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Wicklow Town,
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Date: 27/03/2024

Our Ref: 22117/Enniskerry/RK/LM

Dear Sir/Madam,

RE: RESIDENTIAL ZONED LAND TAX SUBMISSION IN RESPECT OF LANDS AT COOKSTOWN ROAD, ENNISKERRY, CO. WICKLOW.

1.0 INTRODUCTION

████████████████████ has instructed John Spain Associates, 39 Fitzwilliam Place Dublin to prepare a submission in respect of lands at Cookstown, Enniskerry, Co. Wicklow in relation to the Residential Zoned Land Tax and the current inclusion of certain lands on the map.

This submission is made in accordance with Section 653D (1)(a) and Section 653M (2)(f) of the Finance Act 2021 (as amended).

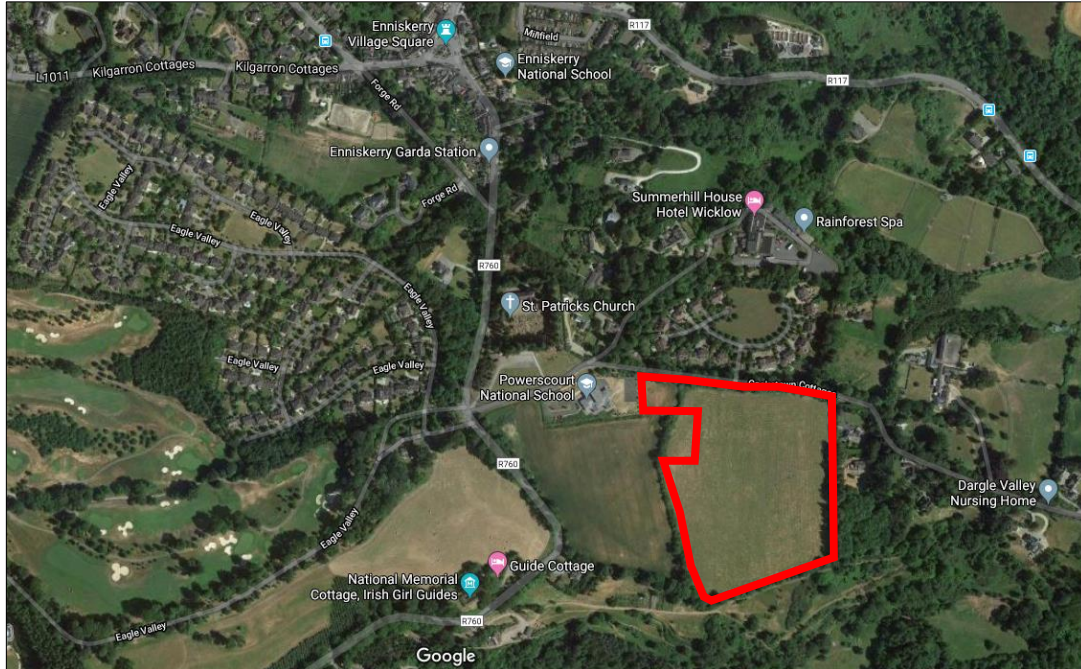
As set out herein, this submission seeks that the lands in our client's ownership are removed from the RZLT map, having regard to the specific exclusions provided under Section 653B(c)(ii) which are addressed in section 4 of this submission.

In accordance with Section 653D (3), "*a map prepared by Ordnance Survey Ireland at a scale at which the site can be accurately identified*" is included with this submission (Appendix 1). In accordance with Section 653D (4), "*evidence as is necessary to prove their ownership of the site*" is included with this submission (Appendix 4).

2.0 LOCATION OF SUBJECT SITE

The subject lands of c. 5.11 hectares (as they relate to the residential zoned land) are located on the south-eastern side of Enniskerry, c.1km from the village centre. The lands are situated to southern side of the L1020 (Cookstown Road) and to the east of the R760. The lands under the ownership of [REDACTED] comprises 6.27 hectares.

Figure 1: Site Location with indicative extent of site outlined in red



3.0 RELEVANT RECENT PLANNING HISTORY

The Wicklow County Council online planning register and An Bord Pleanála online case search function were examined to determine a recent planning history for the subject lands.

Subject Lands

WCC Reg. Ref. WW-RZLT-10 & ABP Reg. Ref. 316346

[REDACTED] made a submission to Wicklow County Council on the 20th of December 2022 requesting that the subject lands be removed from the 2023 Annual Draft RZLT Maps, under the provisions of S.653B(c) of the Finance Act 2021.

The planning authority determined on the 24th of March 2023 that the lands were to be included on the final RZLT map due to the following reasons:

- *“The lands in question are included in a development plan or local area plan and is zoned for residential development or zoned for a mixture of uses, that includes residential development.*
- *The lands are serviced, or it is reasonable to consider may have access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed.*

- *The lands are not affected in terms of its physical condition, by matter to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of archaeological or historic remains.”*

Under the provisions of S.653J of the Finance Act 2021, [REDACTED] appealed the determination of the planning authority to An Bord Pleanála on the 21st of April 2023, under ABP Reg. Ref. 316346.

On the 21st of September 2023, the Board upheld the decision of the planning authority to include the lands on the final RZLT maps due to the following reasons:

“The lands meet the qualifying criteria as set out in section 653B of the Taxes Consolidation Act 1997, as amended, and there is no reason to warrant their exclusion from the map.”

Response

In response to the previous determinations of the planning authority and An Bord Pleanála to include the subject lands on the final RZLT map for 2023, it is considered that both decisions incorrectly applied the provisions of Section 653B of the Finance Act 2021 and that the lands remain inappropriately liable for RZLT in 2024, following the deferral period.

With reference to the planning authority’s decision, as will be outlined in Section 5 of this submission, it is respectfully noted that while the lands are partly zoned for residential development in the County Development Plan, the lands satisfy specific criteria to be removed from the draft RZLT maps under Section 653B(c) due to the *“presence of known archaeological or historic remains”* on the site, as evidenced by a geophysical survey conducted by IAC. The archaeological constraints on the subject lands are considered to significantly restrict the activation of the subject lands for residential development until the definitive impacts on the proposed development of the site are understood, which will only become evident pursuant to subsequent site excavations following a final grant of permission for residential development on the lands.

In respect of the Board’s determination, as outlined further in Section 5, it is not considered that *“there is no reason to warrant their (the lands) exclusion from the map”* as Section 653B(c) of the Finance Act 2021 explicitly makes provisions for the exclusion of lands from RZLT where *“it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or **the presence of known archaeological or historic remains”***

Therefore, it is considered that the lands satisfy the appropriate provisions of Section 653B(c) for their exclusion from the RZLT maps.

WCC Reg. Ref. 21/1533 & ABP-314244-22

On the 5th of July 2022, Wicklow County Council issued a Notification of Decision to grant permission for the construction of 74 no. dwellings, as well as 10 no. sheltered housing dwellings as well as open space vehicular access and services.

The decision was subject to a Third-Party appeal which was withdrawn on the 20th of December 2023.

ABP-310078-21

On the 13th of August 2021 An Bord Pleanála granted permission for development comprising 165 no. dwellings and associated ancillary infrastructure. We note that this decision was subject to Judicial Review which was subsequently withdrawn.

WCC Reg. Reg. 14/1704 & ABP Reg. Ref: PL 27.246401

On the 8th of August 2016, Under Planning Reg. Ref. 14/1704 (ABP Ref. PL27.246401), An Bord Pleanála upheld the decision of Wicklow County Council and granted permission for the proposed development of 26 no. dwelling units on a site of c. 2.75 hectares, (with a density of 9.5 units per hectare gross).

WCC Reg. Ref. 21/830 – Extension of Duration of WCC Reg. Ref. 14/1704

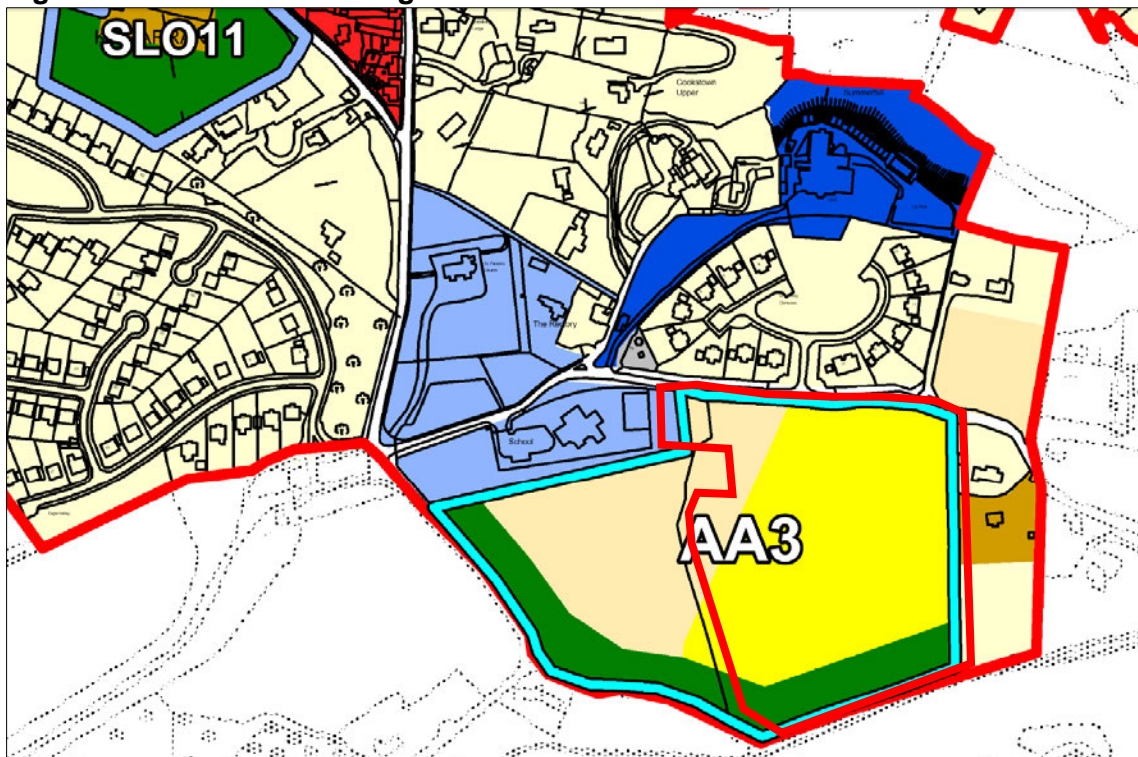
On the 11th of August 2021 Wicklow County Council issued a grant of extension of appropriate period for planning reg. ref. 14/1704 up until the 2nd of January 2027.


















