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NIAH Reg. Nos: none  
ÆGIS REF.: 704-18

## Archaeological and Wider Cultural Heritage Impact Assessment of a plot at Speakers' Corner, Carey's Road, Limerick City



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Council

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Comhairle Cathrach  
& Contae **Luimnigh**

**Limerick City**  
& County Council

Copies of this report have been presented by ÆGIS to:

Client—Fewer Harrington and Partners Architects  
for Limerick City and County Council.

Please note...

That the archaeological recommendations, mitigation proposals and suggested methodology followed in this report are similar to those used on previous similar projects approved by the Archaeological Planning and Licensing Unit National Monuments Service, Room G50, Custom House, Dublin 1 The National Monuments Acts 1930–2014, The Planning and Development Act 2000 (plus any amendments) and the most recent EPA guidelines were consulted. Guidelines and plans issued from time-to-time by the statutory and regulatory bodies have been consulted. These are listed in the reference section of this report.

The instructions of the client have been considered. Every effort has been taken in the preparation and submission of this report to provide as complete an assessment as possible within the terms of the brief, and all statements and opinions are offered in good faith. However, ÆGIS cannot accept responsibility for errors of fact or opinion resulting from the data supplied by any third party, for any loss or other consequences arising from decisions made or actions taken on the basis of facts and opinions expressed in this report, (and any supplementary information), howsoever such facts and opinions may have been derived, or as the result of unknown and undiscovered sites or artefacts.

COVID-19  
Information

A site inspection was undertaken as part of essential works and necessary COVID-19 mitigation strategies were followed.

Acknowledgements

ÆGIS acknowledges the information supplied by the client and information gathered from the Archaeological Survey of Ireland.

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Cover Image

The subject site viewed from the north.

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## II. Glossary of Terms

ASI	Archaeological Survey of Ireland, a division of the DHLGH.
Barony, Parish, Townland	These terms refer to land divisions in Ireland. The barony is the largest land division in a county, which is formed from a number of parishes. These parishes are in turn made up of several townlands, which are the smallest land division in the country. The origins of these divisions are believed to be in the Early Medieval/Christian period (AD500-AD1000), or may date earlier in the Iron Age (500BC-AD500).
DHLGH	Department of Housing, Local Government and Heritage.
E	East.
First Edition	This relates to editions of the OS 6-inch maps for each county. The first edition map completed for the area dates to the early 1840s and this is referred to in the text as the 'First Edition'.
ITM	Irish Transverse Mercator (grid reference type favoured by ASI).
KM	Kilometre.
LCCC	Limerick City and County Council.
M	Metres, all dimensions are given in metres or part of a metre, unless otherwise stated.
N	North.
NGR	National Grid Reference.
NIAH	National Inventory of Architectural Heritage.
NLI	National Library of Ireland.
NMI	National Museum of Ireland.
NMS	National Monuments Service. Regulatory body and division of the DHLGH.
OS	Ordnance Survey.
OSI	Ordnance Survey of Ireland.
RMP	Record of Monuments and Places. A map and list on which known archaeological sites are marked. The sites marked afford legal protection under the National Monuments Acts 1930–2014. The record is based on the 6-inch map series for the country and is recorded on a county basis. Each archaeological monument on the RMP has a unique code known as the RMP number and is prefixed by the county code, for example KE for Kerry or LI for Limerick.
RMP Number	This code is the number of the site on the RMP constraint map. It begins with the county code, the 6-inch sheet number, followed by the number of the archaeological monument on that sheet.
RPS	Record of Protected Structures.
S	South.
Sheet	This relates to the 6-inch map for each county, which is divided into sheets.
SMR	Sites and Monuments Record. The SMR now commonly relates to the archive paper files of known archaeological monuments maintained by the Archaeological Survey of Ireland (ASI). These files are arranged according to SMR number. Much of this information is now available online at <a href="http://www.webgis.archaeology.ie/historicenvironment/">www.webgis.archaeology.ie/historicenvironment/</a> .
TB	Townland Boundary.
W	West, or when used with a dimension, width.

# 1. Scope of Study

This report identifies and assesses the potential direct and indirect impact(s), if any, on the potential archaeological and wider cultural heritage environment of the subject site. The subject site comprises a brown field site at Speakers' Corner, Carey's Road, Limerick City. No structures are upstanding on the subject site.

The subject site is situated in the townland of Priorsland, the barony of Limerick City, and the civil parish of St Michael's. It is located at the western end of Carey's Road (previously named Henry St South), Limerick City to the east of The People's Park and next to 'Speakers' Corner' at the junction of Hyde Road and Carey's Road. This report fulfils the requirement of an archaeological and wider cultural heritage impact assessment and fulfils the usual criteria of an archaeological impact assessment following the most recent EPA guidelines on the compilation of an EIS (2017; 2018). Pertinent guidelines published from time-to-time have also been consulted and are listed in the project references given at the end of this report. A brief historical introduction to the area is provided and archaeological and architectural features in the vicinity, including any standing remains, are discussed. The report details the potential archaeology and architectural features on the site and in its vicinity and discusses the impacts, if any, of the proposed development on that cultural heritage.

A site inspection was carried out as part of this assessment and necessary COVID-19 mitigation strategies were followed.

## 2. Method of Study

The following resources and methods of establishing the archaeological status of the site were used:

- A review of the previous site reports undertaken to date was undertaken;
- The Record of Monuments and Places constraint maps and lists (RMP) and the sites and monuments record (SMR) were consulted;
- A wide range of local historical and archaeological records relevant to the study area were consulted, including but not limited to the Ordnance Survey First Edition six-inch map (c.1840), the Ordnance Survey twenty-five-inch map, and aerial views;
- The County Development Plan and other pertinent plans were considered;
- The National Inventory of Architectural Heritage (NIAH) and the Record of Protected Structures were consulted;
- Folklore collections were consulted for records of intangible heritage relating to the subject site;
- Artefact records on available heritage mapping, Limerick City and County Museum, and the National Museum of Ireland Antiquities Division were consulted;
- A review of any archaeological investigations on or in the vicinity of the subject site was undertaken;
- A site inspection was undertaken.



### 3. Existing Environment

The subject site is approximately 1,407 sqm in extent and located on Carey's Road in the townland of Priorsland in the southeast of Limerick City (ITM 557660, 656392). The subject site is now a brown field site comprising hard standing and rough grass. Previously it contained buildings which were later replaced with residential accommodation constructed in the 1950s, which was then later demolished as part of Limerick's regeneration. The site is bounded by Carey's Road to the north, and existing properties and yards to the east, west and south (Figs 3.1–3.3).

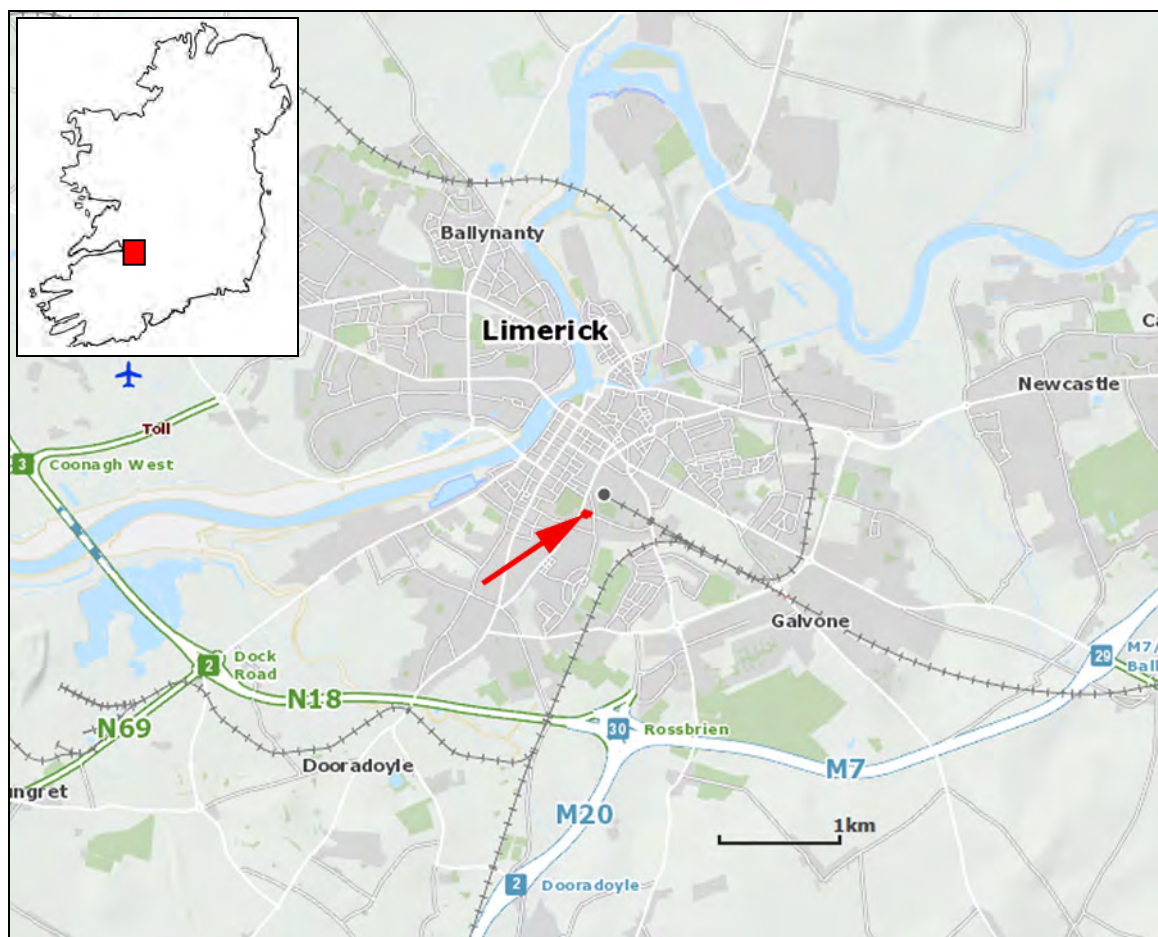


Figure 3.1. General site location of subject site in relation to Limerick City, shown in red (after [www.archaeology.ie](http://www.archaeology.ie)).  
North to top.



