ground and is thought to represent an unfinished granite cross WI016-003002.

There is one cross-inscribed stones which can date from the 5th century onwards in the vicinity of the works at Slievecorragh WI016-021. It is located on the face of granite outcrop/boulder (dims. 95cm x 28cm) exposed in a cut of a lane/gravel track. A simple cross (H 0.21m; Wth 0.16m) formed by an incised line (Wth 0.025 - 0.03m; D 0.005m).

Other monuments dating to this period in the vicinity of the proposed development site are ringforts which although generally dated to this period may have been in use over a long period of time (ibid., 45). There are two basic forms the rath and cashel. A rath is defined by one or more earthen banks with an external fosse or ditch. Entry to them is usually by a gap in the bank and the interior is accessed by a causeway over the surrounding fosse/ditch. Cashels are of similar form however are enclosed by stone walls and the ditch if present is dug through rock (ibid.).

They functioned as residences and/or farmsteads and excavated examples have produced metalworking evidence. Some examples have two (bivallate) or three (trivallate) banks and fosses and have been equated with higher status sites belonging to upper grades of society (ibid.) There is one ringfort which is a cashel and two enclosure sites within 1.2km of the proposed development area in Walterstown and Coonmore. The closest example is at Coonmore 374m south of the proposed development site.

Two enclosures are also within a 1.2km radius of the proposed development site. These monuments did not have enough diagnostic features to allow for classification and may date from prehistory onwards. These sites are listed at Slievecorragh WI010-050, 1.13km and Walterstown at 513m from the development site.

From 795 the Norse raiders or Vikings began raiding the east coast and founded their first base at Dublin. From there they plundered the countryside especially targeting the monasteries which held great wealth. The invaders secured rivers by establishing bases at its mouths and from there they could penetrate inland (Flynn, 2003, 14).

There is yet not enough evidence to point at a specific time when the transition from coastal camp to settlement took place however Liam Price states that Arklow and Wicklow were established following the death of a local King Cinead (Rees, 2004, 29).

The Vikings retained their foothold in Wicklow and Arklow, but they were often engaged in battle with other túatha of Leinster including the Uí Enechglais and the Uí Garrchon. The disused placename Cellugarrconn (Cell Uí Garrcon, "The church of the Ua Garrchon") close to Lackan and the watermain, relates to and gives evidence of these people's presence in the north of Wicklow (Smyth 1994, 52). There was however integration between the Vikings and the Irish over time as evidenced by an entry in the annals in 1103, which records that the king of the Uí Enechglais was a Hiberno-Norse ruler named Glún íarainn meaning Iron Knee and he was based in Arklow.

By the end of the twelfth century the Vikings were met with a new political and social force as the Anglo Normans invaded Ireland.



#### 7.4 Later Medieval Period (1150-1700)

The Anglo-Norman invasion was the result of a vendetta between Dermot and Tiarnán O'Ruairc of Bréifne. In 1152 Mac Murrough abducted O'Ruairc's wife and held her hostage for a year. O'Ruairc formed alliances with Mac Murroughs enemies and in 1166 banished him from Ferns. As a result of this Mac Murrough who realized his lands were in danger requested Henry II's help in reclaiming his lands. Mac Murrough travelled through England and Wales gathering forces and Strongbow pledged his assistance on a number of conditions; that he would be King of Leinster when Mac Murrough died and that he could have Aoife, Mac Murroughs daughter.

The invasion began in 1167 when a small troop of Anglo-Norman forces along with Mac Morough landed in Bannow Bay. In 1169 further troops arrived and they set out to take Dublin. The High King Ruairí O'Conchúir did not anticipate the route Mac Murrough would take through the mountains and they took Dublin within a few days. Henry II granted most of the land in Leinster to Strongbow but retained a narrow strip from Wicklow to Arklow. The invaders quickly established their castle, the motte and Bailey at Bray, Newcastle, Wicklow and Arklow. (Flynn, 2003).

The Anglo-Norman reorganised Irish society established manors and boroughs, their own currency along with founding several new parish churches (Corlett 1999, 65). The earliest fortifications erected by the Anglo Normans, which was the key behind the strength of their conquest comprised mottes which were steep sided mounds with a timber tower on top and a stockade around the perimeter. They were built at strategic locations during their conquest to consolidate their territories (ibid., Corlett 2007, Grogan and Hillery 1993). A bailey was also associated with these mottes which was separated from the motte by a bank and ditch which also surrounded the bailey.

Another form of castle constructed by the Anglo-Normans and Gaelic lords in the 13<sup>th</sup> century was a Ringwork Castle, which although contemporary with motte and bailey castles are not as common (ibid., 175). These castles consisted of a circular, oval, or polygonal area enclosed by an earth and stone bank and outer fosse. An example of such a monument WI005-048, can be seen on the edge of the Blessington Reservoir in Burgage More approximately 8km from the proposed development. Limited excavation revealed two hearths and a simple stone lined drainage gully. Another castle, although unclassified is in the townland of Baltyboys or Boystown.