4.0 LCOAL PLANNING CONTEXT

The Bray Municipal District Local Area Plan 2018-2024 (*'the LAP'*) sets out the overall development strategy for the LAP area.

Land Use Zoning

The subject lands are zoned 'R10: New Residential', 'R20: New Residential', 'OS1: Open Space' and 'CE: Community and Education'. The relevant extracts from the LAP in relation to the residential lands are as follows:

Figure 4.1 – Land Use Zoning

	Municipal District Boundary		CE Community & Education		AOS Active Open Space
	Settlement Boundary		TC Town Centre		OS1 Open Space
	RE Existing Residential		LSS Local Shops & Services		OS2 Open Space
	R Special New Residential		F1 Employment		Conservation Area
	R20 New Residential		PU Public Utility		
	R15 New Residential		T Tourism		
	R10 New Residential				

Source: Bray Municipal District LAP

The relevant zonings are also noted as having the following objectives and descriptions:

R10 – New Residential

Objective: *To protect, provide and improve residential amenities at a lower density not exceed 10 units/ha.*

Description: *To facilitate for the provision of high quality new residential environments with excellent layout and design, reflecting the low-medium density character of the surrounding area.*

R20: New Residential

Objective: *To protect, provide and improve residential amenities at a density up to 20 units/ha.*

Description: *To facilitate for the provision of high quality new residential developments at appropriate densities with excellent layout and design, to provide an appropriate mix of houses sizes, types and tenures in order to meet household needs and to promote balanced communities.*

OS1: Open Space

Objective: *To protect and enhance existing and provide for recreational open space.*

Description: *To facilitate the further development and improvement of existing parks and casual play areas, to facilitate opportunities for the development of new high quality amenity open areas and to restrict developments / activities (such as the use or development of such lands for formal sports grounds for organisations that are not available for a broad range of the public) that would reduce the opportunities for use by the wider public.*

CE: Community & Education

Objective: *To provide civic, community and educational facilities.*

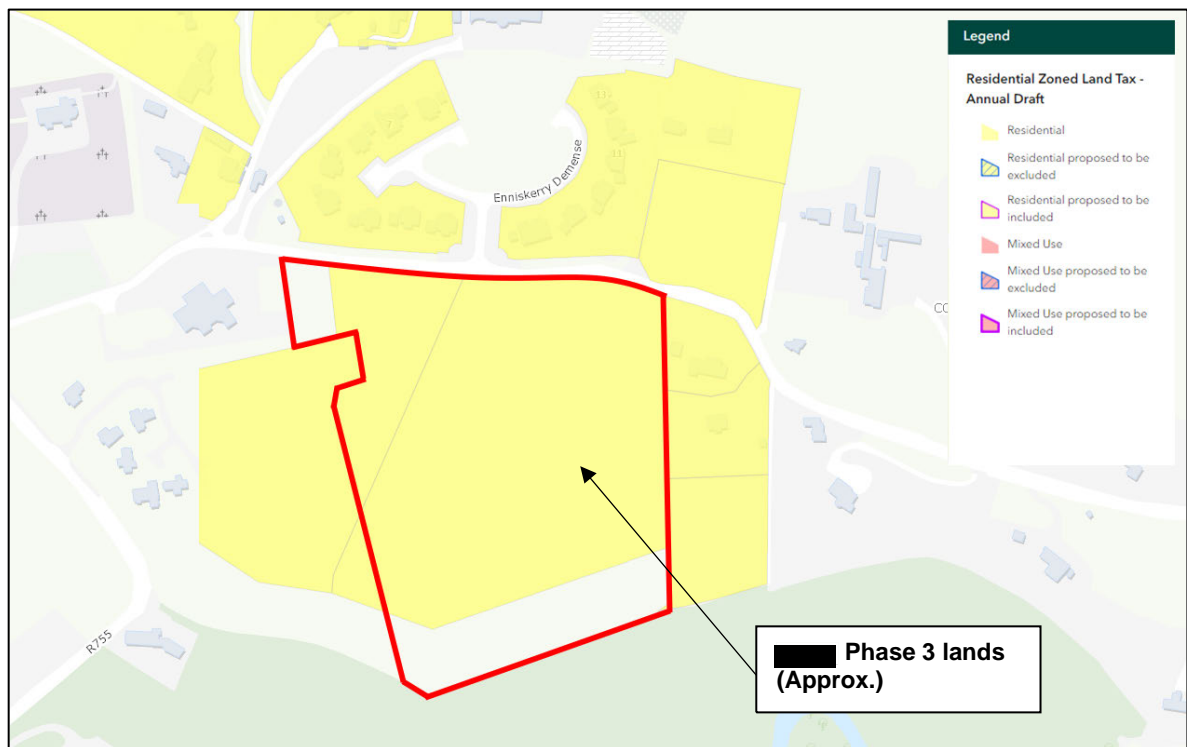
Description: *To facilitate the development of necessary community, health, religious, educational, social and civic infrastructure.”*

5.0 BASIS FOR REMOVAL FROM RZLT MAP

The Section 28 Guidelines ‘Residential Zoned Land Tax - Guidelines for Planning Authorities’ published in June 2022, outline that there are a number of reasons why zoned and serviced land could be excluded from the map:

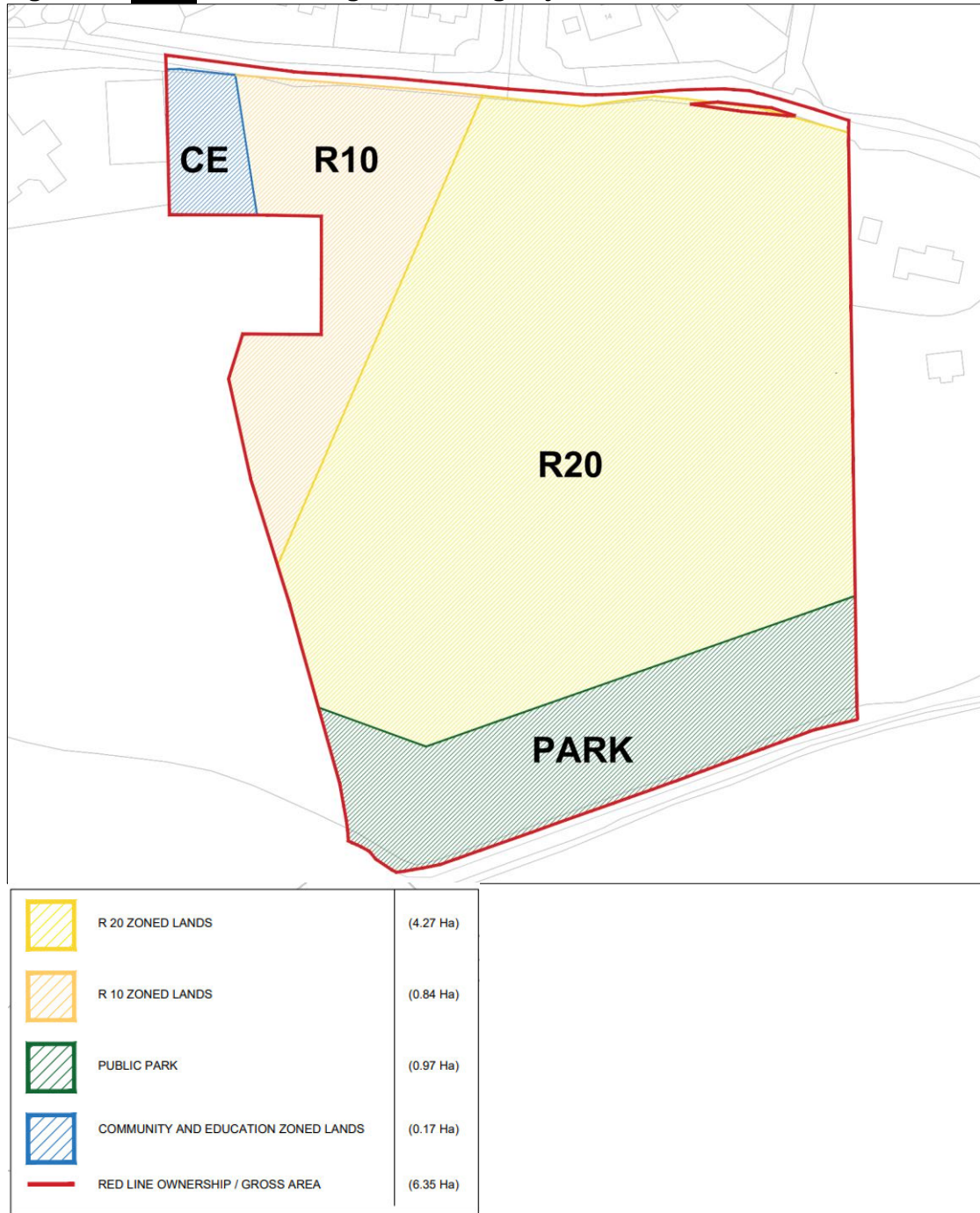
*“This includes land in need of specific remediation for contamination, **land which has significant known archaeological remains**, land on the derelict site register, land required for infrastructure identified in section 653B(c)(iii)(I) – (VII), and exclusions for existing uses on land. Sections 653B(c)(i) and (c)(ii) respectively identify where certain uses may be excluded from the tax measure.” (our emphasis)*

