

Appendix 12C Archaeological Sites within the Study Area

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SMR NO.	WI025-113
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Tinakelly
PARISH	Rathnew
BARONY	Newcastle
I.T.M.	729318,695738
CLASSIFICATION	Enclosure
DIST. FROM DEVELOPMENT	Within the proposed development area
DESCRIPTION	Located in a relatively level and low-lying location (c. 21m OD) in a gently undulating landscape characterised by tillage and pastoral farming, and c. 1.7kms from the Irish Sea coastline to the E. Sited towards the S boundary of a field currently in use for tillage purposes (July 2021), and located 545m ENE of the centre of the village of Rathnew. Landscape slopes very gently upwards from SW to NW from Rathnew towards Tinakelly House (NIAH 16402508), which is located on a low hillock c. 440m to the E. Site located c. 574m NE of the remains of a ruinous church (WI040-010001-) set within an oval-shaped enclosure (defined by rubble stone wall) containing an associated graveyard (WI040-010002-) that is located towards the SE end of the historic centre of the village of Rathnew. This enclosure is clearly visible as a cropmark on Google Earth aerial photograph of the site (July 2021). It consists of a subcircular feature (ext. dims c. 26.25m N-S x 24.27m E-W) that is defined by a continuous ditch (Wth c. 1.1m) that is largely visible around the entire circuit of the site. No definitive evidence for an entrance gap.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	WI025-010003
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Commons
PARISH	Rathnew
BARONY	Newcastle
I.T.M.	728910,695332
CLASSIFICATION	Graveyard

DIST. FROM DEVELOPMENT	290m southwest
DESCRIPTION	<p>Situated on level ground overlooking a sharp drop to the SW. Poorly preserved church (W1025-010001-) of which only the E gable survives. The church is traditionally associated with St Ermin (Ronan 1928, 139-40), and lies towards the N end of an oval graveyard (dims. 50m NE-SW; 40m NW-SE) defined by an early 19th-century wall possibly built on the perimeter of an earlier enclosure. Some 18th-century headstones have been re-erected along the wall. There is a granite font (W1025-010002-) beside the E gable of church.</p> <p>The above description is derived from the published 'Archaeological Inventory of County Wicklow' (Dublin: Stationery Office, 1997). In certain instances the entries have been revised and updated in the light of recent research.</p>
REFERENCE	www.archaeology.ie/ SMR file

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SMR NO.	W1025-010001
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Commons
PARISH	Rathnew
BARONY	Newcastle
I.T.M.	728907,695343
CLASSIFICATION	Church
DIST. FROM DEVELOPMENT	312m southwest
DESCRIPTION	<p>Situated on level ground overlooking a sharp drop to the SW. Poorly preserved church of which only the E gable (L 1.5m; H 1.8m; T 0.85m) survives. The OS Letters (O'Flanagan 1928, 84-5) describe the church as measuring 16.5m long by 5.8m wide, (average H 1m) with an internal partition 5.5m from the E end, and part of a window of cut stone surviving at the E end of the S wall. The church is traditionally associated with St Ermin (Ronan 1928, 139-40), and lies towards the N end of an oval graveyard (dims. 50m NE-SW; 40m NW-SE) defined by an early 19th-century wall possibly built on the perimeter of an earlier enclosure. Some 18th-century headstones have been re-erected along the wall. There is a granite font (diam. 0.8m; H 0.4m) beside the E gable of church.</p>
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	W1025-010002
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Commons

PARISH	Rathnew
BARONY	Newcastle
I.T.M.	728907,695343
CLASSIFICATION	Font
DIST. FROM DEVELOPMENT	312m southwest
DESCRIPTION	Situated on level ground overlooking a sharp drop to the SW. Poorly preserved church (W1025-010001-) of which only the E gable survives. There is a granite font (diam. 0.8m; H 0.4m) beside the E gable of church.
REFERENCE	www.archaeology.ie/ SMR file

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SMR NO.	W1025-088001
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Commons
PARISH	Rathnew
BARONY	Newcastle
I.T.M.	728795,695374
CLASSIFICATION	Font (present location)
DIST. FROM DEVELOPMENT	390m west-southwest
DESCRIPTION	The font is currently held in St Joseph's Church in Rathnew village. A nearby graveyard (W1025-010003-) contains a ruined church (W1025-010001-), and a font (W1025-010002-). A roughly shaped, rectangular granite block (dims. L 0.5m; Wth 0.43m; H 0.32m high) contains a finely carved, smooth, steep-sided, almost circular basin (diam. 0.30m; 0.27m; D 0.13m.). Record no. W1025-088002- was created for the unknown 'Original location' of this font.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	W1025-009
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Newrath
PARISH	Rathnew
BARONY	Newcastle