Moated sites are another archaeological monument from this era. They are visible in the landscape as a square, rectangular, or occasionally circular in plan enclosure or platforms enclosed by a wide banks and a wide flat-bottomed fosse which often was water filled (Barry 1987, 84-95, Grogan and Kilfeather 1997, 168). They date to the late 13<sup>th</sup> early 14<sup>th</sup> centuries and were primarily defended manor houses built in areas which had Anglo-Norman settlers though they were also built by Gaelic lords (Grogan and Kilfeather 1997, 168). A moated site in Carrig WI005-078, is approximately 6.5km north of the proposed development site.

By 1326 the medieval borough at Burgage More, 8 kilometres north of the development site was in decline however the tower house WI005-070004 found on the edge of the Poulaphouca reservoir testifies that the land continued in use for some time (ibid., 194). The monument was described in the OS Letters as being in ruins 1928 (O'Flanagan, 105). These fortified rectangular or square residences were usually four to five stories high and were constructed by a lord or landholder in the 15<sup>th</sup> and 16<sup>th</sup> centuries and were often partially or completely enclosed by a bawn (Grogan and Kilfeather 1997, 187). The towerhouse in Burgage More survives as a four-storey uncoursed rubble structure with dressed granite quoins. Only the north and west walls of this structure survive. A stray Belarmine jar (NMI REF: 2004:144) found in 2004 in the townland of Carrig 2km east of Burgage More is a further indicator of archaeological activity in the area. During the 16<sup>th</sup> century quantities of German stoneware jugs

and mugs were exported to England and Ireland, so called Bellarmine after a Cardinal Bellarmine (Draper 2001, 33).

The political landscape of the county changed dramatically following the Anglo-Norman conquest of the Liffey and Barrow valleys. The Gaelic tribes of the O'Tooles and O'Byrnes were pushed into the Wicklow Mountains (Smyth 1994, 41). By the 14<sup>th</sup> century however England was engaged in wars with France and Scotland and its resources were heavily stretched. As a result, King Edward II withdrew most of his army from Wicklow. As English power contracted in the fifteenth and sixteenth centuries the O'Byrnes and the O'Tooles, continued their attacks on these settlers. The Wicklow Mountains were known as a 'Land of War' and remained so for the next three hundred years (Corlett 1999, 67). Interestingly the townland Annacarney 'áth na ceitheirne' means ford of the band of kerns, 16<sup>th</sup> century Irish Gaelic warriors who were variously armed with javelins, axes, slings, and bows.

In 1606 Wicklow was eventually created a county and was in fact the last county to be shired. Coinciding with the shiring of the county the Church of Ireland sought to extend its control over the county through a policy of plantation. By 1640 Catholics owned less than half the land in the county through a policy of plantation.

In 1649 Cromwell arrived in Ireland with an ultimatum; 'to hell or to Connaught' as Irish landlord's lands were transferred into protestant ownership. In 1653 an act was passed in the English parliament which confiscated all land in Ireland (Flynn 2003, 35). William Petty's Down Survey for the 'Barony of Talbotstowne in the County of Wicklow depicts lands confiscated by the Cromwellians in the seventeenth century (Figure 7). By the mid 17<sup>th</sup> century Cromwell had succeeded in dispossessing the Irish of two and a half million acres of land and pushing Irish landowners west (Howley 1993, 4).

This enabled the English planters to gain a firm foothold in the country. These years allowed for a period of growth and building following the bloody wars of the previous centuries. By 1700 estate owners began to build in large houses in earnest to settle on their newly acquired lands. Such houses are depicted on The Taylor and Skinner Road Map 1777 Map 138 'Road from Dublin to Tullow' (Figure 6). Blessington, which is the residence of Dunbar Esquire, a church is also depicted here. Other seats depicted are Smiths Esquire of Baltyboys, the Earl of Milltown at Russborough and Viscount M. Cashel of Broomfield.

## 7.5 Post Medieval and Modern Period

By the late 18<sup>th</sup> century, the lives of the landed gentry and the native Irish people were interrupted with the rebellion of 1798. This was the most violent and tragic event in Irish history between the Jacobite wars and the Great Famine.

After years of disagreements and sporadic violence the rebellion broke out. In neighbouring Wexford, the rebels mustered larger forces and won several important victories including at the Hill of Oulart, Ferns and Enniscorthy.

The rebellion in Wicklow never escalated to a similar level as what happened in Wexford. Explanations for this could perhaps be the massive arrests that took place before the rising and also that there was also a lack of important early day victories for the Wicklow rebels. Wicklow men however did gather in large numbers at Blackmore Hill and around Newtownmountkennedy. Blackmore Hill near Lackan served as a rebel camp where from June to November 1798.