Figure 5.1 Draft Annual RZLT Map and [Redacted] Lands



Source: RZLT Draft Map Enniskerry Extract

Figure 5.2 Landholding and Zoning objectives



Section 653B(a) of the Finance Act 2021 (as amended) sets out criteria for inclusion on the RZLT maps. The relevant provisions for the lands to be excluded from the map are addressed below:

“653B(a) *In this Part, a reference to land which satisfies the relevant criteria is a reference to land that–*

(a) is included in a development plan, in accordance with section 10(2)(a) of the Act of 2000, or a local area plan, in accordance with section 19(2)(a) of the Act of 2000, zoned–

(i) solely or primarily for residential use

(ii) for a mixture of uses, including residential use”

As demonstrated above, the subject lands are zoned ‘R10: New Residential’, ‘R20: New Residential’, ‘OS1: Open Space’ and ‘CE: Community and Education’ in the Bray Municipal Local Area Plan 2018-2024. Therefore, it is noted that the lands satisfy the criteria specified under S.653B(a)(i) in principle.

Notwithstanding, as specified above in the Section 28 guidelines, Section 653(c) outline a number of circumstances where lands may be excluded from the RZLT maps, as follows:

“653B(c) *it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains”*

The following demonstrates how it is reasonable to consider that the lands are affected by the presence of known archaeological or historic remains.

1. Archaeological Features on Subject Site

A geophysical survey was carried out across the proposed development area under license 19RO0234. According to IAC, *the probable remains of a sub-circular enclosure have been recorded (Figure 4), which most likely represent a ditched feature such as a barrow measuring c. 14.5m in diameter. Areas of magnetic disturbance have also been identified, possibly representing spreads of burnt material. Several faint curvilinear and linear trends have been identified and may be of archaeological interest. Several isolated responses of possible archaeological interest were also recorded. However, these have no clear pattern and may represent natural variations in the subsoil.*

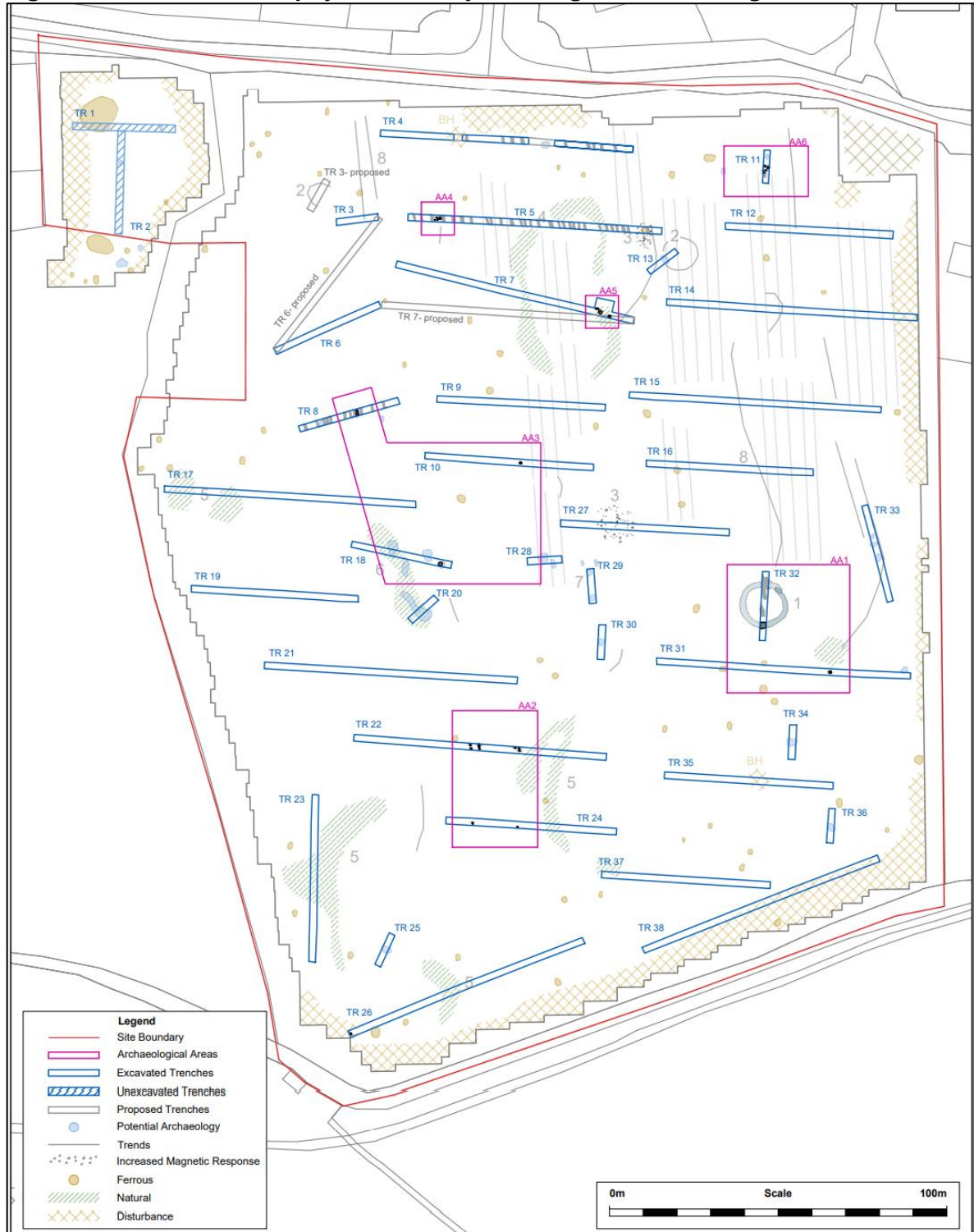
IAC in the conclusions of their report dated December 2020, noted:

“Testing identified six areas of archaeological potential across the eastern field of the proposed development area. AA1 is located in the eastern portion of the site on a rise with clear views of the surrounding environs. AA2 is located slightly downslope, at the southern extent of the proposed development area. AA3 is located towards the base of a hummocky rise along the western limit of the eastern field, while AA4–AA6 are located at the northern extent of the site at the base of the sloping field.

The archaeological features identified within AA1–6 appear to be prehistoric in date. The pottery recovered from AA6 dates to the Neolithic period while the material contained within some of the pits in AA2–5 is representative of burnt mound activity, which generally dates to the Bronze Age although Neolithic burnt mound sites have also been recorded. The circular enclosure in AA1 may represent a ring-barrow, which generally date to the Bronze

Age but may also be Iron Age in date. The area in general is a prime location for prehistoric habitation or activity due to the local topography and proximity to the Irish Sea coastline. The closest recorded excavation, located c. 1.35km northwest of the proposed development area, has shown evidence for prehistoric activity in the form of a tri-vallate ring barrow (SMR WI007-086) and the closest recorded megalithic tomb is located c. 1.25km northwest of the proposed development area (WI007-021).”

Figure 5.3 Results of Geophysical Survey showing Trench Testing



S.653B(c) makes provisions for the exclusion of lands from being included on the Draft Annual RZLT maps in accordance with S.653B(a)(i) where the “*presence of known archaeological or historic remains*” exists on the concerned lands.

Having regard to the potential archaeological constraints on the subject lands it is respectfully requested that the subject site (or part thereof) is excluded from the RZLT mapping until the definitive impacts on the proposed development of the site are understood, which will only become evident pursuant to the issuing of a final grant of permission and subsequent site excavations.

6.0 ADDITIONAL COMMENTS

In addition to the above arguments, [REDACTED] wishes to acknowledge that they acquired the site in September 2016 and February 2017 and commenced a protracted process of engagement with Wicklow County Council / An Bord Pleanála, in addition to undertaking extensive consultations with surrounding residents prior to submitting an application in April 2021 for 165 no. dwellings, which was subsequently granted permission by ABP in August 2021. However, a subsequent judicial review, initiated by local residents has resulted in an effective stay on the Board’s decision for an extended period.

Whilst a revised application incorporating a modest 84 dwellings was approved by WCC in July 2022, this was subsequently appealed to the Board and recently withdrawn (December 2023).