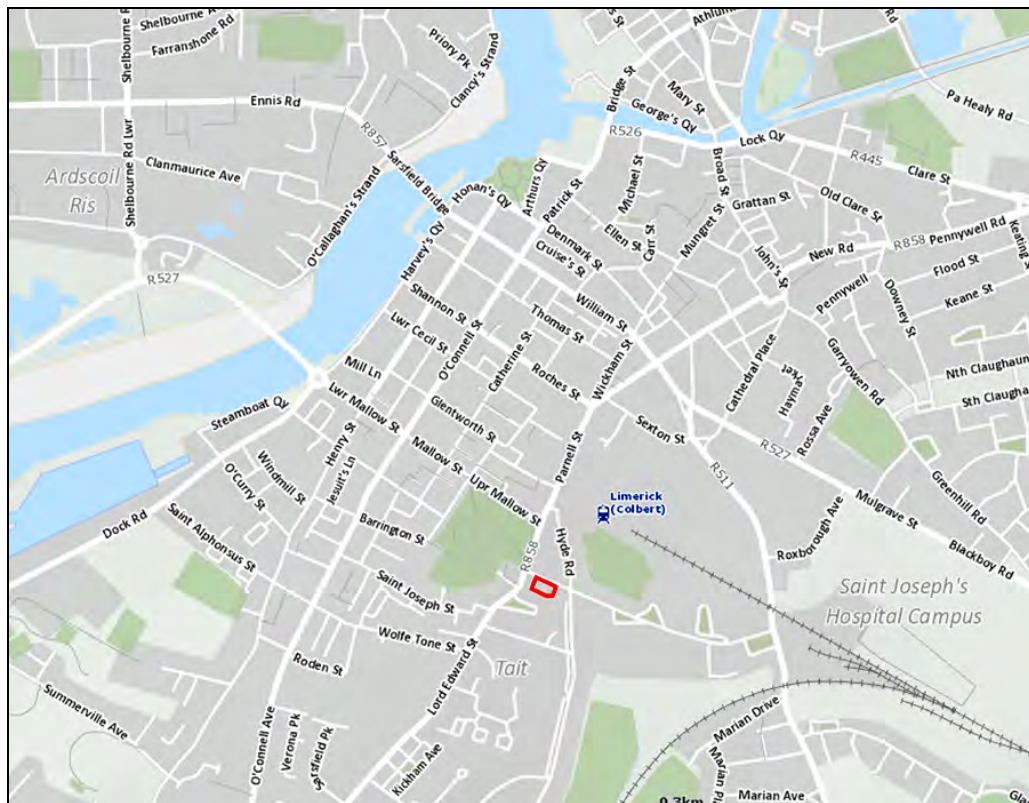


Figure 3.2. Detailed location of subject site, outlined in red. North to top.

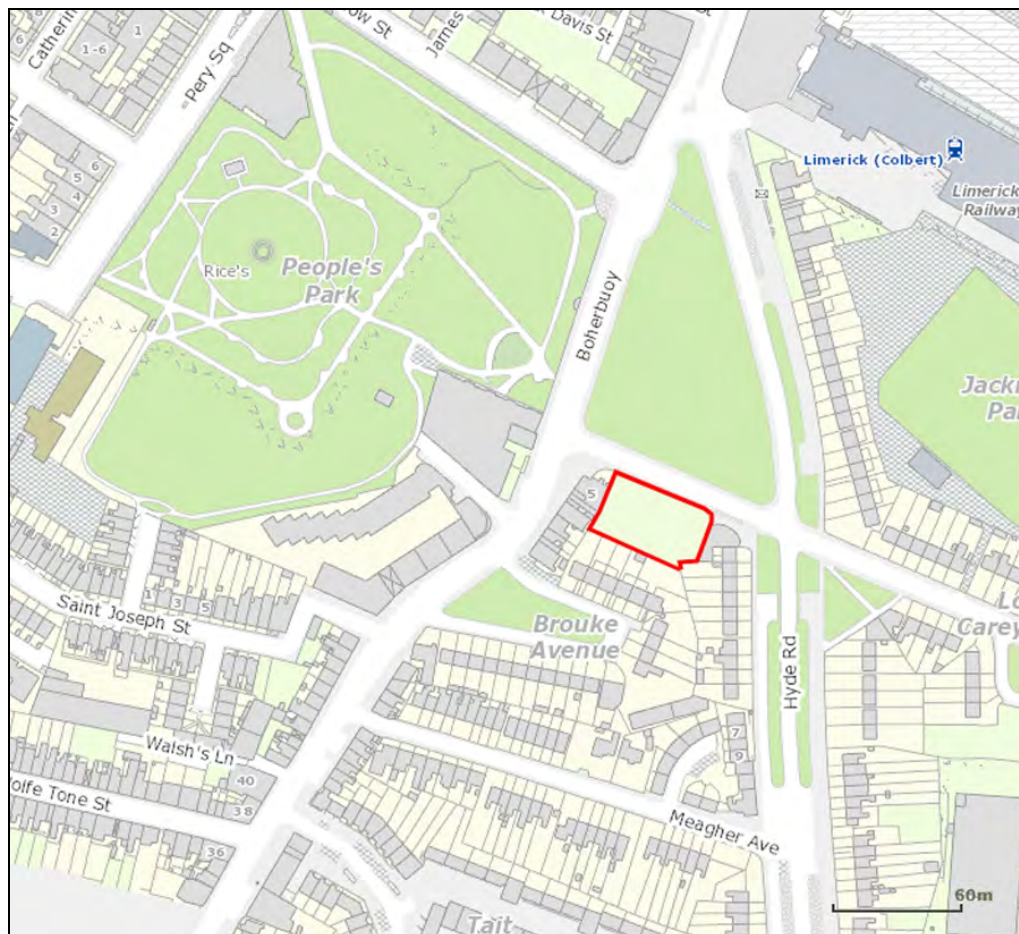


Figure 3.3. Annotated location of subject site, showing streets. Subject site outlined in red. North to top.

### 3.1 Proposed development

It is proposed to re-develop the vacant site at Speakers' Corner for residential apartment accommodation comprising a four-storey structure containing 35 residential units of different types (Figs 3.4 and 3.5) within a footprint of c. 1,407 sqm.

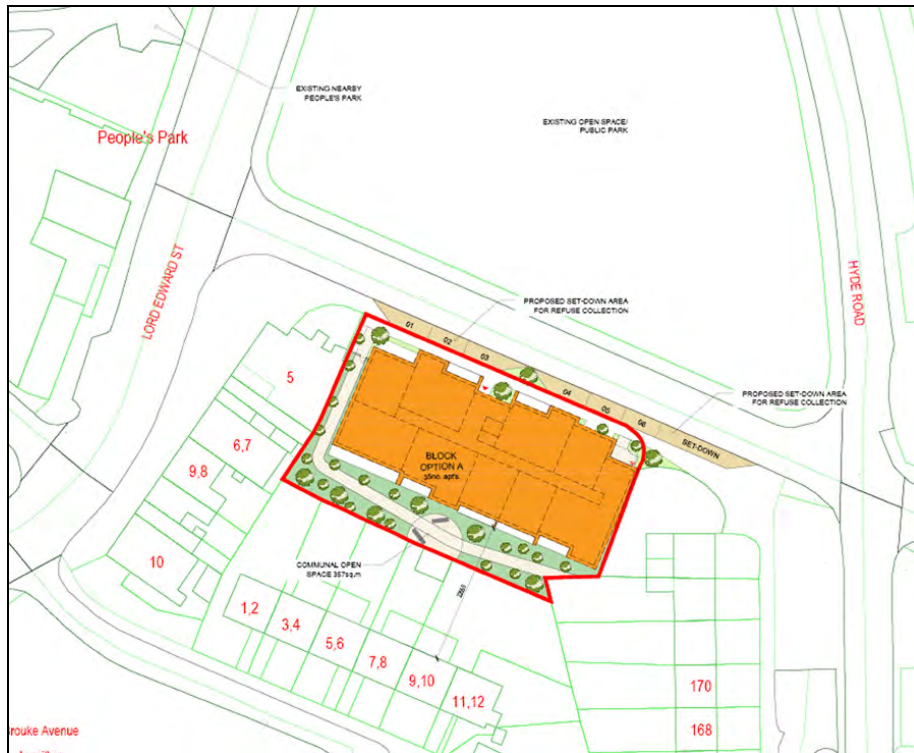


Figure 3.4. Layout plan of ground floor of proposed development at Speakers' Corner (after client).



Figure 3.5. South to north section and northern elevation of proposed development at Speakers' Corner (after client).

## 3.2 The site inspection

The entire subject site was inspected on 11 May 2021 and COVID-19 mitigation strategies were followed (Figs 3.6–3.7; Plates 1–5). The location was first assessed through a desk-based analysis of aerial photography and mapping (see below). Nothing of potential as an unrecorded (or 'new') feature was identified on available maps or aerial imagery. The site was inspected in good weather conditions. The subject site is fairly level and is currently a hard stand with some rough grass areas. It is considered a brownfield site having been previously built on in the past. It is situated to the south of Carey's Road and is surrounded by adjacent property boundaries.

### Archaeology

The subject site is not located within any zone of notification of any recorded archaeological monuments and there are no known monuments either upstanding or subsurface. It is not within the zone of archaeological potential for the historic town of Limerick which lies 425m to the north (Fig. 3.6). As stated, nothing of an archaeological or historic architectural nature was noted as upstanding during the walkover inspection. The subject site is considered to have a relatively low potential for unrecorded archaeological remains of any period, due to its location well outside the historic core of the town and its development noted from the mapping evidence. Known archaeological monuments in the vicinity were taken into account during the walkover inspection. The archaeology of the vicinity of the subject site is discussed in section 4. Nothing of an archaeological nature was noted during the inspection.

### Historic Architecture

There is no upstanding historic architecture on the subject site or in its immediate vicinity. It lies 194m to the southwest of Colbert Station (RPS 270; NIAH reg. no. 21518019) and in the general vicinity of several recorded architectural features within The People's Park (RPS 333; NIAH reg. no. 21518018); the closest entrance of which lies 55m to the west of the subject site. Nothing of a historic architectural nature was noted during the inspection.



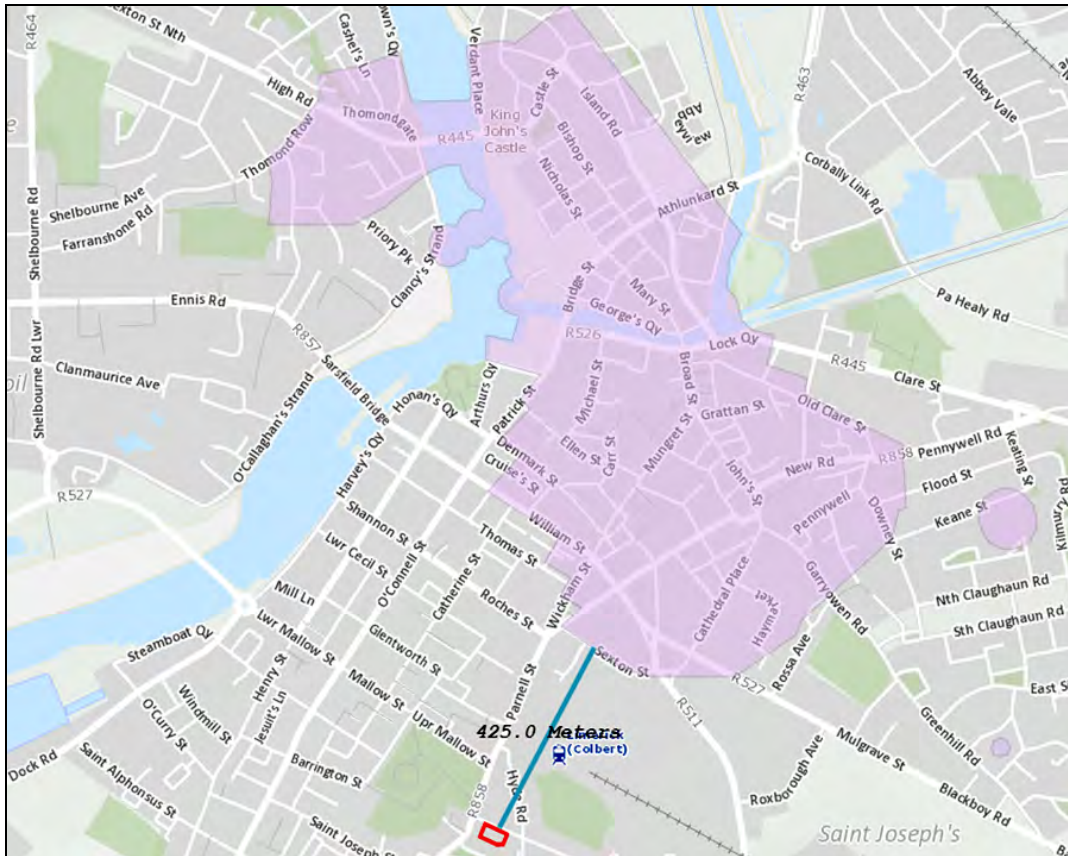


Figure 3.6. Image showing the zone of notification (archaeological potential) for the historic town of Limerick. Subject site outlined in red. North to top.