In the village of Valkeymount 3km northeast of the proposed site, Saint Joseph's Parochial House, and Catholic Church, both 19<sup>th</sup> century in date are fine examples of architecture from this period. The Church building is very unusual in appearance and is inspired by Latin American or Maltese architecture. It also contains stained glass windows by two famous Irish stained-glass artists, Harry Clarke, and Hubert McGoldrick.

In 1939 the landscape of this region was to change dramatically with the creation of the Poulaphuca Reservoir. It was created by leading water from the Liffey and the King's River into a reservoir as a means to providing water for the expanding city of Dublin.

There was local dissent of the project, especially from the local politicians and the parish priest of Valleymount, whose parish would be physically submerged. The scale and urgency of the project seems to have led to its acceptance. Realising the impact on the landscape, a group of Dublin scholars undertook a survey of the area to be affected by the flooding. Hence many sites of archaeological and/or historical interest was recorded and or excavated, if perhaps hastily due to the looming project (Corlett 1994, 929).

The shore length of the reservoir covers thirty-five miles and many townlands diminished in size. Ballinahown was obliterated from the map and Baltyboys Upper and Lower, Burgage More and Burgage Moyle, Haylands, Horsepasstown, Lackan, Russelltown, Tulfarris and Valleymount all lost more than 40 percent of their Ordnance survey acreage (Corlett 1994, 930).

The artificial lake covered and partly submerged several townlands. The table below shows the percentages of land lost, number of holdings that lost land and number of houses submerged in regard to same. The information is taken from Mac Gabhann's article "The Water Was The Sheriff" (1994, 931): The Land Beneath the Poulaphuca reservoir, originally taken from the Valuation Office Archives.

**Land, Holdings and Houses lost to the Reservoir (Valuation Office Archives)**

Townland	Percentage of Townland	Holdings which lost Land	Houses Submerged
Annacorney	18.0	8	-
Baltyboys Upper	49.0	9	8
Blackditches Lower	1.0	1	-
Carrig	18.0	8	-
Lackan	48.0	36	15
Monamuck	84.0	18	4
Sroughan	19.0	7	-
Valleymount	59.0	10	3

The project meant that the archaeology, history, lives, and traditions of the people in the affected area would fade away. Fortunately, a group of Dublin scholars led by Liam Price took it on them to investigate and record a selection of sites in the area. The venture went under the name; 'The Poulaphuca Survey'. Christiaan Corlett has in later days edited and published this work 'Beneath the Poulaphuca Reservoir: the 1939 survey of land flooded by the Liffey Reservoir Scheme' (Corlett 2008).

A number of archaeological sites were chosen to be excavated before they would be drowned by the rising water levels. The investigations were limited, and, in some cases, it was a matter of one trench through a ringfort. The excavations were funded by the Royal Irish Academy, and they were aimed at establishing a function and date of the site in question (Corlett 2008).

The "Reilig" was one of the sites chosen to be investigated. The site was said to have been a burial ground for un-baptized children, it was excavated by Joseph Raftery, no remains were identified and Raftery concluded that the bones most likely had disintegrated due to the acidity of the soil (ibid., 285-291).

Two ringforts were investigated at Ballyknockan and Burgage More by R.A.S Macalister. The investigations were limited; the ditches were for instance never excavated (ibid.). O'Connor investigated three of the ringforts of early medieval date located in the vicinity of Lackan. Unfortunately, one had been levelled by the landowner. The remaining sites chosen for

excavation were Rath na Frishan, Guinn's Rath in Ballinahown and Tobin's Rath east of Cook Brook. The sites seem to have disappointed the excavator, however similar to Macalister, O'Connor did not excavate the ditches and as there was a lack of finds these sites were deemed to have been settled by the poor (ibid.).

The National Museum of Ireland also acted as a "voluntary collecting agent" acquiring objects of archaeological or historical importance from the valley. Included among these objects were a horse churn, seed plough, fire fender, barrel or churn with a dash, lid, and hopper (NMI1940:64-67). Two stone axes were also acquired, found during turf cutting at the Rundle, Butterhill (ibid., 281). Additionally, a quernstone was found at Humphreystown during the construction phase of the reservoir.

Perhaps the most controversial part of the project was the exhumation of the burials at the old graveyard in Burgage near the edge of the reservoir. The remains were to be moved to a cemetery nearby due to closeness of the old graveyard to the water level. The old graveyard is the site of an early church foundation previously known as Domhach Emlagh. Located at the site was also a medieval high cross; St Mark's cross, the head and base of a second cross as well as the remains of a tower (ibid.). The high cross as well as the burials and associated objects were moved to the new cemetery. The exhumation process was focused on burials visible on the surface which are likely to be of modern date. There was no account for ancient burials being exhumed (ibid.).

## **8 Impact Assessment and Recommendations**

The proposed is for a quarry at Coonmore and Walterstown, Hollywood, Co. Wicklow, for the extraction of sand and gravel at a maximum rate of 50,000 tonnes per annum (tpa). The overall site area, including the internal haul road, is 8.44ha. The proposed extraction area is 5.52ha. These townlands are in the barony of Talbotstown Lower and in the parish of Hollywood.