Despite best endeavours to secure permission and develop the site, it has been the impediments imposed by third parties that have consistently stymied efforts to progress by the owner.

6.0 SUMMARY AND CONCLUSIONS

[REDACTED] respectfully request that the Planning Authority takes into account the content of this submission and trust this submission will be taken into consideration in the assessment of the Local Authority and it is respectfully request that the lands are removed from the RZLT map.

If you require any further information, please do not hesitate to contact us.

Yours sincerely,



John Spain
Managing Director John Spain Associates Ltd.
ENCLOSURES

Site Location Map

APPENDIX 1

Town	Enniskerry
Landowner name	████████████████████
Landowner address	██████████ ██████████ ██████████
Landowner phone	██████████
Landowner email	████████████████████
Address of site	Cookstown Road, Enniskerry, Co. Wicklow (include Eircode if known)
Site description	(if address is unclear)
Site Area	5.11 hectares

**APPENDIX 2 IAC ARCHAEOLOGICAL ASSESSMENT AT COOKSTOWN ROAD,
ENNISKERRY COUNTY WICKLOW**

**ARCHAEOLOGICAL ASSESSMENT
AT
COOKSTOWN ROAD, ENNISKERRY
COUNTY WICKLOW**

LICENCE NUMBER: 20E0027

ON BEHALF OF: [REDACTED]

I.T.M.: 722593/716779

LICENCEE: MUIREANN NÍ CHEALLACHÁIN

REPORT STATUS: FINAL

DECEMBER 2020

IAC PROJECT REF.: J3550

ABSTRACT

IAC Archaeology has prepared this report on behalf of [REDACTED] to study the impact, if any, on the archaeological and historical resource of proposed residential development, which is located at ITM 722593/716779 (Figure 1). The assessment was carried out by Muireann Ní Cheallacháin under licence 20E0027 and follows a previous desktop assessment report carried out by Christina O'Regan of IAC Archaeology in June 2019 and a geophysical survey that was carried out in November 2019 (Licence 19R0234) (Leigh 2019).

Testing revealed six areas of archaeological significance within the eastern field, which have been designated as Archaeological Areas 1–6.

- AA1 comprises a circular ditched enclosure of c. 14.5m diameter and an isolated pit.
- AA2 comprises nine charcoal rich pits possibly associated with burnt mound activity.
- AA3 comprises three isolated pits.
- AA4 comprises a cluster of possible postholes.
- AA5 comprises three charcoal rich pits
- AA6 comprises two pits and three possible postholes associated with prehistoric activity dating to the Neolithic period.

Ground disturbances associated with the proposed construction of 165 no. dwellings (and associated site works) will have a direct, adverse impact on the six archaeological areas that have been identified. Whilst it is acknowledged that preservation in-situ is the best practise method of conserving the archaeological resource, the design and density requirements for the housing means that the areas of archaeological significance cannot be avoided. It is therefore recommended that the archaeological remains are subject to preservation by record (archaeological excavation) in advance of construction.

Preservation by record should be carried out under the direction of a licenced archaeological director along with an appropriate team of archaeologists. The work will be carried out under licence and in full consultation with the National Monuments Service of the Department of Housing, Local Government and Heritage and the National Museum of Ireland.

In addition, ground disturbances also have the potential to adversely impact on any further small-scale archaeological features or deposits that may be present outside of the footprint of the test trenches. It is therefore recommended that all topsoil stripping associated with the proposed development be monitored by a suitably qualified archaeologist. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in-situ or by record. Any further mitigation will require approval from the National Monuments Service of the Department of Housing, Local Government and Heritage.

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1 INTRODUCTION

1.1 GENERAL

The following report details the results of a programme of archaeological testing undertaken at Cookstown Road, Enniskerry, prior to proposed residential development. This assessment has been carried out to ascertain the potential impact of the proposed development on the archaeological resource that may exist within the proposed development area. The assessment (Licence Ref.: 20E0027) was carried out by Muireann Ní Cheallacháin of IAC Archaeology, on behalf of [REDACTED]. It follows a previous desktop assessment report carried out by Christina O'Regan of IAC Ltd in June 2019 and a geophysical survey that was carried out across the proposed development in November 2019 (Licence 19R0234), (Leigh 2019).

Test trenching commenced at the site on 27th January 2020 and continued for four days. This was carried out using a 13 tonne 360 degree tracked excavator, with a flat, toothless bucket, under strict archaeological supervision. The site contains two open fields; however, the western field was inaccessible at the time of testing due to the presence of a boundary comprising a mature hedgerow and bank dividing the western and eastern fields (Plate 1). A total of 36 trenches were mechanically investigated across the eastern field of test area, which measured 1562 linear metres in total.

1.2 THE DEVELOPMENT

The development (Figure 2a) will consist of the construction of 165 no. dwellings and associated ancillary infrastructure as follows:

- A) 105 no. 2 storey houses (49 no. 3 bedroom houses [House Types B, B1, & B2], 56 no. 4 bedroom houses [House Types A, D, E & E1];
- B) 56 no. apartments/duplex apartments in 6 no. 3 storey buildings – (28 no. 2 bedroom apartments and 28 no. 3 bedroom duplex apartments) all with terrace;
- C) 4 no. 1 bedroom Maisonette dwellings in a 2 storey building;
- D) Part 2-storey and single storey creche (c. 510 sq. m - including storage);
- E) Open space along southern boundary of c. 0.93 hectares [with pedestrian connections to boundary to 'Lover's Leap Lane' to the south and to boundary to the east and west], hard and soft landscaping (including public lighting) and open space (including boundary treatment), communal open space for duplex apartments; regrading/re-profiling of site where required [including import/export of soil as required] along with single storey bicycle/bin stores and ESB substation;
- F) Vehicular access (including construction access) from the Cookstown Road from a new junction as well as 313 no. car parking spaces and 150 bicycle spaces;
- G) Surface water attenuation measures and underground attenuation systems as well as connection to water supply, drainage and provision of underground local pumping station to Irish Water specifications;

- H) 3 no. temporary (for 3 years) marketing signage structures [2 no. at the proposed entrance and 1 no. at the junction of the R760 and the Cookstown Road] and a single storey marketing suite (c. 81 sq.m) within site;
- I) All ancillary site development/construction/landscaping works along with footpath/public lighting to Powerscourt National School pedestrian entrance and lighting from Powerscourt National School entrance to the junction of the R760 along southern side of Cookstown Road.

2 Archaeological and Historical Background

The proposed development area consists of two arable fields, c. 6.2ha in size located immediately east of the former demesne lands associated with Powerscourt House, in the townland of Cookstown. There are no recorded monuments located within a 500m radius of the proposed development area. The closest recorded monument is an enclosure (WI007-025) located 588m to the east-northeast (Figure 1). A number of post-medieval finds have been found in Cookstown townland (although not within the site boundary), including a copper alloy half penny dating to c. 1806 (NMI Ref: 1995:1979), a copper alloy plated lead mount (NMI Ref: 2003:83) and a silver token (NMI Ref: 1995:1991).

2.1 BACKGROUND

2.1.1 Prehistoric Period

Mesolithic Period (6000–4000 BC)

The Mesolithic period is the earliest time for which there is clear evidence for prehistoric human activity in Ireland. During this period people hunted, foraged and gathered food and appear to have had a mobile lifestyle. The most common evidence found consists of scatters of worked flint material, a by-product from the production of flint implements. Flints of this date have been recorded at St. Bride's Head close to Wicklow Town and Brittas Bay to the southeast (Grogan and Kilfeather, 1997, 1) and possibly indicate small-scale transient settlement along the riverbanks and seashores. There are no known sites of this period located within the vicinity of the proposed development area.

Neolithic Period (4000–2500 BC)

During this period communities became less mobile and their economy became based on the rearing of stock and cereal cultivation. This transition was accompanied by major social change. Agriculture demanded an altering of the physical landscape. Forests were cleared and field boundaries constructed. There was a greater concern for territory, which saw the construction of large communal ritual monuments called megalithic tombs, which are characteristic of the period. The main focus of Neolithic tomb building in Wicklow is located in the north of the county, close to the Dublin border. There are 20 passage tombs located within this area and most of these are situated above the 240m contour.

The closest recorded megalithic tomb is located c. 1.25km northwest of the proposed development area (WI007-021). The tomb consists of a small chamber formed by two parallel slabs supporting a split boulder capstone. The chamber is open at its western side and it stands in the centre of a roughly circular cairn. This site is further protected with a Preservation Order, meaning it is deemed to be of national importance.

Bronze Age (2500–800 BC)

This period was characterised by the introduction of metalworking technology to Ireland and coincided with many changes in the archaeological record, both in terms

of material culture as well as the nature of the sites and monuments themselves. Although this activity has markedly different characteristics to that of the preceding Neolithic period, including new structural forms and new artefacts (such as Beaker pottery), it also reflects a degree of continuity.

In addition to changes in material culture, there were changes in burial rite from communal megalithic tombs to single burial (either inhumed or cremated) in stone cists. A cist is a stone-lined grave, usually built of slabs set upright to form a box-like construction and capped by a large slab or several smaller lintels (Buckley and Sweetman 1991, 63). Circular ditched features known as ring-barrows are another site type synonymous with the Bronze Age period. These sites typically consist of a single ditch surrounding one or more internal pits, usually containing cremated human remains. The remains of a probable ring barrow were located c. 1.35km northwest of the proposed development area (WI007-086) during archaeological investigations carried out as part of a development proposal (Lynch & Kavanagh, 2018). Subsequent excavation (Ní Cheallacháin 2019) revealed a large tri-vallate ring barrow with five pits and two charcoal rich spreads. The tri-vallate ring barrow consisted of an inner circular ditch, a middle penannular ditch with a smaller opposing ditch and a large outer penannular ditch. Four deposits of non-cremated human remains and some prehistoric pottery sherds were located within the possible re-cuts and may suggest later discrete re-use of the site.