I.T.M.	728842,696314
CLASSIFICATION	Field system
DIST. FROM DEVELOPMENT	411m north
DESCRIPTION	Situated on level ground in gently undulating terrain. A possible field system, visible as cropmarks on aerial photograph (CUCAP, AYJ 67), consisting of part of a large field (est. max. dims. 80m x 70m), with another boundary abutting the NE corner (L c. 80m). Not visible at ground level. The cropmark of a bi-vallate enclosure (W1025-009001-) bisected by a N-S field boundary is also visible on the aerial photograph. The field system runs off this bi-vallate enclosure (W1025-009001-) with a second enclosure (W1025-008----) 100m to the N.
REFERENCE	www.archaeology.ie/ SMR file

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SMR NO.	W1025-009001
RMP STATUS	Scheduled for inclusion in the next revision of the RMP
TOWNLAND	Newrath
PARISH	Rathnew
BARONY	Newcastle
I.T.M.	728812,696364
CLASSIFICATION	Enclosure
DIST. FROM DEVELOPMENT	464m north
DESCRIPTION	Situated on level ground in gently undulating terrain. A possible field system, visible as cropmarks on aerial photograph (CUCAP, AYJ 67), consisting of part of a large field (est. max. dims. 80m x 70m), with another boundary abutting the NE corner (L c. 80m). Not visible at ground level. The cropmark of a bi-vallate enclosure (W1025-009001-) bisected by a N-S field boundary is also visible on the aerial photograph. The field system runs off this bi-vallate enclosure (W1025-009001-) with a second enclosure (W1025-008----) 100m to the N.
REFERENCE	www.archaeology.ie/ SMR file

Appendix 12D Legislation Protecting the Archaeological Resource

PROTECTION OF CULTURAL HERITAGE

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

THE ARCHAEOLOGICAL RESOURCE

The National Monuments Act 1930 to 2004 and relevant provisions of the National Cultural Institutions Act 1997 are the primary means of ensuring the satisfactory protection of archaeological remains, which includes all man-made structures of whatever form or date except buildings habitually used for ecclesiastical purposes. A National Monument is described as 'a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, traditional, artistic or archaeological interest attaching thereto' (National Monuments Act 1930 Section 2).

A number of mechanisms under the National Monuments Act are applied to secure the protection of archaeological monuments. These include the Register of Historic Monuments, the Record of Monuments and Places, and the placing of Preservation Orders and Temporary Preservation Orders on endangered sites.

OWNERSHIP AND GUARDIANSHIP OF NATIONAL MONUMENTS

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

REGISTER OF HISTORIC MONUMENTS

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

PRESERVATION ORDERS AND TEMPORARY PRESERVATION ORDERS

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

RECORD OF MONUMENTS AND PLACES

Section 12(1) of the 1994 Act requires the Minister for Arts, Heritage, Gaeltacht and the Islands (now the Minister for the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs) to establish and maintain a record of monuments and places where the Minister believes that such monuments exist. The record comprises a list of monuments and relevant places and a map/s showing each monument and relevant place in respect

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of each county in the state. All sites recorded on the Record of Monuments and Places receive statutory protection under the National Monuments Act 1994. All recorded monuments on the proposed development site are represented on the accompanying maps.

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

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

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

THE PLANNING AND DEVELOPMENT ACT 2000

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

Wicklow County Development Plan 2022-2028 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 Housing, Local Government and Heritage.

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 8.3 Any development that may, due to its size, location or nature, have implications for archaeological heritage (including both sites and areas of archaeological potential /

significance as identified in Schedules 08.01 & 08.02 and Maps 8.01 & 8.02 of this plan) shall be subject to an archaeological assessment.

CPO 8.4 To require archaeological assessment for all developments with the potential to impact on the archaeological heritage of riverine, intertidal or sub tidal environments.

CPO 8.5 To facilitate new or improved public access to and erection of appropriate interpretive signage at National Monuments, archaeological sites, castles, sites of historic interest and archaeological landscapes in State or private ownership, as identified in Schedule 08.02 and Map 8.02 of this plan, in co-operation with landowners.