A desk-based survey and field inspection have been carried out. No structures/buildings will be directly impacted upon by the works and the farmhouse will be retained. No RMP sites will be directly impacted upon by the proposed development, the closest site is a standing stone 124m west of the proposed quarry. There is area a number of large earth fast boulders in the development site which appear to be of natural origin, however further examination is recommended should the development be granted planning.

Given the scale of the development the landscape which may contain previously unrecorded archaeological features may be uncovered during groundworks associated with the development. There is a total of 8 RMP sites within 1.2km of the proposed development site and the closest are a standing stone and a ringfort.

The ground conditions are not suitable for geophysical survey given that there are numerous furze bushes, small fields with barbed wire fencing and a great number of granite boulders. The ground is uneven with rushes growing in the western end of the development site. Uneven ground such as this is not suitable for geophysical survey as the bumping up and down affects the sensors and the quality of the data collection.

In order to determine the impact of the proposed development on previously unrecorded archaeology the following mitigation is recommended:

Test trenching should be undertaken by archaeologists under licence to the National Monuments Service of the DoHLGH should the development be granted planning and in advance of any groundworks commencing.

Dependant on the results of the test trenching, further mitigation may be required, such as the preservation in-situ or by record (archaeological excavation) of any features that may be



identified and/or archaeological monitoring. Any further mitigation will require agreement from the DoHLGH.

There are several possible clearance cairns visible which are overgrown, and it is recommended that these be further examined and cleared of vegetation during the course of test trenching to confirm that they are not of archaeological significance.

**It is the developer's responsibility to ensure full provision is made available for the resolution of any archaeological remains, both on site and during the post excavation process, should that be deemed the appropriate way to proceed.**

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.

This assessment is guided by relevant legislation, standards, and guidelines in respect of archaeology, built and cultural heritage and is subject to approval by the relevant bodies.

All works should be carried out under the relevant excavation licence under Section 26 of the National Monuments Act 1930-2014 (as amended) and in consultation with the NMS and NMI. The following guides and legislation were considered.

- Architectural Heritage (National Inventory) and Historic Properties (Miscellaneous Provisions) Act, 1999
- Convention for the Protection of World Cultural and National Heritage, 1972
- Council of Europe Convention on the Protection of the Archaeological Heritage of Europe, (the 'Granada Convention') ratified by Ireland in 1997
- European Convention Concerning the Protection of the Archaeological Heritage (the 'Valetta Convention') ratified by the Republic of Ireland in 1997
- Framework and Principles for the Protection of the Archaeological Heritage, 1999, Department of the Arts, Heritage, Gaeltacht, and the Islands
- Heritage Act, 1995
- National Monuments Act, 1930, as amended 1954, 1987 and 2004

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## **Appendix 2**

**Planning Authority Reg. Ref.      22/1306**

**PLANNING & DEVELOPMENT ACT 2000 (as amended)**

**Reference Number in Register: 18/677**

**SCHEDULE**

Pursuant to the Planning & Development Act 2000 (as amended), permission is hereby granted, having regard to the existing quarry on site, and the planning history of the site and lands, the details submitted in the Environmental Impact Assessment Report and associated documents, the provisions of National and Regional policies with respect to the need for aggregates, and the objectives of the Wicklow County Development Plan to support and facilitate the exploitation of County Wicklow's Natural aggregate resources in a manner, which does not unduly impinge on environmental quality, and the visual and residential amenity of an area, it is considered that having carried out an Environmental Impact Assessment, and Screening of the development with respect to Appropriate Assessment, that the development would not result in any significant negative impacts on the environment, would not impact detrimentally on the visual/ residential amenities of the area, or result in a traffic hazard, and subject to compliance with the mitigation measures set out in the Environmental Impact Statement and the attached conditions, accord with proper planning and sustainable development.

**General**

1. This permission refers to the development as described in the Environmental Impact Assessment Report and associated documents, as revised by the further information details submitted on the 28th November 2018, save as the conditions hereunder require.

REASON: For clarification.

2. (a) This permission is limited to a period of 27 years. At the end of this period the quarry shall be fully restored in accordance with Condition 21, and all plant and machinery shall be removed from site.  
  
(b) The extraction period shall be for a period of 25 years from the date of final grant and the restoration period shall begin at the end of the 25 years.

REASON: To permit a review of this development in the light of circumstances and facts then existing.

3. The mitigation measures and commitments identified in the Environmental Impact Assessment Report, the further information details submitted on the 28th November 2018, and all associated documents and plans submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.

REASON: For clarification, protection of the environment, and built heritage and proper planning and sustainable development.

## **Financial**

4. **Before development commences**, the developer shall pay the sum of **€ 56,760** (Fifty six thousand, seven hundred and sixty euro) to the Planning Authority as a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

The contribution sought is in accordance with Wicklow County Council's Development Contribution Scheme for the area in which the site is located and Section 48(1) of the Planning and Development Act 2000.