Figure 3.7. Digital Globe image (after [www.archaeology.ie](http://www.archaeology.ie)). Subject site outlined in red. North to top.





**Plate 1. Subject site at Speakers' Corner, Carey's Road. Viewed from north.**



**Plate 2. View of subject site from northeast.**





**Plate 3.** View of the subject site from east. The People's Park is visible to right of image in trees.



**Plate 4.** View of the subject site from west.



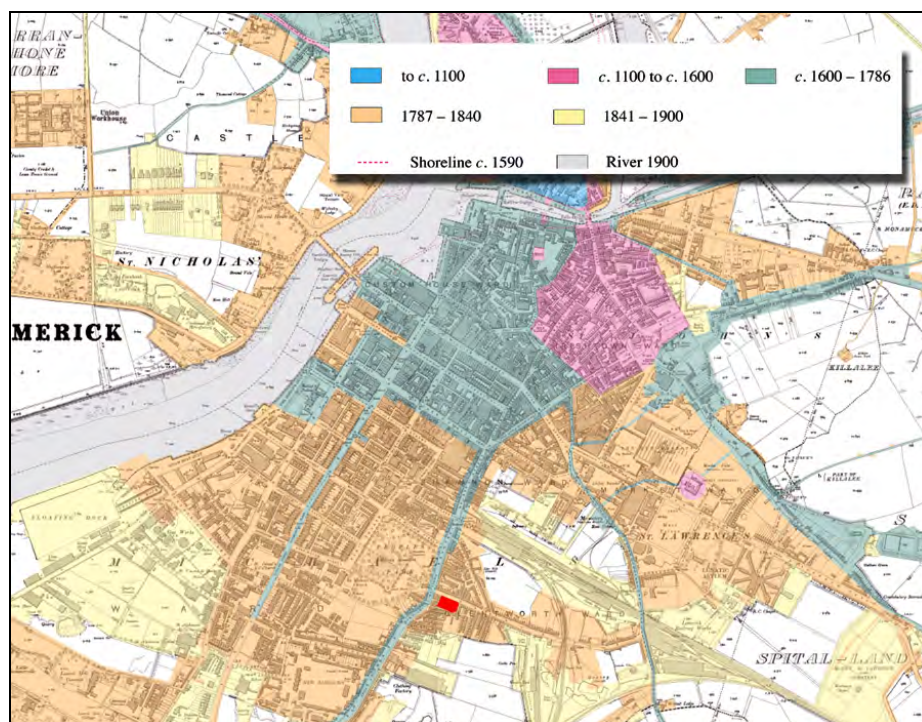


**Plate 5. View of subject site from southwest showing Carey's Road in background.**



## 4. History and Archaeology of the Site and Vicinity

### 4.1 Historical outline



**Figure 4.1. The development of Limerick. The subject site is shown in red. It is in an area thought to have been developed in the period 1787–1840. North to top (after O’Flaherty 2010, Map 27).**

The subject site is in the townland of Priorsland in the civil parish of St Michael’s and the barony of Limerick City. Priorsland is derived from the Irish Fearann an Phríóra (see <https://www.logainm.ie/30494.aspx>, accessed 7 May 2021). The subject site lies well outside the core of the historic town of Limerick<sup>1</sup> (see Fig. 3.6) and it is likely that it was pastureland outside the walled town for much of the medieval and into the post medieval periods. According to the *Irish Historic Town Atlas* for Limerick (O’Flaherty 2010), the lands on which the subject site is located

<sup>1</sup> The subject site is considered to be a sufficient distance from the historic town, so a history of the town itself has not been provided here. For comprehensive accounts of the historic town of Limerick see O’Flaherty 2010; Hill 1991.

were first constructed upon in the years between 1787–1840 (Fig. 4.1), as the Limerick expanded beyond the confines of its walled historic core.

The subject site itself is located on Carey's Road. Carey's Road was named after a doctor of the nineteenth century, Joseph Carey, who was noted for his charitable work with the poor of Limerick (Moloney 1987, 33; Joyce 1995, 20). No record could be found during this research for an origin of the name 'Speakers' Corner'; traditionally known as the corner formed by Hyde Road and Carey's Road in Limerick. None of the historians who have written about Limerick refer to this name (see references below). It is possible that due to the proximity of Pery Square and The People's Park—places associated with Edmund Sexton Pery, who was an MP and first Speaker in the Irish House of Commons between 1771 and 1785—might have been an origin of the name (<https://www.dib.ie/biography/percy-edmond-sexten-a7293>; accessed 7 May 2021). More tenuous is the fact that the original Speakers' Corner in London is in Hyde Park, and so its proximity to Hyde Road may have given rise to the name (although this seems unlikely; <https://www.royalparks.org.uk/parks/hyde-park/things-to-see-and-do/speakers-corner>, accessed 7 May 2021). Hyde Road in Limerick is named after the first President of Ireland Douglas Hyde (Joyce 1995, 34). Carey's Road and Ballinacurra Weston formed part of public housing developments around Limerick City in the 1930s to 1950s when almost 3,000 houses were constructed (Spellissy 1998, 46).

## 4.2 Archaeology

There are no recorded monuments within the subject site or its general vicinity. No previous archaeological investigations have taken place within its boundaries, or in its immediate vicinity (see Fig. 4.2).



Figure 4.2. RMP map extract, Limerick sheet 5 (ASI 1998) on 1938 edition six-inch OS map. Subject site indicated in red. North to top.

#### 4.2.1 Previous archaeological work in the vicinity

A search of the licenced archaeological work database [www.excavations.ie](http://www.excavations.ie) did not return any licenced archaeological works being undertaken in the townland of Priorsland. There has been no licenced investigation in the immediate vicinity of the subject site. The closest investigation related to the Tait Factory and is summarised in Table 4.1.

Table 4.1. Summary of licenced archaeological work undertaken in the immediate vicinity of proposed development (after [www.excavations.ie](http://www.excavations.ie). Accessed 7 May 2021).

Licence Number	Excavations.ie number	ITM	Project Name and Summary of works	Author
13E0432	2014:239	557597m, 656207m	Limerick Clothing Factory Ballinacurra Weston. Test trenching was carried out at a site locally known as the Limerick Clothing Factory (formerly Tait Clothing Factory). The aim of the testing was to uncover the well shown on the 1870 map, establish whether it has been capped or infilled and to investigate one of the passages under the main factory floor to determine the existence of any shaft support piers. The well was found to the south of the engine room and was covered in concrete slabs and rubble. Once these were removed it was evident that the well had not been infilled. It was stone-lined and well-mortared. Stone slabs were used to finish the top of the well and cover possible shafts which extended from the well into factory. The base of the well was	T. Collins



			<p>not determined as it was filled with water, which was found at a depth of 4.34m. The remains of four iron hinges on four sides of the surface of the well indicate that it was previously covered by a wooden door. Running lengthways across the centre of the well was an iron pipe which was used to pump water up to the overhead water tank.</p> <p>A test trench in the central passage under the factory floor was investigated to determine the existence of any shaft supports piers. The trench measured 14m in length and the width, which was determined by the sides of the passage, measured 1.2m. A layer of rubble was removed at a depth of 0.4m which consisted of loose stones, bricks and slates. Underneath the rubble infill were the remains of a clay surface, a dark orange brown with frequent inclusions of charcoal indicating the surface had been burnt. The remains of the shaft supports were found in the base of the passage, comprising five rows of two cast iron supports; each row was c. 2.7m apart. The cast iron supports were set into the wall of the passage and measured 0.23m in length by 0.09m in height and protruded 0.08m from the wall. However, these have been cut off, so only the portion that sticks into the wall survives, which makes it difficult to ascertain exactly what the shaft supports originally looked like. Underneath two of the rows of the remains of cast iron supports at the eastern end of the trench was a line of brick, which measured 1.2m in length and 0.25m wide.</p>	
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#### 4.2.2 Artefact finds

A search of the National Museum of Ireland Files Finds Database 2010 available at <https://www.heritagemaps.ie/WebApps/HeritageMaps/index.html> (accessed 7 May 2021) did not yield any results. The NMI has no artefact records for the townland of Priorsland. The Urban Archaeology Survey for Limerick City (Bradley et al 1989) lists several stray finds for the city, although none are from the subject site or its immediate vicinity.

### 4.3 Cartographic images of the subject site

The seventeenth century Down Survey maps were consulted for the subject site and while they did not show anything of interest in the location of the subject site. The townland of Priorsland, shown as Pryors Land was then owned by Christopher Sexton (Fig. 4.3). Hardiman's map dated to c. 1590 does not show any detail of the subject site and its environs (Fig. 4.4); Eyre's map dated to the eighteenth century does not show anything present in the vicinity of the location of the subject site (Fig. 4.5) which is located in fields beyond the town.



Figure 4.3. Extract of seventeenth-century Down Survey county mapping for Co. Limerick, (<http://downsurvey.tcd.ie/down-survey-maps.php#bm=Limerick+South+Liberties&c=Limerick&p=St+Michaells+and+St+Nicholas>). Priorsland townland is indicated.





Figure 4.4. 'Hardiman's' map of Limerick dated c. 1590, red box indicating approximate location of subject site (after O'Flaherty 2010, IHTA Map 6). North to left of image.