Iron Age (800 BC–AD 500)

There is increasing evidence for Iron Age settlement and activity in recent years as a result of development-led excavations as well as projects such as LIARI (Late Iron Age and Roman Ireland). Yet this period is distinguishable from the rather rich remains of the preceding Bronze Age and subsequent early medieval period, by a relative paucity within the current archaeological record. However, the Iron Age in Ireland is problematic for archaeologists as few artefacts dating exclusively to this period have been found and without extensive excavation it cannot be determined whether several monument types, such as ring-barrows or standing stones, date to the late Bronze Age or Iron Age. There are no known monuments in the vicinity of the proposed development area that would suggest an active presence of Iron Age communities in this area, although it is likely that there was a degree of continuity in settlement patterns through this period.

2.1.2 Early Medieval Period (AD 500–1100)

During the medieval period, Ireland was depicted in the surviving historical sources as entirely rural. The ringfort or *ráth* is considered to be the most common indicator of settlement during the early medieval period. A recent study of the ringfort (Stout, 1997) has suggested that there is a total of 47,000 potential ringforts or enclosure sites throughout Ireland. Ringforts are strongly associated with agricultural land and, as such, are rarely situated at higher altitudes. Ringforts and potential ringforts—often recorded as enclosures—are the most common archaeological sites recorded across the Irish landscape. Ringforts include *crannógs*, *cashels* and *ráths* which are largely defined as circular enclosures surrounded by banks and ditches comprised of timber as well as stone (*cashels*), earth (*ráths*) or manmade islands (*crannógs*). There

are 185 ringforts and ringfort sites known in County Wicklow. The closest such site is WI007-025, located c. 585m to the east-northeast.

The impact of Christianity in Wicklow is indicated by the number of important early church foundations established here, including the great monastic complex at Glendalough, established by St Kevin in the 6th Century. The earliest churches were wooden structures none of which survive above ground; however, these were replaced by stone churches, which have a better survival rate. The earliest stone churches in Wicklow were likely built in the 9th or 10th centuries AD and were well constructed with large un-mortared stones with the entrance usually set within the western gable.

In general, the organisation of the Irish church was primarily monastic. It was not until the beginning of the 12th century that it was gradually reorganised into dioceses, and abbots were replaced by bishops. However, in the Rathdown area it is possible that changes took place at an earlier stage. For example, the holy well within Powerscourt Demesne (WI007-016), located c. 1.9km northwest of the proposed development area was dedicated to St. Moling, Bishop of Ferns, who died in AD 624. Abbots do not appear to be connected with this area, either historically or within place names (Corlett, 1999, 42). The townland of Monastery may contradict this argument, but it is likely that the monastery site (WI003-031), located c. 1.3km to the northwest of the proposed development area, was medieval (post 12th century) rather than an early medieval foundation.

2.1.3 Medieval Period (AD 1100–1600)

The piecemeal conquest by the Anglo-Normans of Ireland, which commenced in AD 1169, had a fundamental impact on the Irish landscape. The introduction of the large motte and bailey castles by the Anglo-Normans was novel to the Irish landscape. A motte is a flat-topped mound of earth, usually artificially raised with a fosse around its base. These structures were usually accompanied by a bailey, which was an outer enclosure in which outbuildings such as stables and kitchens were located. There is some evidence to suggest that the Normans may, in some cases, have constructed their mottes on top of earlier ringforts. These sites are predominantly found in Ulster and Leinster.

A motte (WI007-018001) is recorded c. 1.4km west–northwest of the proposed development area. Today the site is very overgrown but the SMR file notes that it may have been associated with the medieval borough of Mulsoe’s Court (WI007-018). However, it is not clear whether one was ever actually established as Mulso died in 1463 and no archaeological evidence to date has been identified to suggest its presence. Despite this, the Enniskerry Town Plan (2016-2022) identifies the area surrounding the motte as an Area of Archaeological Potential and Significance, citing the presence of the deserted borough.

A stone castle was also built at Powerscourt in 1316 (WI007-019), c. 1.2km to the southwest of the proposed development area. ‘Balyteny Castle’, as it was then known, was in the possession of Eustace le Poer, from whom Powerscourt takes its

name. Powerscourt was transformed after 1731 when the mansion was constructed around the shell of the castle. The existing house incorporates fragmentary remains of the 16th century Fitzgerald castle (late medieval fabric was identified during the course of restoration work on the house after a devastating fire of 1974). A number of medieval coins have been recorded from within Powerscourt Demesne (Appendix 2, NMI files).

2.1.4 Post-Medieval Period (AD 1600–1800)

The ending of the Williamite Wars saw the beginning of a comparative politically calm era, which allowed the country's landowners the security to experiment with the latest styles of architecture without the need to refer to defensive matters.

Palladianism dominated Irish and British architecture during the mid-18th century. County Wicklow possesses two of the finest examples of large Palladian mansions in the form of Powerscourt House (1731-40) and Russborough House (1741-48). Both structures are attributed to the German-born architect, Richard Castle (1690-1751).

An important element of an 18th or early 19th century country house was its setting. The earlier geometric landscapes favoured by continental Europe were replaced during the 18th and 19th centuries by designed parkland settings, which were intended to create a 'natural' backdrop for the country houses. These demesnes involved a great deal of landscaping, as earth was moved, field boundaries disappeared, streams were diverted to form lakes and quite often roads were completely diverted to avoid travelling anywhere near the main house or across the demesne. The proposed development area is located to the immediate east of the demesne landscape that was established in association with Powerscourt House.

Enniskerry Village was redeveloped by the Wingfields of Powerscourt after 1815 into an estate village. Here the more exuberant architectural styles that were characteristic of the county's mansions were adapted for more modest structures. The village school house (1818), constabulary barracks (c. 1840), inn (c. 1835), almshouse (c. 1840), hall (c. 1850), and a large proportion of dwelling houses within the settlement, exhibit mock Tudor style elements such as gables, steeply-pitched roofs, tall chimneystacks and mullioned and transom windows. Purely decorative elements such as overhanging eaves with elaborate bargeboards and finials were also used in the development of the village.

A number of post-medieval finds have been found in Cookstown townland (though no within the site boundary), including a copper alloy half penny dating to c. 1806 (NMI Ref: 1995:1979), a copper alloy plated lead mount (NMI Ref: 2003:83) and a silver token (NMI Ref: 1995:1991).

2.2 SUMMARY OF PREVIOUS ARCHAEOLOGICAL FIELDWORK

A review of the Excavations Bulletin (1970–2019) has shown that no archaeological excavations have taken place within the proposed development area.

The closest recorded excavation took place c. 1.35km northwest in Powerscourt Demesne. In 2018, test trenching in advance of a housing development, revealed the presence of a ring-barrow, c. 25m in diameter, with three enclosing ditches (Licence 18E0045, Bennett 2018:183). Subsequent excavation (Licence 18E0045, Ní Cheallacháin 2019) revealed a large tri-vallate ring barrow with five pits and two charcoal rich spreads. The tri-vallate ring barrow consisted of an inner circular ditch, a middle penannular ditch with a smaller opposing ditch and a large outer penannular ditch. Four non-cremated deposits of human remains and some prehistoric pottery sherds were located within the possible re-cuts and may suggest later discrete re-use of the site.

2.3 CARTOGRAPHIC ANALYSIS

Sir William Petty's Down Survey Map of the Half Barony of Rathdown, c. 1655

The proposed development area is included within the Barony of Rathdown in Wicklow County. The site of proposed development does not appear on this map in any detail as the lands were not forfeited.

John Rocque's Map of the City and County of Dublin, 1760

This map covers the county of Dublin but also includes Powerscourt House in Wicklow, due to the significance of the estate. The house and its immediate gardens are portrayed in great detail, along with the village of Enniskerry, but to a lesser degree. The Dargle River is depicted as is the road that forms the northwestern boundary of the proposed development area. The lands that form the proposed development area are not however depicted.

John Taylor's Map of the Environs of Dublin, 1816 (Figure 3)

The proposed development is depicted on this map within an area bordered to the north by the modern Cookstown Road and to the south by a laneway. This area is mostly depicted as wooded though a small portion of it has been cleared of vegetation. A group of houses are depicted to the north of the site and annotated as Cookstown.

William Duncan's Map of the County of Dublin, 1821

The only significant change to the proposed development on this map from Taylor's is that more of the trees have been cleared away.

First Edition Ordnance Survey Map, 1838, scale 1:10,560 (Figure 3)

This is the first accurate historic mapping coverage of the area containing the proposed development. The proposed development site is characterized by open fields and is bounded to the west by a road. At the southwestern edge of the proposed development site and on the western side of a road is located the *Harmony Cottage School*, which is comprised of four buildings and an associated garden. The southern extent of the site is marked by a small laneway, a portion of which marks the boundary between Cookstown and Tinnehinch townlands. The eastern part of the proposed development site comprises a single, large field within which the words

Stone Pillars are marked. It is possible that this refers to scratching pillars for livestock rather than prehistoric standing stones, although this is not a definitive interpretation. The northern side of the site is defined by a road travelling east–west. Two houses and their respective gardens border this road to the north, *Cookstown Upper* and *Summerhill*.