Where the contribution remains unpaid the monies payable shall be updated in accordance with the Wholesale Price Index as published by the Central Statistics Office on the 1st January of each year following the date of the Final Grant.

REASON: The public infrastructure and facilities included in the Development Contribution Scheme will facilitate the development and it is considered reasonable that the developer should contribute towards the cost thereof.

5. **Within 3 months of receiving the written agreement of the Planning Authority** for the proposed Extraction and Restoration schemes, the owner / operator shall provide security for the satisfactory restoration of the quarry in accordance with the agreed restoration scheme.

The form of the security shall be the lodgement with the Planning Authority of the cash sum of **€50,000** (fifty thousand euro).

The Planning Authority may allow, at its absolute discretion, a reduction in the amount of the cash security, where the Planning Authority is satisfied that phasing of the Extraction and Restoration schemes is practicable and desirable.

Initially, the reduced cash security will apply to the appropriate phases of the Extraction and Restoration schemes and shall, as a minimum, include the existing extracted area of the quarry and the phase currently being excavated. The amount of the security shall be reviewed and renewed before each subsequent phase of extraction is commenced.

For future phases, the Planning Authority will calculate the appropriate sum for the financial security, based on the then costs of the restoration works required.

If any phase of the restoration scheme has not been completed **within three years of the commencement of that phase**, the Planning Authority may, at its discretion, require an increase in the amount of the current financial security amount in line with the Wholesale Price Index – Building and Construction (capital Goods) published by the Central Statistics Office.

REASON: To ensure the satisfactory restoration of the site in the interests of the amenities and the proper planning and sustainable development of the area.



6. **Before development commences**, the developer shall pay the sum of **€18,117** (Eighteen thousand one hundred and seventeen euro) to the Planning Authority as a contribution in respect of road improvement works to R756 as identified in the submitted report/topographical survey submitted on the 28th November 2018 which benefit the proposed development.

This contribution is sought with respect to expenditure that is proposed to be incurred and is in accordance with Section 48(2) (c) of the Planning and Development Act 2000 and is subject to the provisions of Section 48(12) of that Act.

Where the contribution remains unpaid the monies payable shall be updated in accordance with the Wholesale Price Index as published by the Central Statistics Office on the 1st January of each year following the date of the Final Grant.

REASON: The said works will facilitate the development and it is considered reasonable that the developer should contribute towards the cost thereof.

#### **Surface / Ground Water**

7. (a) **No extraction** shall take place on site which would be located within 5m of the underlying groundwater level.
- (b) The developer shall record groundwater levels in the boreholes on site on a monthly basis **for at least 1 year from the date of commencement of extraction**, unless otherwise agreed in writing by the Environment Section of Wicklow County Council. The results of such monitoring shall be submitted **within 3 days of records being taken**. Where the results indicate that the finished floor level of the quarry should be adjusted to conform with the requirement under Part (a) this should be identified in the monitoring results submitted to the Planning Authority, and at that time a revised finished extraction finished floor level shall also be submitted for the written agreement of the Planning Authority, and the development shall accord with such written agreements.

REASON: To prevent pollution, to ensure protection of the groundwater, in the interest of proper planning and sustainable development.

8. All over ground oil or other chemical storage tanks shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume in excess of 1.1 times the capacity of the largest tank.

REASON: In the interest of proper planning and sustainable development, public health and the protection of surface and ground water.

### **Roads**

9. (a) Full details of wheel wash facilities shall be submitted for the written approval of the Planning Authority and no development shall commence on site until the wheel wash is operational.
- (b) The developer shall be responsible for maintaining the adjoining public roadway in a clean state, free from mud and other debris caused by the haulage of gravel and sand from the site.

REASON: In the interests of traffic safety and amenity.

10. No extraction shall commence on site until the works necessary to provide sightlines as identified in Drawing No. SRC-155-100 submitted on the 19th June 2018 have been carried out in full, and stop lines/ signage provided at the entrance to the development.

REASON : In the interest of traffic safety.

### **Hours of Operation/ Noise**

11. The hours of operation shall be from 08:00 -18:00 Monday to Friday, and 08:00 -14:00 on Saturdays, no works shall take place on Sundays or on any public holidays.

REASON : In the interest of residential amenity.

12. Equivalent sound levels attributable to all on-site operations associated with the proposed development shall not exceed 55 dB(A) (Leq) over a continuous one hour period between 0800 hours and 1800 hours on Monday to Friday inclusive, and between 08:00 to 14:00 on Saturday inclusive, when measured at any noise sensitive receptor. Sound levels shall not exceed 45 dB(A) at any other time.

REASON: In interest of residential amenity.

13. Arrangements for the recording of noise emissions and the regular submission of the results of these surveys to the Environment Section of Wicklow County Council shall be made and included in the Environmental Management System (EMS).