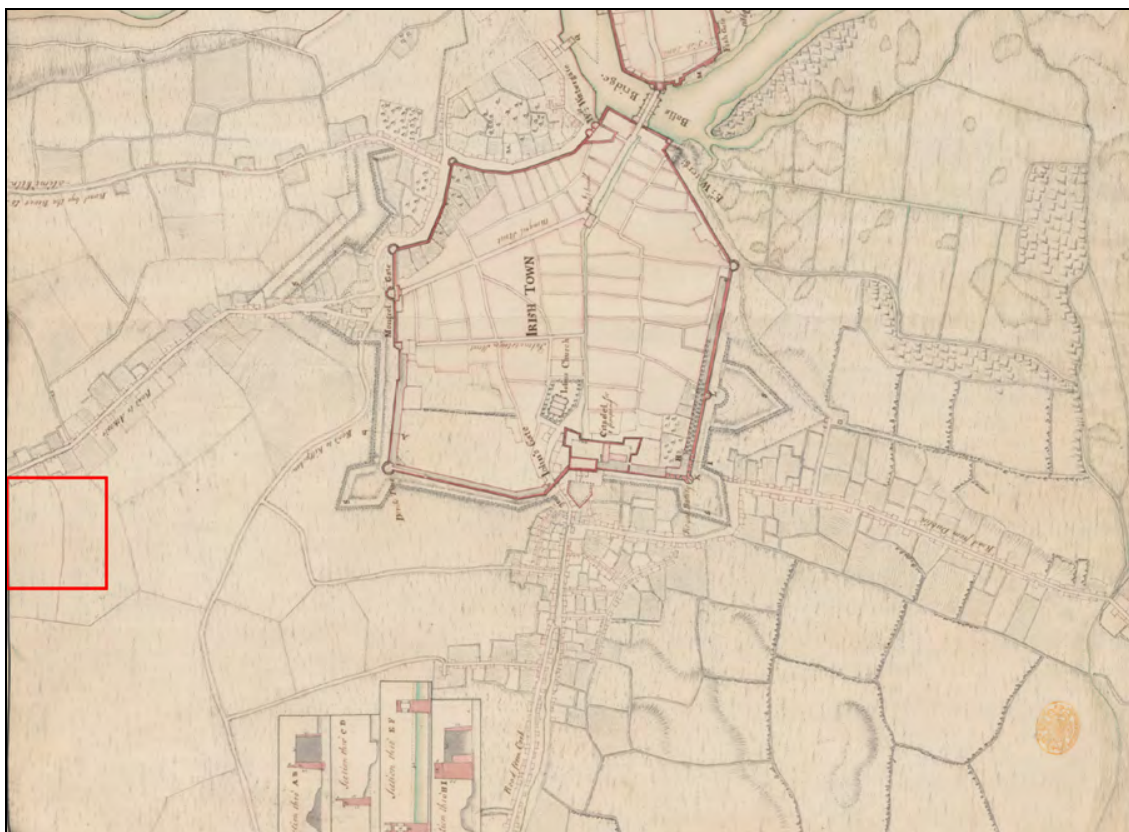


Figure 4.5. Extract of Eyre's Map of Co. Limerick, dated 1752, approximate location of subject site indicated (after O'Flaherty 2010, IHTA MAP 16). North to top of image.

The maps dating to the nineteenth century: McKern's (1827, Fig. 4.6), the first edition OS six-inch map (c. 1840, Figs 4.7 and 4.8) and Corbett's 1865 map (Fig. 4.9), all show the roads and lanes around the subject site, as well as structures on the subject site.

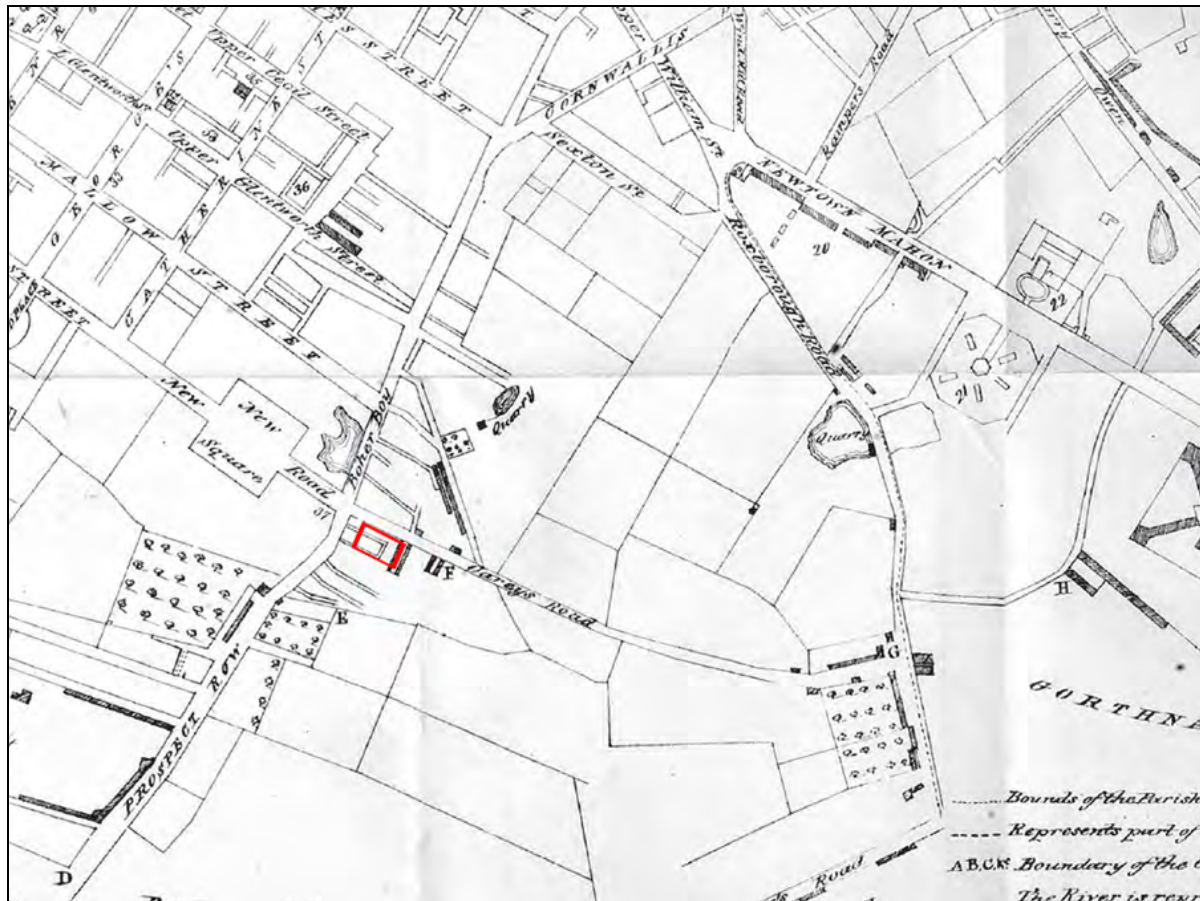


Figure 4.6. Subject site in red on an extract of McKern's map of Limerick dated to 1827 (after O'Flaherty 2010, IHTA Map 22). North to top.



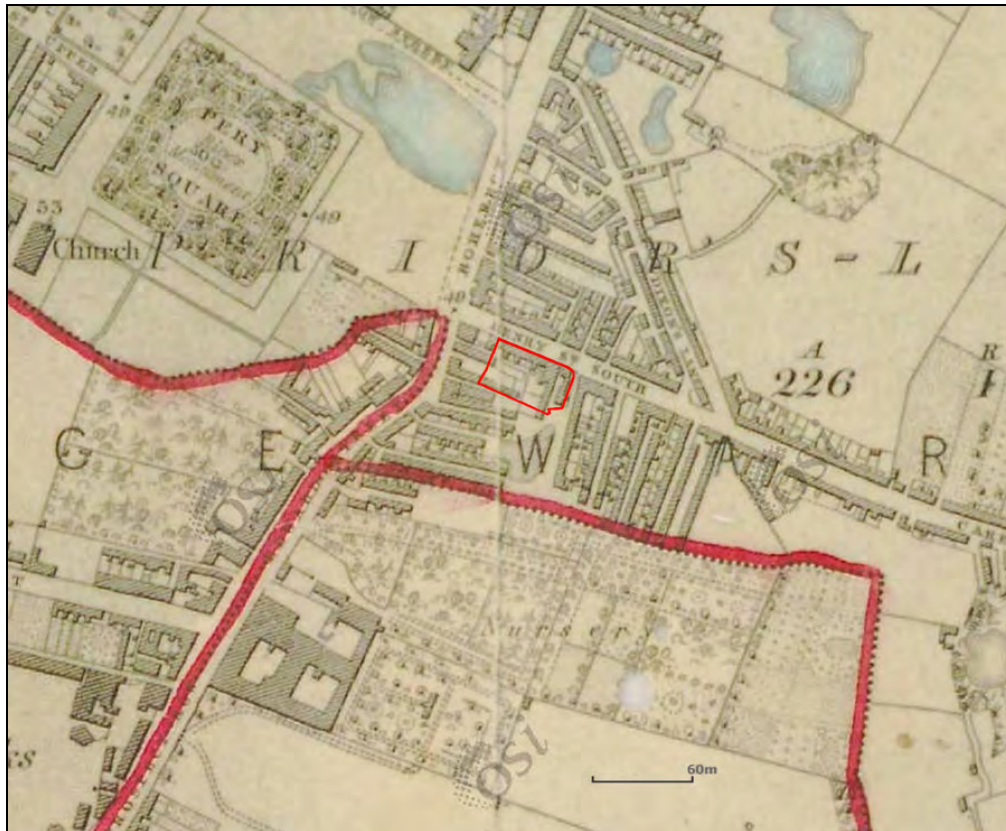


Figure 4.7. Subject site in red on OS first edition (c. 1840) 6-inch map (after [www.archaeology.ie](http://www.archaeology.ie)). North to top.

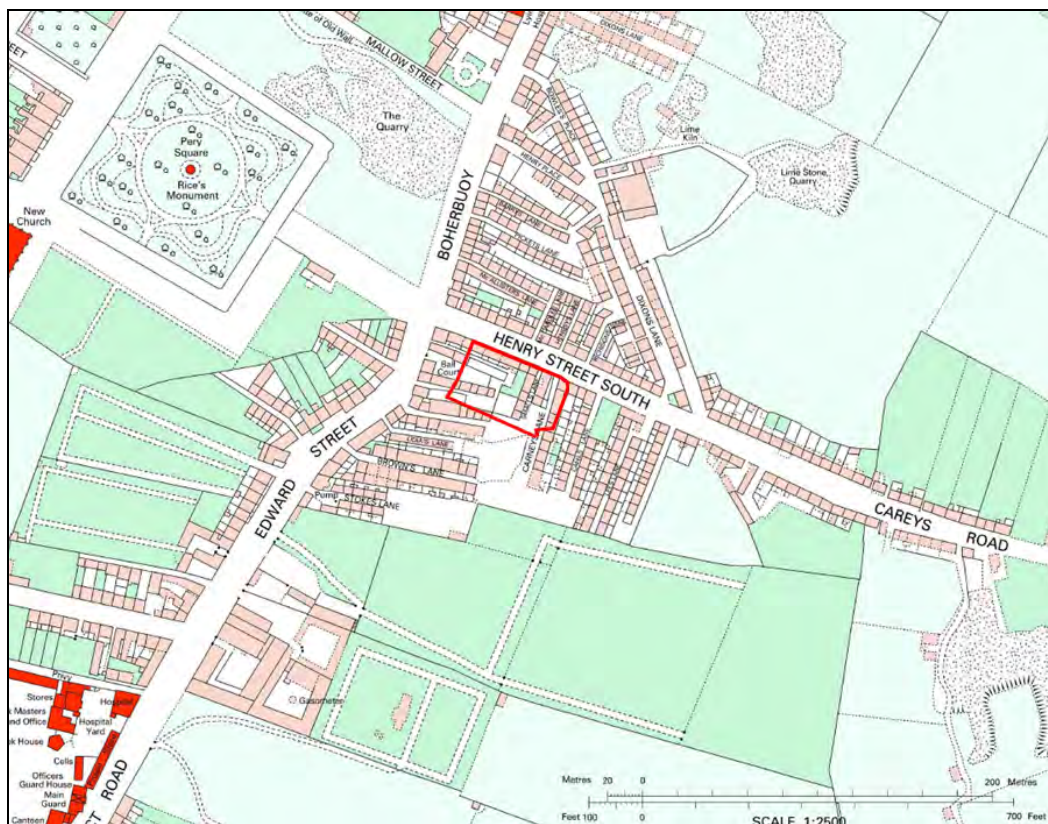


Figure 4.8. Subject site in red on an extract of re-drawn first edition six-inch map of Limerick (after O'Flaherty 2010, IHTA Map 2). North to top.