Ordnance Survey Map, 1907-9, scale 1:2,500

The proposed development area remains relatively unchanged within this mapping, except for the removal of the *Stone Pillars*. The laneway to the south has become a road, the *Harmony Cottage School* to the southwest has been removed and replaced by the demesne of Powerscourt House, and Powerscourt Rectory borders the site to the east.

2.4 SUMMARY OF GEOPHYSICAL RESULTS

A geophysical survey was carried out across the proposed development area under licence 19RO0234. The probable remains of a sub-circular enclosure have been recorded (Figure 4), which most likely represent a ditched feature such as a barrow measuring c. 14.5m in diameter. Areas of magnetic disturbance have also been identified, possibly representing spreads of burnt material. Several faint curvilinear and linear trends have been identified and may be of archaeological interest. Several isolated responses of possible archaeological interest were also recorded. However, these have no clear pattern and may represent natural variations in the subsoil.

2.5 AERIAL PHOTOGRAPHIC ANALYSIS

Inspection of the aerial photographic coverage of the proposed development area held by the Ordnance Survey (1995-2013), Google Earth (2005–2018), and Bing Maps revealed no previously unrecorded archaeological sites in or within the immediate vicinity of the proposed development. Google Earth coverage dating to 2005 shows a small quarry pit in the north-western corner of the site, which was subsequently back filled in later coverage.

3 ARCHAEOLOGICAL TESTING

3.1 GENERAL

Test trenching took place from the 27th to the 30th of January 2020 using a 13 tonne 360 degree tracked excavator equipped with a flat, toothless bucket under strict archaeological supervision. Any investigated deposits were preserved by record. This was by means of written, drawn and photographic records.

A total of 56 trenches were excavated within the area of proposed development, measuring 1562 linear metres in total. The western field was inaccessible due to a field boundary comprising a mature hedgerow and bank running north–south between the two fields. Two proposed trenches (Trench 1 and Trench 2), located in the western field, were therefore not excavated.

The location of Trench 35 was adjusted slightly as the disturbance that was targeted from the geophysical survey was identified on site as a borehole. Trench 4 was divided into three sections due to the location of a borehole and to facilitate field access. The location of Trenches 3, 6 and 7 differ slightly from their proposed locations due to removal of the surveyed trench location flags overnight (Figure 4).

Archaeological contexts are described in Appendix 1.1 and the details of the test trenches are included in Appendix 1.2. Archaeological artefacts are described in Appendix 2. Trenches are shown in Figure 2b and Figure 4.

The layout of test trenches was designed to investigate geophysical anomalies with further trenches assessing open areas of the site. The test trenches were excavated to determine, as far as reasonably possible, the location, extent, date, character, condition, significance and quality of any surviving archaeological remains threatened by the proposed development. Test trenching was also carried out to clarify the nature and extent of existing disturbance and intrusions and to assess the degree of archaeological survival in order to formulate further mitigation strategies. These are designed to reduce or offset the impact of the proposed development scheme.

3.2 TESTING RESULTS

The topsoil (C1) across the eastern field of the proposed development area consisted of a loose mid brown sandy silt with an average depth of 0.3m. An orangey brown medium to fine sand subsoil with an average depth of 0.25m was recorded within the trenches at the base of the slope within the field. The natural subsoil (C2) across the proposed development varied from a light to mid brown sand to an orangey brown gritty gravelly sand.

No evidence for the remains of stone pillars, as marked on the historic mapping within the proposed development area was identified during the course of the testing (Figure 3). Six areas of archaeology were identified across the eastern field of the proposed development area.

Archaeological Features (Plates 2–21)

Archaeological Area 1

This comprises the area containing the circular ditch identified in the geophysical survey (Licence 19R0234, Leigh 2019); along with an isolated pit (Figures 4 and 5).

Trench 32 confirmed the presence of a ring-ditch (**C3**) of c. 14.5m diameter. No internal features were identified within the trench. Trench 31 identified an isolated pit (**C4**) of unknown function c. 20m to the southeast of the circular ditch.

Archaeological Area 2

This area comprises nine charcoal rich pits (Figures 4 and 6).

Trench 22 identified a cluster of seven charcoal rich pits (**C5–C11**) and Trench 24 identified two isolated charcoal rich pits (**C12 & C13**) c. 20m to the south. The presence of heat affected stone within the fills of these nine pits suggests that they may be associated with unidentified or ploughed out burnt mound activity in the area.

Archaeological Area 3

This area comprises three isolated pits (Figures 4 and 7).

Trench 18 identified an isolated pit (**C14**) of unknown function. Trench 10 identified an isolated charcoal rich pit (**C15**) c.35m to the north of C14. The presence of occasional heat affected stone within the pit suggests it may be associated with unidentified or ploughed out burnt mound activity in the area. Trench 8 identified an isolated pit (**C16**) c. 50m to the northwest of C15. The large amount of ex-situ oxidised soil and charcoal inclusions within the pit suggests that it may be a waste pit associated with burnt mound activity to the south. No evidence for the remains of stone pillars, as marked, roughly in this area, on the historic mapping, was identified

Archaeological Area 4

This area comprises a cluster of possible postholes (Figures 4 and 8).

Trench 5 identified a cluster of possible postholes containing charcoal rich fills.

Archaeological Area 5

This area comprises three charcoal rich pits (Figures 4 and 8).

Trench 7 identified a cluster of three pits (**C17–C19**). The charcoal-rich nature of the pits suggest that they are waste pits with associated with unidentified burning activity in the area or possibly the burnt mound activity to the south.

Archaeological Area 6

This area comprised two pits and three possible postholes associated with probable Neolithic settlement activity (Figures 4 and 8).

Trench 11 confirmed the presence of two charcoal rich pits (**C26 & C27**) where the geophysical survey identified two possible circular archaeological features. Pit **C26**

contained multiple sherds of early Neolithic carinated bowl pottery. Three possible postholes (C28–C30) were also identified adjacent to the pits and are therefore probably also associated with Neolithic activity.

Non-Archaeological Features

The entirety of the eastern field is covered in parallel linear agricultural features, which were identified in the geophysical survey as linear trends in the northern portion of the field (Figure 4/Plate 22). Post-medieval artefacts including black glazed ware, creamware and iron nails were retrieved from many of the linear features that were investigated across the site. These linear features, which have been interpreted as furrows, truncate some of the archaeological features identified within Archaeological Areas 1–6.

3.3 CONCLUSIONS

There are no recorded monuments located within a 500m radius of the proposed development area. The closest recorded monument is an enclosure (WI007-025), located 585m to the east-northeast.

A review of the Excavations Bulletin (1970-2019) has shown that no archaeological excavations have taken place within the site of proposed development or its immediate environs.

Examination of the historic mapping coverage of the proposed development area revealed the site has remained undeveloped since at least the mid-1800s. The first edition OS map notes the presence of ‘stone pillars’ within the proposed development area. Whilst these may relate to scratching posts erected for livestock, it is also possible that the features represent the remains of prehistoric standing stones.

Analysis of the aerial photographic coverage shows that a small quarry pit existed within the north-western corner of the site in 2005. This has since been backfilled. No specific features or areas of archaeological potential were identified within the site during the course of the initial field inspection. A geophysical survey was carried out across the proposed development area under licence 19R0234. The probable remains of a sub-circular enclosure were recorded, which most likely represent a ditched feature such as a barrow measuring c. 14.5m in diameter. Areas of magnetic disturbance were also identified, possibly representing spreads of burnt material. Several faint curvilinear and linear trends were noted. Anomalies with archaeological potential were targeted during the course of test trenching.

Testing identified six areas of archaeological potential across the eastern field of the proposed development area. AA1 is located in the eastern portion of the site on a rise with clear views of the surrounding environs. AA2 is located slightly downslope, at the southern extent of the proposed development area. AA3 is located towards the base of a hummocky rise along the western limit of the eastern field, while AA4–AA6 are located at the northern extent of the site at the base of the sloping field.

The archaeological features identified within AA1–6 appear to be prehistoric in date. The pottery recovered from AA6 dates to the Neolithic period while the material contained within some of the pits in AA2–5 is representative of burnt mound activity, which generally dates to the Bronze Age although Neolithic burnt mound sites have also been recorded. The circular enclosure in AA1 may represent a ring-barrow, which generally date to the Bronze Age but may also be Iron Age in date.

The area in general is a prime location for prehistoric habitation or activity due to the local topography and proximity to the Irish Sea coastline. The closest recorded excavation, located c. 1.35km northwest of the proposed development area, has shown evidence for prehistoric activity in the form of a tri-vallate ring barrow (SMR WI007-086) and the closest recorded megalithic tomb is located c. 1.25km northwest of the proposed development area (WI007-021).

4 IMPACT ASSESSMENT AND MITIGATION STRATEGY

Impacts can be identified from detailed information about a project, the nature of the area affected and the range of archaeological resources potentially affected. Archaeological sites can be affected adversely in a number of ways: disturbance by excavation, topsoil stripping; disturbance by vehicles working in unsuitable conditions; and burial of sites, limiting access for future archaeological investigation.