The results of such surveys shall include, inter alia:-

- (i) Type of monitoring equipment used, sensitivity or calibration evidence, and the methodology of the survey.
- (ii) Prevailing climatic conditions at the time of the survey.

- (iii) The time interval over which the survey was conducted.
- (iv) What machinery was operating at the time of the survey.

An interpretative report, prepared by the person carrying out the monitoring, shall accompany all monitoring records. If the noise survey has not been carried out, or the results not submitted to the Environment Section within one month of the agreed survey date under the Environmental Management System, the Environment Section may arrange to have such a survey carried out and the cost of the survey shall be recouped from the operator.

REASON: In the interests of proper planning and sustainable development, residential amenity and to prevent noise pollution.

**Dust /Waste:**

- 14. The effluent disposal system shall be laid out as proposed and constructed to the specification of Wastewater Treatment and Disposal Systems Serving Single Houses (p.e.  $\leq 10$ ), Code of Practice, published by E.P.A 2009  
Photographic evidence of the installation of the septic tank/secondary treatment unit, distribution chamber, and percolation trenches/ polishing filter and pipes shall be submitted on completion of the system. Before the development is occupied, a certificate from a Chartered Engineer, Environmental Health Officer, or Hydrogeologist, (with professional indemnity insurance) stating that the effluent disposal system has been installed in accordance with this condition, shall be submitted to the Planning Authority.

REASON: To ensure the provision of an adequate sewage disposal system, in the interests of public health and residential amenity.

- 15. Dust emissions from the site shall not exceed 350 milligrams/square metre per day averaged over a continuous period of 30 days, measured as deposition of insoluble particulate matter at any position along the site boundary. Suitable arrangements shall be made to suppress and control dust arising from the open working and the processing and the handling and transportation of materials. The deposition of dust on surrounding lands in excess of allowed limits, or spillage onto public roads shall be prevented at all times. Within two months of the imposition of conditions, details of management and monitoring arrangements to ensure compliance with this requirement shall be submitted to the Environment Section of Wicklow County Council for approval. When approval is granted they shall be included in the Environmental Management System.

REASON: To protect the amenities of properties in the vicinity of the site.

### **Safety**

16. (a) **Before any excavation commences on any phase**, the 10m buffer identified in the documents shall be adequately fenced such that no extraction occurs within the 10m boundary corridor.
- (b) Adequate Fencing shall be provided and maintained to prevent access to the edge of all slopes.

REASON: In the interests of public safety and residential amenity.

17. The developer shall erect metal advance warning signs (type or location). The material, content and design of these signs shall be agreed with the Planning Authority **before development commences**.

REASON: In the interests of traffic safety.

### **Environmental Monitoring**

18. **On an annual basis (by the end of February each year) for the lifetime of the facility**, the operator shall submit to the Environment Section of Wicklow County Council three copies of an environmental audit. Independent environmental auditors, whose names shall be submitted to the Environment Section of Wicklow County Council for prior approval, shall carry out this audit. This audit shall be carried out at the expense of the operator. This audit shall contain –

- (a) A copy of all of the environmental monitoring results for the year,
- (b) A record of movement of heavy vehicles outside the approved opening hours,
- (c) A full record of any breaches over the previous year for noise, dust, and water quality,
- (d) A written record of all complaints, including actions taken on each complaint,

A full interpretative report, prepared by the person carrying out the monitoring, shall accompany all monitoring records.

In addition, a topographical survey, carried out by an independent qualified surveyor, shall be completed for the initial year and every 3 / 5 years thereafter, and submitted with the audit. This survey shall show both the areas and volumes



- (i) That have been excavated and
- (ii) That have been restored.

Notwithstanding the above annual audit requirements, all incidents where levels of noise or dust exceed agreed levels shall be notified to the Environment Section **within two working days**. Incidents of surface or groundwater pollution, or incidents that may result in groundwater pollution, shall be notified to the Environment Section **without delay**.

REASON: In the interest of residential amenity and to ensure a sustainable use of non-renewable resources.

19. **Within three months of the date of this permission**, the operator shall submit to the Environment Section of Wicklow County Council for their written agreement a proposal for an Environmental Management System (EMS) for the quarry. This shall include the following –

- (a) A list of all monitoring locations,
- (b) Description and specification of equipment to be used, proposed frequency of monitoring and reporting. An interpretation of the results shall accompany all monitoring reports.
- (c) The identity and qualifications of persons responsible for the proposals for the suppression of onsite noise (in order to comply with the conditions),
- (d) Proposals for the on-going monitoring of sound emissions at noise sensitive locations in the vicinity,
- (e) Proposals for the suppression of dust on site, from plant, access roads and wind blown,
- (f) Proposals for the bunding of fuel and lubrication storage areas, and details of emergency action, in the event of accidental spillage,
- (g) Proposals for monitoring of groundwater levels, Proposals for analysis of water samples from boreholes on site,
- (h) Details of safety measures for the land around the quarry, to include warning signs and stock proof fencing.