**Figure 4.9. Subject site in red on an extract of Corbett's map of Limerick dated to 1865 (after O'Flaherty 2010, IHTA Map 23). North to top.**

The 1900 OS 25-inch map also indicates development of the subject site and its surroundings, which by this time looks very much like the modern footprint of the present-day town (Fig. 4.10). It is notable that the green which now lies to the north of the subject site was itself a block of buildings and lanes in 1900. By this time, the entire stretch of road to the north of the subject site stretching to the east is labelled Carey's Road and the name Henry Street South is no longer employed.

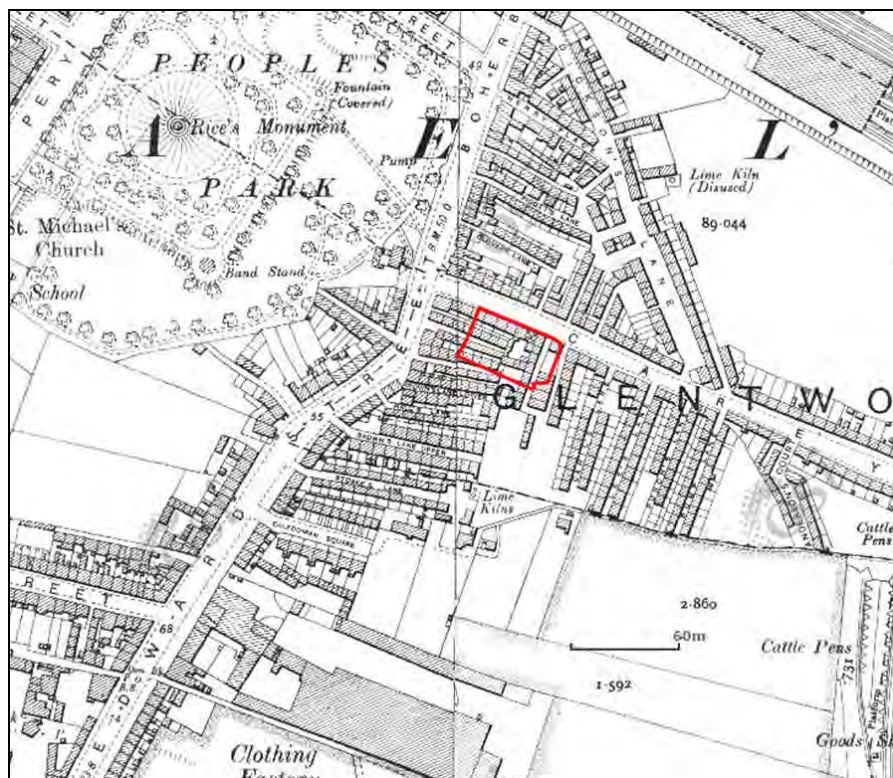


Figure 4.10. Subject site in red on 25-inch OS map (after [www.archaeology.ie](http://www.archaeology.ie)). North to top.

Griffith's Valuation mapping dated to 1853 was consulted for the subject site. Griffith's Valuation or the primary valuation of Ireland was carried out between 1848 and 1864 to determine liability to pay the 'poor rate' (for the support of the poor and destitute within each Poor Law Union). It provides detailed information on where people lived in mid-nineteenth century Ireland and the property they possessed. Two properties (houses) are recorded on Henry Street (at Boherbuoy), now Carey's Road, in the parish of St Michael's and townland of Priorsland. Both were owned by Matthew McNamara. One was vacant at the time of valuation and the other was rented by Thomas McDonnell (Griffith 1853, 28). Nothing new that might have been of archaeological interest was noted.

## 4.4 Protected structures

There are no protected structures on or within the immediate vicinity of the subject site. It lies 194m to the southwest of Colbert Station (RPS 270; NIAH reg. no. 21518019) and in the general vicinity of several recorded architectural features within The People's Park (RPS 333; NIAH reg. no. 21518018); the closest entrance of which lies 55m to the west of the subject site.

## 4.5 Social history and folklore

There is no social history of folklore specifically attached to the subject site. General histories and reminiscences have been published on the general area of Carey's Road (for example, Moloney 1987).

## 5. Impact of Proposed Development

This section might be more accurately described as the *prediction* of impacts on the archaeology and cultural heritage since the impacts by definition have not yet occurred (EPA 2017; 2018). Please refer to section 3.1 above for a general description of any future development proposed and section 3.2 for a description of the existing environment. The subject site does not lie within the zone of notification for any known archaeological monument; nor does it lie within the zone of potential for the historic town of Limerick.

### 5.1 The 'do-nothing' impacts

If nothing occurs at the subject site, the subject site will remain as is and will inevitably succumb to further deterioration and decay over time.

### 5.2 The predicted impacts

There are no known recorded archaeological monuments within the subject site and no 'new' archaeological or historic architectural features were noted. The subject site is considered a brownfield site in that it has been developed on previously (one at least two to three separate occasions over time). Any possible subsurface archaeology that may have been present is likely to have been already impacted by these previous developments. The subject site is not within any zone of notification for any archaeological monument. In light of this, the description and evaluation of the predicted impacts on the potential subsurface archaeology of the subject site are as follows (Table 5.1):

**Table 5.1. Predicted impacts of proposed development on the cultural heritage resource.**

Predicted Impact No.	Description	Predicted impact without mitigation Negative/Neutral/Positive
1.	All ground works associated with the re-development of the subject site on the potential underlying archaeology that may be on site.	Neutral. It is likely than any archaeology lying subsurface (if it existed) has already been impacted by previous development.

### 5.3 The 'worst case' scenario

Should the proposed re-development proceed without archaeological mitigation measures, there is a very low possibility that archaeological material may be uncovered and/or destroyed without the supervision or guidance of a professional archaeologist.

### 5.4 Interaction of impacts

It is important to realise that the proposed development's impacts relating to different disciplines may have parallel impacts in other disciplines, such as general visual, noise or public health impacts which have not been specifically addressed in this report.

## 6. Conclusions and Suggested Mitigation

Following an evaluation of the predicted negative impacts in the section above, the following is suggested:

**As the subject site has been built upon previously, it has a relatively small footprint and that it lies well outside the zone of notification for the historic town of Limerick, predicted impacts are considered neutral and so no further archaeological, architectural or cultural heritage mitigation is suggested.**

The suggestion made above is to mitigate the predicted impacts as set out in section 5 of this report. It is very important to note that it is the National Monuments Service (NMS, details below section 7) in consultation with the local authority, who will formulate and ratify any archaeological mitigation, should it be required. This document can only make suggestions and report on the desk-top assessment and site inspection carried out. Archaeological mitigation may be recommended by the NMS and/or the local authority, which has not been suggested above.

The attention of the client, client agents and the developer is drawn to the relevant portions of the National Monuments Acts (1930–2014) which describes the responsibility of the site owners and procedures to report the finding of archaeological items, if any should be discovered during construction works, to the National Museum of Ireland and the National Monuments Service of the Department of Housing, Local Government and Heritage. This legislation also outlines the developer's obligation to facilitate and fund all archaeological works that may be considered necessary by the National Monuments Service and/or the National Museum of Ireland in respect of development proposals. The state's policy in relation to the archaeological heritage is available at:

<https://www.archaeology.ie/sites/default/files/media/publications/framework-and-principles-for-protection-of-archaeological-heritage.pdf>

<https://www.archaeology.ie/sites/default/files/media/publications/excavation-policy-and-guidelines.pdf>

## 7. Non-Technical Summary

### 7.1 Scope of study

This is a desktop study to assess the potential impact of any proposed development on the potential archaeological significance of its site in the townland of Priorsland and the subject site at Speakers' Corner, Carey's Road, Limerick.

### 7.2 Method of study

A desktop study was undertaken which consulted all immediately available material relating to the site as listed in the project references. A site inspection was undertaken with COVID-19 mitigation strategies followed.

### 7.3 Existing environment

The subject site comprises a vacant brown field site on Carey's Road, Limerick surrounded by adjacent properties.

### 7.4 Impacts of proposed development

Any proposed development on the subject site may have a potential impact on the potential subsurface unrecorded archaeology of the site. This has been deemed a neutral impact and is explained above.

### 7.5 Conclusions and suggested mitigation

Methods of archaeological mitigation have been suggested (section 6). It is the remit of the National Monuments Service, however, to legally recommend any one or a combination of these mitigation measures and perhaps to make recommendations that have not been suggested above. These recommendations may be sent directly to the applicant or more usually through the local authority in question.



## 7.6 Further information & enquiries

Any enquiries in relation to archaeological mitigation on any proposed development, should it be required, may be directed to:

Archaeological Planning and Licencing Unit,  
National Monuments Service,  
Custom House,  
Dept of Housing, Local Government and Heritage  
Dublin 1.  
Phone: 01-8883177

Or through the local authority's archaeologist where one is employed.

## 8. Signing-Off Statement

**Archaeological Firm:** ÆGIS ARCHAEOLOGY LIMITED

**Writer(s):** F. Coyne BA MIAI  
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King's Island,  
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V94 V6F7

**Client:** Fewer Harrington Architects  
for Limerick City and County Council

**Signed:**   
for ÆGIS ARCHAEOLOGY LIMITED

**Report Status:** Final

**Dated:** May 2021

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*The following are references consulted during the compilation of this report. Not all are directly referred to in the text. See annexes for impact assessment guidance.*

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## Annexes

### 1. Legislation and regulation protecting the archaeological and architectural heritage resource

#### PROTECTION OF CULTURAL HERITAGE

Ireland is a signatory to, amongst others, two key international conventions that aim to protect cultural heritage. These are:

- The 1985 European Convention on the Protection of Architectural Heritage (the 'Grenada Convention'), which aims to 'make provision for the protection of monuments, groups of buildings and sites' that are of 'historical, archaeological, artistic, scientific, social or technical interest' (Article 1 & 3);
- The 1992 European Convention on the Protection of the Archaeological Heritage (the 'Valletta Convention'), which aims to 'protect the archaeological heritage as a source of the European collective memory and as an instrument for historical and scientific study' (Article 1).