4.1 IMPACT ASSESSMENT

- Ground disturbances associated with the proposed construction of 165 no. dwellings (and associated site works) will have a direct, adverse impact on the six archaeological areas that have been identified. Whilst it is acknowledged that preservation in-situ is the best practise method of conserving the archaeological resource, the design and density requirements for the housing means that the areas of archaeological significance cannot be avoided.

A detailed response from the planners for the project (John Spain and Associates) regarding reasons why the archaeological remains cannot be preserved in-situ is included in Appendix 6.

- There may be an adverse impact on isolated and/or small scale unrecorded archaeological feature or deposits that have the potential to survive beneath the current ground level and outside of the footprint of the excavated trenches. This will be caused by ground disturbances associated with the proposed development.

4.2 MITIGATION

- As it is not possible to achieve the preservation in-situ of Archaeological Areas 1–6 within the proposed development, it is recommended that the AA1–6 be preserved by record (archaeological excavation) prior to any construction going ahead. This should be carried out under the direction of a licenced archaeological director along with an appropriate team of archaeologists. Full provision should be made available for the full excavation and analysis of the site, both during the course of the fieldwork and the post-excavation process. The work will be carried out under licence and in full consultation with the National Monuments Service of the DoHLGH and the National Museum of Ireland.
- It is recommended that all ground disturbances associated with the proposed development be monitored by a suitably qualified archaeologist. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation *in-situ* or by record. Any further mitigation will require approval from the National Monuments Service of the DoHLGH.

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

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

5 REFERENCES

Bennett, I. (ed.) 1987–2010 *Excavations: Summary Accounts of Archaeological Excavations in Ireland*. Bray. Wordwell.

Buckley, V. M., & Sweetman, P. D. 1991. *Archaeological survey of county Louth*. Stationery Office.

Corlett, C. 1999 *Antiquities of Old Rathdown*. Wordwell. Bray.

Department of Arts, Heritage, Gaeltacht and the Islands. 1999a *Framework and Principles for the Protection of the Archaeological Heritage*. Dublin. Government Publications Office.

Department of Arts, Heritage, Gaeltacht and the Islands. 1999b *Policy and Guidelines on Archaeological Excavation*. Dublin. Government Publications Office.

Chartered Institute for Archaeologists 2014a Standards & Guidance for Field Evaluation.

Chartered Institute for Archaeologists 2014b Standards & Guidance for Archaeological Excavation.

Chartered Institute for Archaeologists 2014c Standards & Guidance for an Archaeological Watching Brief (Monitoring).

Enniskerry Town Plan (2016–2022);

Environmental Protection Agency. 2015 *Draft Advice Notes on Current Practice (in the preparation of Environmental Impact Statements)*. Dublin. Government Publications Office.

Environmental Protection Agency. 2017 *Draft Guidelines on the Information to be Contained in Environmental Impact Statements*. Dublin. Government Publications Office.

Grogan, E, and Kilfeather, A. 1997. *Archaeological Inventory of County Wicklow*. Dublin: Stationery Office.

Lynch, R. and Kavanagh, L. 2018 *Archaeological Assessment at Kilgarron Lands, Powerscourt Demesne, Parknasilloge, Enniskerry, County Wicklow*. Unpublished excavation report submitted to the National Monuments Service, Department of Culture, Heritage and the Gaeltacht, Dublin.

National Monuments Service, Department of Housing, Local Government and Heritage. *Sites and Monuments Record, County Wicklow*.

National Museum of Ireland. *Topographical Files*, County Wicklow.

Ní Cheallacháin 2019 *Preliminary Excavation report, Powerscourt Demesne, Enniskerry, Co. Wicklow*. Unpublished excavation report submitted to the National Monuments Service, Department of Culture, Heritage and the Gaeltacht, Dublin.

O'Flanagan, Rev. M. (Compiler) 1928 *Letters containing information relative to the antiquities of the county of Wicklow collected during the progress of the Ordnance Survey in 1838*. Bray.

Stout, M. 1997. *The Irish Ringfort*. Dublin. Four Courts.

Wicklow County Development Plan, 2016-2022.

CARTOGRAPHIC SOURCES

Sir William Petty, *Down Survey Map of the Half Barony of Rathdown*, c. 1655

John Rocque, *Map of the County of Dublin*, 1760

John Taylor, *Map of the Environs of Dublin*, 1816

William Duncan, *Map of the County of Dublin*, 1821

Ordnance Survey maps of County Wicklow, 1838-1909

ELECTRONIC SOURCES*

www.excavations.ie – Summary of archaeological excavation from 1970–2018.

www.archaeology.ie – DoCHG website listing all SMR sites.

www.osiemaps.ie – Ordnance Survey aerial photographs dating to 1995, 2000, and 2005 and 6-inch/25-inch OS maps.

www.heritagemaps.ie – The Heritage Council web-based spatial data viewer which focuses on the built, cultural and natural heritage.

www.googleearth.com – Satellite imagery of the proposed development area.

www.bingmaps.com – Satellite imagery of the proposed development area.

APPENDICES

APPENDIX 1.1 CONTEXT REGISTER

CONTEXT NO.	TRENCH NO.	DESCRIPTION
1	ALL	Topsoil and subsoil
2	ALL	Natural subsoil
3	T32	Circular ditch
4	T31	Pit
5	T22	Pit
6	T22	Pit
7	T22	Pit
8	T22	Pit
9	T22	Pit
10	T22	Pit
11	T22	Pit
12	T24	Pit
13	T24	Pit
14	T18	Pit
15	T10	Pit
16	T8	Pit
17	T7	Pit
18	T7	Pit
19	T7	Pit
20	T5	Posthole
21	T5	Posthole
22	T5	Posthole
23	T5	Posthole
24	T5	Posthole
25	T5	Posthole
26	T11	Pit
27	T11	Pit
28	T11	Posthole
29	T11	Posthole
30	T11	Posthole

APPENDIX 1.2 TRENCH RESULTS

TRENCH	LENGTH (m)	WIDTH (m)	DEPTH (m)	ORIENTATION	DETAILS
1					Not Excavated
2					Not Excavated
3	11	2	0.65	Northeast–Southwest	No Archaeology found. No geophysical anomalies targeted. Plate 2

TRENCH	LENGTH (m)	WIDTH (m)	DEPTH (m)	ORIENTATION	DETAILS
4	60	2	0.44	West–East	No Archaeology found. Circular geophysical anomaly targeted. Plate 3
5	75	2	0.45	West–East	A cluster of possible postholes were identified at the western end of the trench (Figure 8/Plate 4). C20 , C21 and C24 are sub-oval in plan and contain a dark brown silty sand with occasional charcoal flecks. C22 and C23 are similar in size to C20/C21/C24 and contain a similar fill with the addition of very occasional flecks of oxidised soil. C25 is oblong in plan and contains a similar fill to the other possible postholes. A circular geophysical anomaly and an area of increased magnetic response were targeted.
6	34	2	0.48	Northeast–Southwest	No Archaeology found. No geophysical anomalies targeted.
7	72	2	0.5	West–East	A cluster of three charcoal rich pits were identified at the eastern end of trench 7 (Figure 8). Pit C17 is sub-circular in plan with steep sides and a concave base. It measures 1m long, 0.9m wide and 0.35m deep and contains a mid brown sandy silt with frequent charcoal flecks and chunks (Plate 5). Pit C18 is sub-oval in plan with steep sides and a concave base. It measures 0.92m long, 0.46m wide and 0.28m deep and contains a mid brown sandy silt with frequent charcoal flecks and occasional heat affected stone. A distinct 0.14m thick charcoal and ash rich lense was recorded at a depth of 0.2m within C18. Pit C19 is sub-circular in plan with gradually sloping sides and a flat base. It contains a similar fill to pit C17. Pits C17 and C18 appear to have been disturbed by animal burrowing. Linear trends from the geophysical survey were targeted.
8	25	2	0.5	West-northwest–east-northeast	A pit was identified in the middle of the trench (Figure 7). Pit C16 is oblong in plan running into the southern baulk with steep sides and a concave base. It measures 1.65m long, 0.56m wide and 0.5m deep and contains two fills. The upper fill consists of bright orange oxidised soil with charcoal inclusions to a depth of 0.2m, while the basal fill is a mid brown sandy silt measuring 0.25m deep (Plate 6). Two circular geophysical anomalies were targeted.
9	50	2	0.5	West–East	No Archaeology found. Linear trends from the geophysical survey were targeted.
10	50	2	0.58	West–East	A small pit was identified at the western end of the trench (Figure 7). Pit C15 is sub-circular in plan with steep sides and a flat base. It measures 0.75m long, 0.52m wide and 0.2m deep and contains a mottled mid brown sandy silt with frequent charcoal and heat affected stone inclusions (Plate 7). Linear trends from the geophysical survey were targeted.