All actions shall be implemented **within six months of the date of agreement** with the Environment Section.

REASON: In the interest of orderly development and safeguarding local amenities.

20. The protection of sand martin nesting sites shall accord with the amelioration measures identified in the further information submission of the 28th November 2018. **On an annual basis** the operator shall confirm to the Planning Authority in writing whether or not extraction took place during the breeding season in the area to which amelioration measures were to be undertaken as set out in the submission of the 28th November 2018. Where the submitted confirmation identifies that extraction took place, any confirmation should also include the report of the ecologist who undertook the monitoring/ site survey works.

REASON: To ensure nesting sites are undisturbed, in the interest of proper planning and sustainable development.

#### **Restoration/ Phasing.**

21. **Within six months of the date of the final grant** a Restoration Plan shall be submitted to and agreed in writing by the Planning Authority. This restoration plan shall provide for the suitable re-grading of slopes and the placement of any stored stockpiles onto the extracted area, or the provision of a layer of topsoil only on the lands so that it can re-vegetate. **On no account** shall the extracted lands be refilled to previous levels on foot of this permission.

Any plan shall include a detailed landscaping scheme, prepared by a qualified professional with suitable experience, and shall indicate the type, height, location, number and species of all trees and shrubs to be planted. The scheme shall have an emphasis on the use of native and locally common species, and shall indicate where mounds will be provided to provide screening, either for noise mitigation or visual. Existing shrub and tree vegetation on the site boundaries shall be retained. A mixture of deciduous and quick growing evergreen trees shall be used. The plan should show the species and location of the proposed tree planting. Such a scheme, once agreed in writing with the Planning Authority shall be implemented on cessation of extraction on site, and shall be regularly inspected for at least 4 years after planting has been carried out.

Any plants, which become seriously damaged, shall be replaced by others of similar size and species, and all shall be maintained thereafter to the satisfaction of the Planning Authority.

REASON: In the interests of visual amenity, biodiversity enhancement and in order to integrate the development into the surrounding landscape.

#### **Archaeology:**

22. (i) The operator shall engage the services of a suitably qualified archaeologist ( licensed under the National Monuments Acts 1930 – 1994) to carry out pre-development archaeological testing in the areas of the proposed quarry extension in advance of any site preparation and/or extraction works. No subsurface work shall be undertaken in the absence of the archaeologist without his/ her express consent.

(ii) The archaeologist is required to notify the Department of Culture, Heritage & the Gaeltacht in writing **at least four weeks prior to the commencement** of site preparation works, including any topsoil stripping and/ or site clearance works. This will allow archaeologist time to obtain a licence to carry out the archaeological testing.

(iii) The archaeologist shall submit a written report, including archaeological impact statement, to the Planning Authority and to notify the Department of Culture, Heritage & the Gaeltacht for comments, in advance of any site preparation and/ or excavation works. Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and / or monitoring may be required. The Department of Culture, Heritage & the Gaeltacht will advise accordingly following receipt of the archaeological assessment report.