Provisions made in these conventions have been transcribed into Irish law through the National Monuments (Amendments) Act 1930-2014, the Heritage Act 1995, the Cultural Institutions Act 1997, the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act 1999 and the Planning and Development Acts and Regulations 2000-2013. Combined, these legal frameworks and associated national policies are the primary means of governing how cultural heritage in Ireland is protected and managed. Under Irish law archaeological monuments may include any humanly-made structures of whatever form or date except buildings that are habitually used for ecclesiastical purposes (for overview see *Frameworks and Principles for the Protection of Archaeological Heritage* Dúchas 1999).

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

#### THE ARCHAEOLOGICAL RESOURCE

The National Monuments Act 1930 to 2014 (as amended) 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.

Under Section 2, of the National Monuments Act 1930, 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 in the ownership or guardianship of the State or of the Local Authority cannot 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

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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 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. Specific objectives are also outlined within the County Development Plans of counties and more specific local area plans which are published from time to time.

#### **THE UNDERWATER ARCHAEOLOGY RESOURCE (MARINE, LACUSTRINE, AND RIVERINE ENVIRONMENTS)**

These environments all have the potential to impact on known or potential underwater cultural heritage, including shipwrecks. The Minister for Culture, Heritage and the Gaeltacht is a statutory consultee under a number of Acts including the Foreshore Acts 1933 - 2011, the Dumping at Sea Act 1996, (and various amendments), various fisheries acts relating to aquaculture and Petroleum and the Other Minerals Development Act, 1960 (as amended 1990). This is in addition to the Planning and Development Act 2000 (as amended) and the associated Planning and Development Regulations. Developments, whether they are large infrastructural projects or smaller localised developments, can have the potential to impact underwater cultural heritage.

As a statutory consultee, the National Monuments Service's Underwater Archaeology Unit (on behalf of the Minister) assesses applications in relation to potential development impacts and, as appropriate, recommendations are forwarded to the relevant planning authority requesting that archaeological mitigation measures be attached as conditions on the grant of a planning permission, licence or permit to ensure the protection of the underwater cultural heritage.

The type of archaeological mitigation recommended will vary depending on the scale and impact of the development and the archaeological potential of the location. It may include but is not limited to the following: pre-development desktop assessments, archaeological dive surveys; geophysical surveys; wading and metal detection surveys; underwater archaeological assessment and pre-development archaeological testing.

Archaeological excavation or archaeological monitoring during the course of the proposed works may also be required where it is known that archaeology is present or likely to be present and when new discoveries are made. Where there are known sites or areas of high archaeological potential, however, avoidance and/or preservation in situ may be the preferred option. In this regard, planning applicants are required to engage the services of a suitably qualified and suitably experienced private sector archaeologist or archaeological company to implement the archaeological recommendations relating to a planning application or as a condition of any planning permission granted.

If a development is planned for an area of reclaimed land or in a marine, riverine or lacustrine environment, it is advisable that you first consult the Wreck Viewer (WIID) and downloadable list of wrecks to ensure that the developer/contractor is aware of the archaeological potential of the area where the proposed development is to be located, i.e., at the site of a known or potential wreck site. If a proposed development is located in an area where wrecks are known to exist or are thought to be located then the developer should contact the National Monuments Service seeking advice with regard to the appropriate course of action so as to ensure wrecks or associated wreck material are not negatively impacted. Additionally, the Record of Monuments and Places (RMP) should also be consulted to see if the proposed development is located near to or at a Recorded Monument,

National Monument or World Heritage Site. Further information can be obtained from the Archaeology and the Planning Process section of this website.

#### [Note on Developments in Areas of Reclaimed Land](#)

Areas along river channels, estuaries, lake shores and large swathes of the coastline have been reclaimed over the centuries. These areas have potential to retain the remains of vessels that were lost, abandoned or wrecked on ancient seabed, shorelines or earlier water courses prior to the reclamation works being carried out. Other features of archaeological importance may survive in areas of reclaimed land, such as jetties, quay structures, tidal mills and fish traps. In areas of reclaimed land where there is potential to find shipwrecks, associated artefacts and other site types there will be a need for an appropriate level of archaeological assessment in advance of proposed developments.

#### [The Protection of Wrecks under the National Monuments Acts 1930-2014](#)

The National Monuments Service Wreck Viewer displays data relating to wrecks and is made available here for the information of interested parties. It is important to note that the wreck viewer displays only wrecks whose locations are known; there are a large number of wrecks recorded in the Wreck Inventory of Ireland Database (WIID) that do not have precise locations. Records for these can be downloaded from the "Wreck Data Download" link on the banner/header of the wreck viewer. The database also includes records of the wrecks of aircraft where these have come to our attention.

The inclusion of wrecks on this website does not constitute a statement in regard to any legal protection which may apply in any particular case. It is intended that this data will be of assistance to all marine environment researchers and stakeholders and those interested in or charged with protecting underwater cultural heritage, including anyone planning development in the marine, lacustrine or riverine environments.

#### [Legislation pertaining to wrecks](#)

There is robust legislation in place to protect wrecks and archaeological objects in Ireland's territorial waters,



in the intertidal zone and within the inland waterways. Section 3 of the National Monuments (Amendment)

Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological

objects underwater irrespective of age. Wrecks that are less than 100 years old and archaeological objects or

the potential location of such a wreck or archaeological object can also be protected under Section 3 of the

1987 (Amendment) Act; An underwater heritage order can be placed on a wreck or object if considered to be

of sufficient historical, archaeological or artistic importance to merit such protection. In 1995 the wreck of RMS Lusitania, torpedoed in 1915 by German submarine U-20 off the Cork coast, was protected under the relevant provisions of the Act, though it was less than 100 years old at the time.

#### [Diving, Survey and Salvage](#)

Section 3 (4) of the 1987 Act provides that a person shall not dive on, damage, or generally interfere with, any wreck which is more than one hundred years old or an archaeological object which is lying on, in or under the sea bed or on or in land covered by water except in accordance with a licence issued by the Minister for

Culture, Heritage and the Gaeltacht under Section 3 (5) of the Act. A licence is also needed under the same

provisions of the Act to survey a wreck or archaeological object from a wreck site that is over 100 years old or

one that is protected by underwater heritage order. Therefore, a licence is required to dive, interfere with or

survey any protected wreck site or for deliberate searches for underwater archaeological objects.

The Minister

may, at her discretion, grant or refuse to grant a licence and may make a licence subject to such conditions as

she thinks fit and which are specified in the licence. Application forms for dive/survey licenses can be

downloaded from

<https://www.archaeology.ie/publications-forms-legislation/forms> or by requesting an

application form from the Licensing Section, National Monuments Service, Department of Culture, Heritage &

the Gaeltacht, Custom House, Dublin 1.

#### [Discovery obligations in relation to a wreck or artefact](#)

Section 3 (6) of the 1987 Act (as amended) also provides that a person finding a wreck over 100 years old must

within four days make a report of the find to either the Minister for Culture, Heritage and the Gaeltacht or the

Garda Síochána. Section 3 (6) of the 1987 Act (as amended) also provides that a person finding an archaeological object which is lying on, in or under the sea bed or on or in land covered by water must within

four days make a report of the find to the Director of the National Museum of Ireland. As clarified in a recent

High Court judgement in relation to the wreck of the Lusitania (Judge Herbert, 2005), a wreck can equally be

considered to be an archaeological object within the meaning of the act.

#### [Merchant Shipping \(salvage and wreck\) Act 1993](#)

It is a statutory obligation under the Merchant Shipping (Salvage and Wreck) Act 1993 that all material,

including objects, recovered from any wreck or wreck material, including objects, from the sea shall be

declared to the relevant Receiver of Wreck. The Receiver will then make enquiries with a view to establishing

the ownership of the wreck or wreck-related material. In the absence of a known owner, the Director of the

National Museum of Ireland can claim salvaged wreck material on behalf of the State.

#### [Archaeological excavation and/or use of detection devices in relation to the underwater resource](#)

Archaeological excavation and/or the use of detection devices such as metal detectors to search for archaeological objects on archaeological sites including protected wrecks is regulated under Section 26 of the 1930 National Monuments Act and Section 2 of the 1987 National Monuments (Amendment) Act. Consents for the use of hand-held metal detectors on protected wreck sites or for the purpose of searching for archaeological objects are only issued when they form part of a defined archaeological research project or are required for an archaeological impact assessment for planning related cases. Applications for excavation licenses and consents for use of detection devices are assessed by designated officers within the National Monuments Service.

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#### THE ARCHAEOLOGICAL RESOURCE IN CAVES

Natural caves have the potential to yield archaeological deposits and artefacts. The study area has a very low potential to contain caves with archaeological potential though its underlying geology, limestone is conducive to the possibility of caves. Caves been used by people ever since the first settlers arrived in Ireland some 10,000 years ago (8,000 BC) and have served a wide variety of purposes: as places of burial, for the performance of ritual, as habitations or shelter for long- and short-term periods, for storage and as hiding places. The NMS and NMI have produced an advice leaflet entitled *Advice to the Public on the archaeological potential of caves* (2014).<sup>2</sup>

#### NOTE

Attention is also drawn to two current policy documents regarding the archaeological heritage in the Republic of Ireland, available at:  
<https://www.archaeology.ie/sites/default/files/media/publications/framework-and-principles-for-protection-of-archaeological-heritage.pdf>;

<https://www.archaeology.ie/sites/default/files/media/publications/excavation-policy-and-guidelines.pdf>.

Please note that any archaeological/cultural heritage report can only report on the facts discovered during the project and make suggestions on suitable archaeological mitigation should it be required. It is the remit of the National Monuments Service, sometimes through the Local Authority, to legally recommend archaeological mitigation on a site-by-site basis, which may differ from the mitigation suggested.

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<sup>2</sup><https://www.archaeology.ie/sites/default/files/media/publications/NMS%20Caves%20Leaflet%20lo-res.pdf>.

### THE ARCHITECTURAL RESOURCE<sup>3</sup>

Three pieces of legislation regulate protection for the architectural heritage: Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act, 1999; Planning and Development Act, 2000; and, the Planning and Development Regulations, 2001.

Significant steps have been taken towards the conservation of the architectural heritage through the introduction of comprehensive and systematic legislative provisions included in the planning code. These new legislative measures are supported by an architectural heritage advisory service at national level; the establishment, on a statutory basis, of the National Inventory of Architectural Heritage (NIAH); a scheme of grants for protected structures; and support for the employment of conservation officers by local authorities.