CPO 8.6 To protect the integrity of Baltinglass Hills archaeological landscape including identified monuments and their wider setting by resisting development that may adversely impact upon the significance and understanding of this important landscape.

CPO 8.7 To support the inscription of Glendalough to Ireland's tentative UNESCO World Heritage Site list and promote a conservation led approach to facilitating visitor access and enjoyment of this internationally significant landscape.

CPO 8.8 To protect and promote the characteristics of historic towns in County Wicklow identified as zones of archaeological potential in the Record of Monuments and Places (RMP), ensuring that cognisance is given in relevant development proposals to retaining existing street layout, historic building lines and traditional plot widths where these derive from medieval or earlier origins.

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.

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Appendix 12E Impact Assessment and the Cultural Heritage Resource

POTENTIAL IMPACTS ON ARCHAEOLOGICAL AND HISTORICAL REMAINS

Impacts are defined as 'the degree of change in an environment resulting from a development' (Environmental Protection Agency 2022). They are described as profound, significant or slight impacts on archaeological remains. They may be negative, positive or neutral, direct, indirect or cumulative, temporary or permanent.

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

- Permanent and temporary land-take, associated structures, landscape mounding, and their construction may result in damage to or loss of archaeological remains and deposits, or physical loss to the setting of historic monuments and to the physical coherence of the landscape.
- Archaeological sites can be affected adversely in a number of ways: disturbance by excavation, topsoil stripping and the passage of heavy machinery; disturbance by vehicles working in unsuitable conditions; or burial of sites, limiting accessibility for future archaeological investigation.
- Hydrological changes in groundwater or surface water levels can result from construction activities such as de-watering and spoil disposal, or longer-term changes in drainage patterns. These may desiccate archaeological remains and associated deposits.
- Visual impacts on the historic landscape sometimes arise from construction traffic and facilities, built earthworks and structures, landscape mounding and planting, noise, fences and associated works. These features can impinge directly on historic monuments and historic landscape elements as well as their visual amenity value.
- Landscape measures such as tree planting can damage sub-surface archaeological features, due to topsoil stripping and through the root action of trees and shrubs as they grow.
- Ground consolidation by construction activities or the weight of permanent embankments can cause damage to buried archaeological remains, especially in colluviums or peat deposits.
- Disruption due to construction also offers in general the potential for adversely affecting archaeological remains. This can include machinery, site offices, and service trenches.

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

PREDICTED IMPACTS

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

- The proportion of the feature affected and how far physical characteristics fundamental to the understanding of the feature would be lost;
- Consideration of the type, date, survival/condition, fragility/vulnerability, rarity, potential and amenity value of the feature affected;
- Assessment of the levels of noise, visual and hydrological impacts, either in general or site specific terms, as may be provided by other specialists.

Appendix 12F Mitigation Measures and The Cultural Heritage Resource

POTENTIAL MITIGATION STRATEGIES FOR CULTURAL HERITAGE REMAINS

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

DEFINITION OF MITIGATION STRATEGIES ARCHAEOLOGICAL RESOURCE

The ideal mitigation for all archaeological sites is preservation in situ. This is not always a practical solution, however. Therefore a series of recommendations are offered to provide ameliorative measures where avoidance and preservation in situ are not possible. Archaeological Test Trenching can be defined as 'a limited programme of intrusive fieldwork which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area or site on land, inter-tidal zone or underwater. If such archaeological remains are present field evaluation defines their character, extent, quality and preservation, and enables an assessment of their worth in a local, regional, national or international context as appropriate' (CIFA 2020a).

Full Archaeological Excavation can be defined as 'a programme of controlled, intrusive fieldwork with defined research objectives which examines, records and interprets archaeological deposits, features and structures and, as appropriate, retrieves artefacts, ecofacts and other remains within a specified area or site on land, inter-tidal zone or underwater. The records made and objects gathered during fieldwork are studied and the results of that study published in detail appropriate to the project design' (CIFA 2020b).

Archaeological Monitoring can be defined as 'a formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons. This will be within a specified area or site on land, inter-tidal zone or underwater, where there is a possibility that archaeological deposits may be disturbed or destroyed. The programme will result in the preparation of a report and ordered archive (CIFA 2020c).

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