

Laura Grady Lawlor

From: LAPS
Sent: Friday 3 May 2024 14:30
To: Appeals2
Subject: FW: Your Ref: ABP-319218-24
Attachments: ABP-319218-24.pdf

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Thursday, May 2, 2024 6:05 PM
To: LAPS <laps@pleanala.ie>
Subject: Your Ref: ABP-319218-24

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Attached please find the archaeological observations/recommendations of the Department in relation to the aforementioned Application for substitute consent at Athgarrett, Philipstown and Redbog, County Kildare.

Can you please confirm receipt of same?

Kind Regards,
Sinéad

Sinéad O' Brien
Executive Officer

Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman Y35 AP90
Newtown Road, Wexford, County Wexford Y35 AP90



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage



Your Ref: ABP-319218-24
(Please quote in all related correspondence)

2 May 2024

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email to laps@pleanala.ie

Re: Notification under Section 131 of the Planning and Development Act, 2000, as amended.

**Re: Application for substitute consent for quarrying and aggregate extraction at
Athgarrett, Philipstown and Redbog, County Kildare**

A Chara

I refer to correspondence received in connection with the above.

Outlined below are archaeological observations/recommendations of the Department.

It is noted that the Environmental Impact Assessment Report (EIAR) submitted as part of the planning application includes a desk-based Archaeological Impact Assessment (AIA) which was carried out in relation to the proposed development by Charles Mount Consultant Archaeologist (EIAR Chapter 10; date February 2024). The Department has reviewed the EIAR and is broadly in agreement with the findings in relation to Archaeology and Cultural Heritage as set out therein. The Department notes, however, the scale of the proposed extension to the quarry encompassing a Greenfield site extending to c. 30ha. While there are no known archaeological sites within the proposed development site (PDS) a Recorded Monument—KD025-007— (Burial)—is located in close proximity. Further a section of the southern boundary of the PDS incorporates non-Statutory SMR site WI005-123— (Deer park). The EIAR acknowledges that there is a potential that previously unknown sub-surface archaeological features or deposits may be present within the PDS. The Department notes that no advance archaeological investigations have been carried out within the PDS to inform the EIAR, other than a walkover survey. The Department advises that advance archaeological test excavation should be carried out prior to any new development/extension of quarrying activity.

Therefore, the Department advises that the following should be included as a condition of any grant of permission. Note these recommended conditions align with Sample Conditions C3, C5 and C6 as set out in *OPR Practice Note PN03: Planning Conditions* (October



2022), with appropriate site-specific additions/adaptations based on the particular characteristics of this development and informed by the findings of the EIAR.

Archaeological Requirements:

1. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 10 of the EIAR (Charles Mount Consultant Archaeologist; date February 2024) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
2. The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an Archaeological Impact Assessment Report for the written agreement of the Planning Authority, following consultation with the Department, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance and/or construction works.
 - a. The report shall include an Archaeological Impact Statement and Mitigation Strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required.
 - b. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with the Department, shall be complied with by the developer.
 - c. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the Planning Authority.
3. A suitably qualified archaeologist shall be retained to advise on, and establish appropriate Exclusion Zones around the external-most elements of non-Statutory SMR site WI005-123---- (Deer park).
 - a. The Exclusion Zones shall be fenced off or appropriately demarcated for the duration of construction works in the vicinity of the monuments. The location and extent of each Exclusion Zone and the appropriate methodology for fencing off or demarcating at each location shall be agreed in advance with the Department and the Planning Authority.
 - b. No groundworks of any kind (including but not limited to advance geotechnical site investigations) and no machinery, storage of materials or any other activity related to construction will be permitted within the Exclusion Zones.



4. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 10 of the EIAR (Charles Mount Consultant Archaeologist; date February 2024) and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
5. The Planning Authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

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 event that additional heritage-related observations become available before the deadline date, a further letter will issue.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas

Sinéad O'Brien
Development Applications Unit
Administration