### PROTECTION UNDER THE ARCHITECTURAL HERITAGE (NATIONAL INVENTORY) AND HISTORIC MONUMENTS (MISCELLANEOUS PROVISIONS) ACT 1999

This Act requires the Minister to establish a survey to identify, record, and assess the architectural heritage of the country. The National Inventory of Architectural Heritage (NIAH) was duly established in 1990. While the inclusion of a site in the inventory does not in itself provide statutory protection, the survey information is used in conjunction with the Architectural Heritage Protection: guidelines for planning authorities (published by the Department of Environment, Heritage and Local Government) to advise local authorities on the compilation of a Record of Protected Structures as required by the Part IV of the Planning and Development Act, 2000.

### PART IV OF THE PLANNING AND DEVELOPMENT ACT 2000

Planning authorities have a clear obligation to create a record of protected structures (RPS) which includes all structures or parts of structures in their functional areas which, in their opinion, are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. This record forms part of a planning authority's development plan; They are also obliged to preserve the character of places and townscapes which are of special architectural,

historic, archaeological, artistic, cultural, scientific, social or technical interest or that contribute to the appreciation of protected structures, by designating them architectural conservation areas (ACAs); development plans must include objectives for the protection of such structures and the preservation of the character of such areas to ensure proper and sustainable planning and development; new responsibilities are given to the owners and occupiers of protected structures to maintain them and planning authorities have additional powers to ensure that buildings are not endangered either directly or through neglect. Financial assistance, in the form of conservation grants, is available from planning authorities to assist in this process. Owners or occupiers of a protected structure may seek a declaration (known as a section 57) from the relevant planning authority to determine the works to the structure that would materially affect its character and therefore require planning permission, and those works which may be carried out as exempted development.

Where a structure is protected, the protection includes the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures. All works which would materially affect the character of a protected structure, or a proposed protected structure, will require planning permission. Under the Act, protected structures which are regularly in use as places of public worship are subject to special requirements.

### RECORD OF PROTECTED STRUCTURES (RPS) AND ARCHITECTURAL CONSERVATION AREAS (ACA)

The Local Government (Planning and Development) Act 2000 provides for the creation of a Record of Protected Structures (RPS) and for the identification of Architectural Conservation Areas (ACAs) by local authorities for inclusion in the county development plans. The legislation stipulates that planning permission is required in cases of any works that would affect the character of a structure listed on the Record of Protected Structures. The City Development Plan has a number of architectural and archaeological heritage policies and objectives outlined including to conserve and enhance the special character of the ACAs included in the plan.

### OTHER LEGISLATION

A number of other acts, plans and national guidelines, in addition to the above should be

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<sup>3</sup> This section is based on information available at <https://www.buildingsofireland.ie/resources/> through the Department of Culture, Heritage and the Gaeltacht (DAHG 2011).

considered when including structures in the RPS and carrying out forward planning or development control duties. Primary among them are the National Monuments Acts 1930–2014 (see below). The scope of the National Monuments Acts includes monuments of architectural, historical or archaeological interest, allowing overlap with the 2000 Act which protects structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

#### ROLE OF PLANNING AUTHORITIES

Planning authorities are empowered to protect the architectural heritage, in the interest of the proper planning and sustainable development within their respective functional areas, and to prevent its deterioration, loss or damage. This will be reflected in the adoption of suitable policies for protecting the architectural heritage in their development plans and giving practical effect to them through their development control decisions, generally by liaison between planning officers and conservation officers. The duties of a local authority apply across all its functions, for example as a planning authority, a building control authority, a fire authority and so on, to act positively to protect the architectural heritage when exercising their functions.

#### PREScribed BODIES FOR THE PURPOSES OF PART IV OF THE ACT

The prescribed bodies in relation to the protection of the architectural heritage are set out in the Planning and Development Regulations 2001. They include the applicable government Minister, the Heritage Council, the Arts Council, Bord Fáilte and An Taisce. The prescribed bodies are sent notification of planning applications where it appears to a planning authority that the development: a) would involve the carrying out of works to a protected structure or a proposed protected structure; b) would involve the carrying out of works to the exterior of a structure within an ACA or an area specified as an ACA in a draft development plan or a proposed variation of a development plan, or c) might detract from the appearance of any of the above structures. The prescribed bodies must also be sent notification of statutory steps to review, draft, vary and make development plans and of proposals to make additions to or deletions from the RPS. The planning authority processes the observations of the prescribed bodies in the same way as all other submissions in relation to an application.

#### ROLE OF AN BORD PLEANALA

Under Section 13 of the Planning and Development (Amendment) Act 2002, any person to whom a declaration has issued under Section 57 (3), or a declaration reviewed under Section 57 (7) of the 2000 Act, may refer the declaration to An Bord Pleanála for review. This referral must be made within four weeks of the date of issue of the declaration. The details of any such declaration issued by the planning authority or of a decision by the Board must be entered on the planning register and the protected structure file kept by the planning authority. In addition, a copy of the declaration or decision must be available for inspection by the public during office hours at the offices of the planning authority.

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## 2. Development plan and other plans' cultural heritage policies

*Chapter 10 of the current **Development Plan** for Limerick City considers Built Heritage and Archaeology. The following policies (pertinent to this report) are listed in that document:*

### Policy BHA.1 Heritage Plan

It is the policy of Limerick City Council to implement a 'Limerick City Heritage Plan' addressing the Natural, Built and Cultural Heritage within the City during the lifetime of the City Development Plan (page 10.1).

### Policy BHA.2 Sites Within the Zone of Archaeological Potential

It is the policy of Limerick City Council to protect and enhance the archaeological value of the sites (and their settings) located within the 'Zone of Archaeology Potential' and all other features listed in the Sites and Monuments Record (page 10.3).

### Policy BHA.3 Preservation of Archaeological Remains In-Situ

It is the policy of Limerick City Council to require Archaeological Impact Assessment be carried out on all development proposals that are likely to impact upon in-situ archaeological structures or deposits within the Zone of Archaeology Potential and / or within areas of archaeological importance as identified through the National Monuments Record (page 10.4).

### Policy BHA.4 Protection of Limerick's Historic Street Pattern & Medieval Plot Widths

It is the policy of Limerick City Council to protect Limerick's historic street pattern, and in particular, seek to conserve and enhance the laneways within the setting of the streetscape and seek to retain and protect historic building lines and traditional plot widths where these derive from medieval origins (page 10.4).

### Policy BHA.5 Survey of Medieval Remains

It is the policy of Limerick City Council to require a detailed Archaeological Survey of buildings proposed for demolition, where in the opinion of the City Council medieval fabric may be present (page 10.5).

### Policy BHA.6 Protection of Limerick's Medieval City Walls

It is the policy of Limerick City Council to secure preservation in-situ of the historic medieval city walls as identified in the Conservation and

Management Plan for Limerick City Walls, 2008, and will have regard to the preservation and enhancement of the line of the city wall when considering development proposals in its vicinity. Disturbance, removal and alteration of the line of the city wall will not be permitted (page 10.5).

### Policy BHA.7 Promotion of Limerick's Medieval City Walls

It is the policy of Limerick City Council to improve public awareness and increase knowledge and appreciation of the Medieval City Walls. This will be achieved through the implementation of the recommendations of the Conservation & Management Plan for Limerick City Walls, 2008 and any applications for funding to undertake restoration works will be strongly supported (page 10.6).

### Policy BHA.8 Development on Burial Grounds

It is the policy of Limerick City Council to protect and enhance historic burial grounds and Settings (page 10.7).

### Policy BHA.9 Industrial Archaeology

It is the policy of Limerick City Council that all development proposals for industrial buildings and sites of industrial archaeological importance must be accompanied by an Archaeological and Architectural Assessment of the building(s) and curtilage/surrounding environment (page 10.7).

### Policy BHA.10 Underwater Archaeology

It is the policy of Limerick City Council that all development proposals which will impact on riverine, inter-tidal and sub-tidal environments should be accompanied by an Archaeological Assessment (page 10.8).

### Policy BHA.10A Preservation of the Underwater Archaeological Heritage

It is the policy of the Council to seek the preservation (in situ, or at a minimum, preservation by record) of all known and all previously unrecorded sites and features of historical and archaeological record in riverine, lacustrine, estuarine and or marine environments (page 10.8).

### Policy BHA.11 Re-Use & Refurbishment of Structures of Architectural Heritage merit & Protected Structures

It is the policy of Limerick City Council to positively encourage and facilitate the careful refurbishment of the Structures of Architectural Heritage merit and Protected Structures for sustainable and economically viable uses (page 10.8).

#### Policy BHA.12 Record of Protected Structures (RPS)

It is the policy of Limerick City Council to protect all structures indicated on the Record of Protected Structure which shall include structures or parts of structures which are of special social architectural, historical, archaeological, artistic, cultural, scientific social or technical interest and continually review the Record where necessary (page 10.9).

#### Policy BHA.13 Facilitating Development of a Protected Structure & Curtilage

It is the policy of Limerick City Council to facilitate developments to protected structures that do not materially affect the architectural character employing conservation best practice standards for any purpose compatible with the character of the building and to make available financial assistance where possible (page 10.9).

#### Policy BHA.14 Demolition of Protected Structures

It is the policy of Limerick City Council that proposals for demolition of a Protected Structure shall not be permitted except in exceptional circumstances and where it can be showed that a greater public interest will be served which outweighs the loss to the architectural heritage (page 10.10).

#### Policy BHA.15 Record of Protected Structures

It is the policy of Limerick City Council that when it is proposed to alter or demolish a Protected Structure, either partially or totally, a full record of the structure and significant elements shall be prepared to the International Council on Monuments & Sites (ICOMOS) standard which shall be forwarded to the National Archive and the Architectural Archives for record purposes (page 10.10).

#### Policy BHA.16 Historic Landscapes

It is the policy of Limerick City Council to ensure the historic landscapes and gardens throughout the City are protected from inappropriate development (page 10.10).

#### Policy BHA.17 Development in Architectural Conservation Areas

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features from inappropriate external works within the four Architectural Conservation Areas as follows:

- ACA 1A South City Centre & Newtown Pery
- ACA 1B South Circular Road

- ACA 1C O'Connell Avenue
- ACA 2 John's Square
- ACA 3 Ballinacurra Road
- ACA 4 Ennis /Shelbourne Road

(page 10.12).

#### Policy BHA.18 ACA 1A South City Centre & Newtown Pery

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 1A (South City Centre, Newtown Pery & People's Park) as shown on Map 5.1A of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.14).

#### Policy BHA.19 ACA 1B South Circular Road & New Street

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 1B (the South Circular Road and New Street) as shown on Map 5.1B of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.15).

#### Policy BHA.20 ACA 1C O'Connell Avenue

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 1C (O'Connell Avenue) as shown on Map 5.1C of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.16).

#### Policy BHA.21 ACA 2 John's Square

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 2 (John's Square) as shown on Map 5.2 of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.17).

#### Policy BHA.22 ACA 3 Ballinacurra Road

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 3 (Ballinacurra Road) as shown on Map 5.3 [now Map 8E ACA3] of the Development Plan, from

inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.18).

#### [Policy BHA.23 ACA 4 Ennis/Shelbourne Road](#)

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 4 (Ennis/Shelbourne Road) as shown on Map 5.4 of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character' (page 10.19).