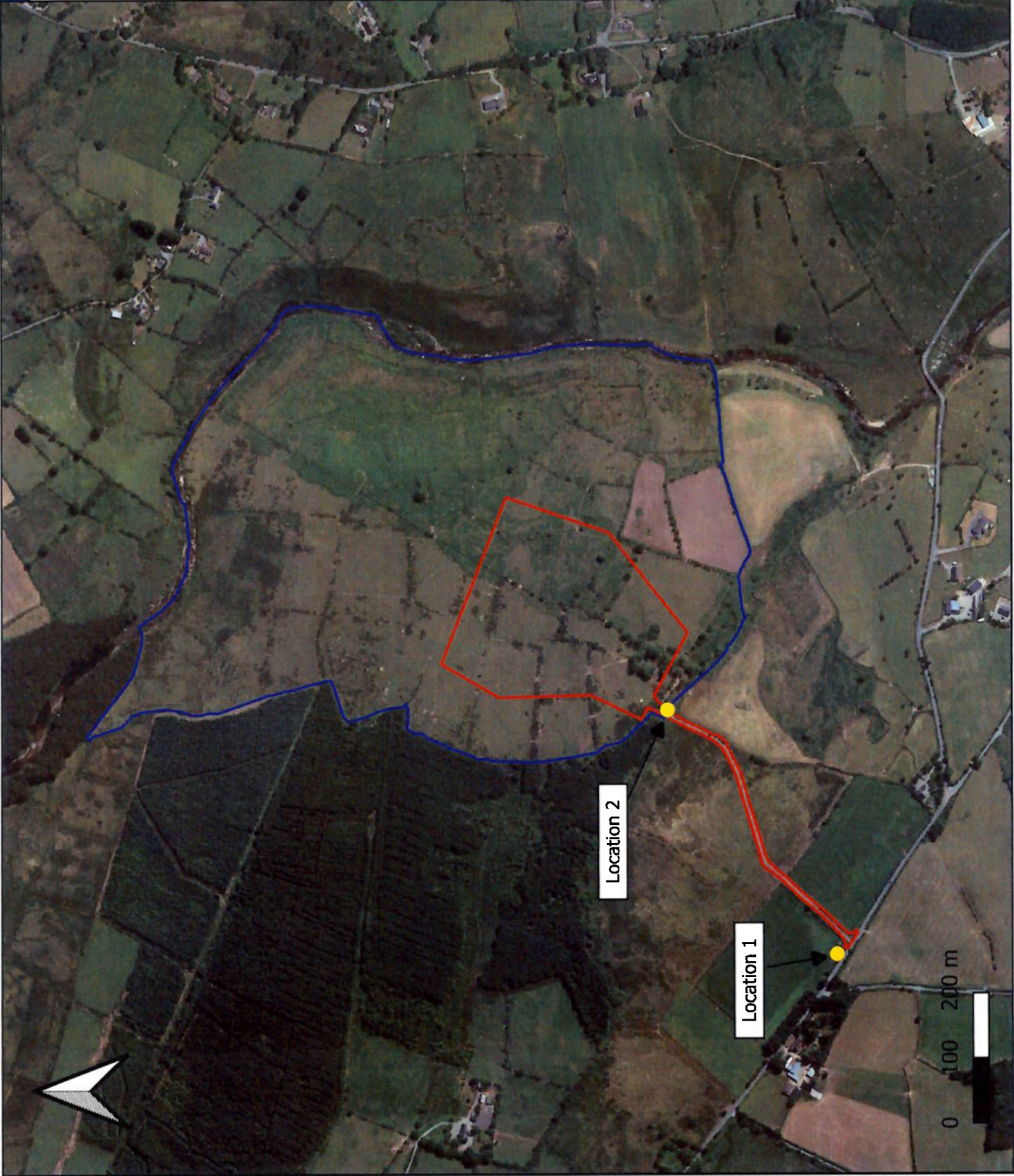
(iv) No site preparation and/ or extraction works shall be carried out on site until the archaeologists report has been submitted to the relevant authorities and permission to proceed has been received in writing from the Planning Authority in consultation with the Department of Culture, Heritage & the Gaeltacht

REASON : To ensure the continued preservation (either in-situ or by record) of places, caves, sites features or other objects of archaeological interest, in the interest of proper planning and sustainable development.

**Appendix 3**

**Planning Authority Reg. Ref.      22/1306**





<b>Legend:</b>			
	Noise Monitoring Locations	<b>Project:</b>	
	Red Line Boundary	Walterstown, Hollywood, Co. Wicklow	
	Blue Line Boundary	<b>Client:</b>	
		Dempsey Sand and Gravel Ltd.	
<b>Title:</b>			
Noise Monitoring Locations			
Drawn By: LH	Projection: ITM		
Checked: HP / CF			
Date: 23/08/2023	Scale: 1:8,000		
<b>Notes:</b>		Site boundaries shown are for illustration purposes only and do not represent legal or exact boundaries	

**Appendix 4**

**Planning Authority Reg. Ref.      22/1306**



Coonmore,  
Hollywood,  
Co Wicklow

To:  
Planning Section  
Wicklow Co Co  
County Buildings,  
Co Wicklow

Re: Planning application for lands at Walterstown, Hollywood, Co Wicklow

Dear Sir/Madam

I, Thomas Mackey, confirm that I am the land owner of lands either side of the entrance which Dempsey Sand & Gravel use to access their lands off the R756. I have given permission to Dempsey Sand & Gravel to carry out works for the removal of hedgerow either side of the entrance and the maintenance of verges as shown on the attached entrance drawing to achieve the sightlines required by the local authority for traffic accessing and leaving the site.

Yours Sincerely;

Thomas Mackey

Date:

*Thomas Mackey*  
*17/11/22*



Enviroguide Consulting			
Main Office		Engineering	
Address:	3D Core C, Block 71, The Plaza, Park West, Dublin 12, D12 F9TN.	Address:	M10 Wexford Enterprise Centre, Strandfield Business Park, Rosslare Rd, Kerlogue, Co. Wexford.
Email:	info@enviroguide.ie	Email:	rhealy@enviroguide.ie
Website:	www.enviroguide.ie	Website:	www.enviroguide.ie
Phone:	+353 (01) 5654730	Phone:	(086) 3808706

Drawing Issue Sheet		Date	Day	24
Project	Walterstown	of	Month	8
Client	Dempsey Sand & Gravel	Issue	Year	23

Drawing No.	Description	Scale	Sheet Size
Appeal-01	Haul Road Long Section	As Shown	A1
Appeal-02	Drainage & Road Surface Details	As Shown	A1
Appeal-03	Upfaded Bridge & Fence Details	As Shown	A1

**AN BORD PLEANÁLA**

24 AUG 2023

LTR DATED \_\_\_\_\_ FROM *appeal*

LDG- \_\_\_\_\_

ABP- *37874*