#### [Policy BHA.24 Demolition in Architectural Conservation Areas \(ACAs\)](#)

It is the policy of Limerick City Council that the demolition of structures and parts of structures will in principle only be permitted in an Architectural Conservation Area where the structure, or parts of a structure, are considered not to contribute to the special or distinctive character, or where the replacement structure would significantly enhance the special character more than the retention of the original structure. Any structure or a part of a structure permitted to be demolished shall first be recorded prior to demolition, and shall be monitored during demolition (page 10.19).

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*Limerick City and County's Heritage Plan (Limerick City and County Council and The Heritage Council 2017) lists the following aims and objectives in relation to built cultural heritage:*

#### [Aim 1](#)

To raise the awareness of, appreciation for and enjoyment of Limerick City and County's heritage (page 12).

#### [Aim 2](#)

To acquire knowledge through survey and research on heritage in Limerick City and County and to make it available to the wider public in a user-friendly manner (page 12).

#### [Aim 3](#)

To promote best practice and encourage heritage conservation and management (page 12).

#### [Aim 4](#)

To support the local economy and strengthen tourism (page 12).

#### [Archaeology Heritage Plan Objectives \(page 20\):](#)

1. To increase public awareness by:
  - a. Establishing a database of all historic graveyards sites in Local Authority ownership and make available on the Limerick City and County Council website to dovetail with the Historic Graves Project;
  - b. Establishing a community project to record all killeens throughout Limerick City and County; piloting a study with a community group on landscape archaeology with a view to expanding a model throughout Limerick.
2. To build knowledge by:
  - a. On-going survey and study including engaging with the research agendas of the Conservation & Management Plans for Kilmallock's Town Walls, Limerick City's Wall and the Lough Gur Environmental Management Study in regard to a research agenda and to support and assist the Dark Sky project in Lough Gur;
  - b. The promotion and encouragement of the production of Conservation & Management Plans for major sites such as the Mungret Monastic Complex and the Franciscan Friary, Adare.
3. To encourage best practice in conservation and management by:
  - a. Promoting the 'Adopt a Monument Scheme' on a pilot basis;
  - b. Establishing a steering group for the management and promotion of Limerick City's defences;
  - c. Continuing, in co-operation with the Irish Walled Towns Network, to consolidate the medieval defences of Kilmallock and Limerick City.
  - d. Meeting with the owners of tower houses and establishing a best practice guide for the maintenance of tower houses and as a flagship project, to continue works to preserve and maintain Bourchier's Castle, Lough Gur.
4. To support the local economy and strengthen tourism by:
  - a. Developing interpretative signage at publicly accessible sites;
  - b. Recording visitor numbers at major unmanned sites, establishing a trail of Limerick's Tower Houses and establishing a trail of early Christian sites in Limerick.

#### [Built heritage and conservation Heritage Plan Objectives \(page 23\).](#)

1. Identify partners and promote programmes for training in traditional skills and crafts, such as building with lime mortar, thatching, iron - work, weaving, traditional stone wall building and repair.

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2. Establish and promote best practice in care, conservation, maintenance and recording of traditional shops fronts in Limerick City and County.
3. Promote the conservation and reuse of publicly and privately owned historic properties in the interest of sustainable development with long term benefits to the community, the environment and regeneration in Limerick City and County.
4. Support the development of Architectural Conservation Areas in Limerick through the collection of data, promotion of community participation and collective responsibility, and raise the public's awareness of the value of Limerick's historical built structures and streetscapes.
5. In co-operation with bodies such as School of Architecture University of Limerick (SAUL) and Limerick Institute of Technology (LIT) Department of the Built Environment, and other third level colleges to examine innovative means of promoting our built heritage through digitalisation projects and the use of Building Information Modelling (BIM).
6. To increase public awareness of the importance of historic structures including bridges, infrastructure associated with public services and industry including water pumps, gas infrastructure, railway infrastructure and milestones, and to assist where feasible refurbishment proposals.

#### [Architecture, urban medieval built fabric and public realm Heritage Plan Objectives \(page 24\).](#)

1. To promote the experience of the Local Authority in terms of best practice dealing with the redevelopment of archaeological and historically sensitive sites.
2. To increase public awareness of the importance of the historic structures and the need for appropriate traditional skills in the interest of future development of sites and their return to use.

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*A **background paper** on environment, heritage, landscape and green infrastructure has been published in advance of the Limerick Development Plan 2022–2028. The new development plan will be the first plan since the amalgamation of the city and county local authorities that will consider the*

*city and county together. In relation to cultural heritage that document notes the following:*

#### [4.1 Archaeological Heritage](#)

Archaeological heritage is protected under various legislation including the National Monuments Acts (1930 – 2004), Natural Cultural Institutions Act 1997 and the Planning and Development Act 2000 (as amended). The coming together of the city and county means that a huge range of monuments from Kings John's Castle to ring forts will require an appropriate policy response. The estuary too provides its own range of archaeological features to consider, both within Limerick City and downstream. Riparian and instream archaeology are important elements, which shall also be considered and have significant historical value. It is worth giving specific mention to Lough Gur and the range of archaeological monuments and their settings that exist in that area. Given the unique setting and the nature of the archaeological character, it is worthy of its own landscape character area, defined by the area of archaeological and visual sensitivity that surrounds the lake. This Landscape Character Area and its zone of special development control provide the basis of Limerick's efforts to manage a sensitive area on a larger scale (page 13).

#### [4.2 Architectural Heritage](#)

The Limerick City Development Plan 2010 – 2016 (as extended) contains 435 protected structures. These are effectively a history of development in the City, with varying structures being dwellings, parts of transport infrastructure, such as canal locks and bridges and parts of Limerick's industrial past. In an urban environment, in particular, they add local character and in areas, where Architectural Conservation Area (ACA) designations are in place they can define the local character. Limerick City is notable for having six Architectural Conservation Areas, which play an important part in preserving the historical areas of the city.

Dereliction and abandonment are cited as being one of the main threats to the buildings and structures within ACAs in Limerick, followed by insensitive development. ACAs also play a part in the conservation of architectural heritage in County Limerick with ACAs present in Newcastle West and in Kilmallock, where the designation plays an important role in the conservation of the built heritage of both towns. They are also present in many of the other towns and villages of Limerick including Abbeyfeale, Askeaton, Bruff, Cappamore, Glin, Hospital and Rathkeale. There are approximately 1,500 Protected



Structures currently identified in the Limerick County Development Plan 2010 – 2016 (as extended), scattered throughout the county, many located in towns and villages across Limerick.

The Record of Protected Structures included in the current City and County Development Plans is legislated for under Section 12 and Section 51 of the Planning and Development Act 2000 (as amended). Protected Structures are defined as structures, or parts of structures that are of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view. This plan will be the first to combine the architectural heritage of both Limerick City and County. The city is characterised by its extensive Georgian streetscapes, which are protected by Architectural Conservation Area designations. An Architectural Conservation Area (ACA) is a place, area, group of structures or townscape, which is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest and can sometimes contain a number of protected structures.

The new Development Plan will consider the implications of this and will update the policies for the architectural heritage of the city and county as a whole (page 14–15).

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### 3. Guidance documentation

Dúchas (now NMS DHLGH) *Frameworks and Principles for the Protection of Archaeological Heritage* (1999);

- Dúchas *Policy and Guidelines on Archaeological Excavations* (1999);
- Environmental Protection Agency (EPA), *Guidance on the Information to be Contained in Environmental Impact Statements* (2002);
- Environmental Protection Agency (EPA), *Advice notes on Current Practice (in the Preparation of Environmental Impact Statements)* (2003);
- National Roads Authority (NRA now TII), *Guidelines for the Assessment of Architectural Heritage Impacts on National Road Schemes*, (2004);
- National Roads Authority (NRA now TII), *Guidelines for the Assessment of Archaeological Heritage Impacts on National Road Schemes* (2005);
- National Roads Authority (NRA now TII), *Environmental Impact Assessment of National Road Schemes – A Practical Guide* (2005);
- Institute of Archaeologists of Ireland, *IAI code of conduct for archaeological assessment excavation* (2006);
- Department of the Environment, Heritage and Local Government, *Archaeology in the Planning Process. Information Leaflet PL 13*. Dublin: Government of Ireland (August 2006);
- Department of Arts, Heritage and the Gaeltacht (now DCHG) *Architectural Heritage Protection Guidelines for Planning Authorities*. Dublin: The Stationery Office Government of Ireland (2011);
- Environmental Protection Agency (EPA), *Revised Guidelines on the Information to be Contained in Environmental Impact Statements. Draft* (September 2015);
- Environmental Protection Agency (EPA), *Advice Notes for Preparing Environmental Impacts Statements. Draft* (September 2015);
- Eirgrid *Cultural heritage guidelines for electricity transmission projects: a standard approach to archaeological, architectural and cultural heritage impact assessment of high voltage transmission projects* (October 2015).

- Environmental Protection Agency (EPA) *Draft guidelines on the information to be contained in environmental impact assessment reports* (2017);
- Department of Housing, Planning and Local Government *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, (2018).
- TII *Project Appraisal Guidelines for National Roads Unit 7.0–Multi Criteria Analysis* (2016)

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## 4. Assessment of impact type and magnitude

The EPA draft guidelines have been applied in this assessment which are broadly the same as the NRA/TII guidelines, which define various levels of predicted impact, which can be of a positive or negative type.

The NRA/TII guidelines are also useful as they have been specifically formulated for infrastructural projects from a specifically architectural and archaeological perspective. The TII have more recently applied an impact scale of 1–7 with 1 being a profound or significant negative impact and 7 being a significant positive impact. Negative impact types applied in this assessment are as follows:

- **Profound Negative Impact (1):** An effect which obliterates sensitive characteristics and applies where mitigation would be unlikely to remove adverse effect;
- **Significant or Very Significant Negative Impact (1):** An impact which, by its magnitude, duration or intensity, alters an important or sensitive aspect of the environment. An impact like this would be where part of a site would be permanently impacted upon, leading to a loss of character, integrity and data about an archaeological or cultural heritage feature/site;
- **Moderate Negative Impact (2):** an effect that alters the character of the cultural heritage feature in a manner that is consistent with existing and emerging trends. For example, where a change to the monument/cultural heritage feature is proposed which though noticeable, is not such that the integrity of the feature is compromised and which is reversible. This arises where an archaeological feature can be incorporated into a modern-day development without damage and that all procedures used to facilitate this are reversible;
- **Slight/Minor Negative Impact (3):** An impact which causes changes in the character of the environment which are not significant or profound and do not directly impact or affect a monument or cultural heritage feature;
- **Imperceptible/Neutral Impact (4):** An impact capable of measurement but without noticeable consequences.

The Guidelines also define the duration of impacts as follows:

- **Momentary:** an effect lasting from seconds to minutes;
- **Brief:** an effect lasting less than a day;
- **Temporary:** an effect lasting for less than one year;
- **Short-term:** an effect lasting one to seven years;
- **Medium-term:** an effect lasting seven to fifteen years;
- **Long-term:** an effect lasting fifteen to sixty years;
- **Permanent:** an effect lasting over sixty years.

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