TRENCH	LENGTH (m)	WIDTH (m)	DEPTH (m)	ORIENTATION	DETAILS
11	10	2	0.45	North–South	A cluster of pits and possible postholes were identified in the middle of the trench (Figure 8/Plate 8). Pit C26 is irregular in plan with concave sides and measures 0.7m long, 0.6m wide and at least 0.12m deep. C26 was not bottomed as large amounts of prehistoric pottery sherds (Plate 9) were encountered. It contains a mid to dark brown sandy silt with frequent charcoal and stone inclusions. Pit C27 is sub-circular in plan with concave sides and base. It measures 0.4m long, 0.3m wide and 0.16m deep and contains a mottled blackish orange brown ashy sandy silt with frequent charcoal flecks. No in-situ oxidisation was noted. Three possible postholes (C28–C30) were identified directly to the south of the charcoal rich pits. They measure between 0.1 and 0.2m in diameter and contain a similar dark brown sandy silt fill with charcoal flecks. Possible postholes C29 and C30 are truncated by a post-medieval furrow. Two sub-circular geophysical anomalies were targeted.
12	50	2	0.42	West–East	No Archaeology found. Linear trends from the geophysical survey were targeted. Plate 10
13	10	2	0.48	Northeast–Southwest	No Archaeology found. Linear trends and a circular anomaly from the geophysical survey were targeted.
14	75	2	0.48	West–East	No Archaeology found. Linear trends from the geophysical survey were targeted.
15	75	2	0.48	West–East	No Archaeology found. Linear trends from the geophysical survey were targeted. Plate 11
16	50	2	0.36	West–East	No Archaeology found. Linear trends from the geophysical survey were targeted.
17	75	2	0.5	West–East	No Archaeology found. No geophysical anomalies targeted.
18	25	2	0.55	West–East	A pit was identified at the eastern end of the trench (Figure 7). Pit C14 is sub-oval in plan with steep sides and a concave base. It measures 1.2m long, 0.98m wide and 0.22m deep and contains a mid brown sandy silt with moderate small stone inclusions (Plate 12). Sub-circular geophysical anomalies targeted.
19	50	2	0.4	West–East	No Archaeology found. No geophysical anomalies targeted.
20	10	2	0.5	Northeast–Southwest	No Archaeology found. Oblong geophysical anomaly targeted. Plate 13
21	75	2	0.48	West–East	No Archaeology found. No geophysical anomalies targeted.
22	75	2	0.32	West–East	A cluster of seven pits were identified in the middle of Trench 22 (Figure 6). Pit C5 is sub-circular in plan with steep sides and a concave base. It measures 0.32m in diameter and 0.12m deep and contains a dark brown sandy silt fill with

TRENCH	LENGTH (m)	WIDTH (m)	DEPTH (m)	ORIENTATION	DETAILS
					moderate charcoal and burnt stone inclusions. Pit C6 is circular in plan with gradually sloping sides and a concave base; it measures 0.3m in diameter and 0.09m deep and contains a similar fill to C5. Pit C7 lies directly to the west and is circular in plan with steep sides and a concave base. It measures 0.36m in diameter and 0.11m deep and contains a mid brown sandy silt fill with occasional charcoal. Pit C8 is circular in plan with gradually sloping sides and a flat base. It measures 0.45m in diameter and 0.09m deep and contains a blackish brown sandy silt with frequent charcoal and burnt stone inclusions. Pit C9 is oval in plan, running into the northern baulk of Trench 22, with gradually sloping sides and a flat base. It measures 0.9m long, 0.4m wide and 0.05m deep and contains a similar fill to pit C8 (Plate 14). Pit C10 is circular in plan with steep sides and a concave base. It measures 0.4m in diameter and 0.11m deep and contains a similar fill to pits C8 and C9. Pit C11 is sub-circular in plan with gradually sloping sides and a flat base. It measures 0.45m long, 0.31m wide and 0.05m deep and contains a charcoal rich fill similar to pits C8, C9 and C10. No geophysical anomalies targeted.
23	50	2	0.38	North–South	No Archaeology found. No geophysical anomalies targeted.
24	50	2	0.38	West–East	Two pits were recorded within Trench 24 (Figure 6). Pit C12 is circular in plan with gradually sloping sides and a flat base. It measures 0.4m in diameter and at least 0.05m deep and contains a black charcoal rich silty sand fill (Plate 15). Pit C13 is sub-circular in plan with gradually sloping sides and a flat base. It measures 0.37m long, 0.27m wide and at least 0.04m deep and contains a similar charcoal rich fill to C12. No geophysical anomalies were targeted.
25	10	2	0.3	Northeast–Southwest	No Archaeology found. One circular geophysical anomaly targeted.
26	75	2	0.34	East-northeast–West-southwest	No Archaeology found. No geophysical anomalies targeted. Plate 16.
27	75	2	0.39	West–East	No Archaeology found. Increased magnetic response targeted.
28	10	2	0.36	West–East	No Archaeology found. Two circular geophysical anomalies targeted.
29	10	2	0.43	North–South	No Archaeology found. Two circular geophysical anomalies targeted. Plate 17
30	10	2	0.39	North–South	No Archaeology found. One circular geophysical anomaly targeted.
31	75	2	0.38	West–East	A single pit was identified in Trench 31 (Figure 5).

TRENCH	LENGTH (m)	WIDTH (m)	DEPTH (m)	ORIENTATION	DETAILS
					Pit C4 is sub-oval in plan with steep sides and a flat base. It measures 0.88m long, 0.77m wide and 0.25m deep and contains a greyish brown silty sand with occasional small pebble inclusions (Plate 18). Both a ferrous and a circular geophysical anomaly were targeted
32	20	2	0.35	North–South	Two linear ditches representing the northern and southern extent of a circular enclosure as identified on the geophysical survey were recorded in Trench 32 (Figure 5). The southern portion of ditch C3 has steep sides and a concave base. It measures 1.8m wide and 0.8m deep and contains a single dark brown silty sand fill with occasional charcoal flecks and small stone inclusions (Plate 19). The northern portion of ditch C3 has steep sides and a narrow concave base and contains two fills. It measures 1.24m wide and the upper fill is a reddish-brown sandy silt with occasional charcoal flecks and small stone inclusions of 0.4m depth while the lower fill is a light brown sandy silt with occasional small stone inclusions measuring 0.46m deep (Plate 20). No internal features were identified within the trench.
33	25	2	0.37	Northwest–Southeast	No Archaeology found. Three circular geophysical anomalies targeted.
34	10	2	0.38	North–South	No Archaeology found. One circular geophysical anomaly targeted.
35	50	2	0.4	West–East	No Archaeology found. One geophysical disturbance targeted.
36	10	2	0.36	North–South	No Archaeology found. One geophysical anomaly targeted.
37	50	2	0.33	West–East	No Archaeology found. No geophysical anomalies targeted.
38	75	2	0.38	Northeast–Southwest	No Archaeology found. No geophysical anomalies targeted. Plate 21

APPENDIX 2 ARTEFACT REGISTER

FIND	CONTEXT	DESCRIPTION
1	C26 in T11	1 Rim sherd of Early Neolithic pottery
2	C26 in T11	1 Rim sherd of Early Neolithic pottery
3	C26 in T11	1 Rim sherd of Early Neolithic pottery
4	C26 in T11	1 Shoulder sherd of Early Neolithic pottery
5	C26 in T11	1 body sherd of Early Neolithic pottery
6	C26 in T11	1 body sherd of Early Neolithic pottery
7	C26 in T11	1 body sherd of Early Neolithic pottery
8	C26 in T11	1 body sherd of Early Neolithic pottery
9	C26 in T11	1 body sherd of Early Neolithic pottery

APPENDIX 3 LEGISLATION PROTECTING THE ARCHAEOLOGICAL RESOURCE

PROTECTION OF CULTURAL HERITAGE

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

THE ARCHAEOLOGICAL RESOURCE

The *National Monuments Act 1930 to 2014* and relevant provisions of the *National Cultural Institutions Act 1997* are the primary means of ensuring the satisfactory protection of archaeological remains, which includes all man-made structures of whatever form or date except buildings habitually used for ecclesiastical purposes. A National Monument is described as ‘a monument or the remains of a monument the preservation of which is a matter of national importance by reason of the historical, architectural, traditional, artistic or archaeological interest attaching thereto’ (National Monuments Act 1930 Section 2). A number of mechanisms under the National Monuments Act are applied to secure the protection of archaeological monuments. These include the Register of Historic Monuments, the Record of Monuments and Places, and the placing of Preservation Orders and Temporary Preservation Orders on endangered sites.

OWNERSHIP AND GUARDIANSHIP OF NATIONAL MONUMENTS

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

REGISTER OF HISTORIC MONUMENTS

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

PRESERVATION ORDERS AND TEMPORARY PRESERVATION ORDERS

Sites deemed to be in danger of injury or destruction can be allocated Preservation Orders under the 1930 Act. Preservation Orders make any interference with the site illegal. Temporary Preservation Orders can be attached under the 1954 Act. These perform the same function as a Preservation Order but have a time limit of six

months, after which the situation must be reviewed. Work may only be undertaken on or in the vicinity of sites under Preservation Orders with the written consent, and at the discretion, of the Minister.

RECORD OF MONUMENTS AND PLACES

Section 12(1) of the 1994 Act requires the Minister for Arts, Heritage, Gaeltacht and the Islands (now the Minister for Culture, Heritage and the Gaeltacht) to establish and maintain a record of monuments and places where the Minister believes that such monuments exist. The record comprises a list of monuments and relevant places and a map/s showing each monument and relevant place in respect of each county in the state. All sites recorded on the Record of Monuments and Places receive statutory protection under the National Monuments Act 1994. All recorded monuments on the proposed development site are represented on the accompanying maps.

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

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

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

THE PLANNING AND DEVELOPMENT ACT 2000

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

APPENDIX 4 IMPACT ASSESSMENT & 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 2003: 31). 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 5 MITIGATION MEASURES & 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.

Full Archaeological Excavation involves the scientific removal and recording of all archaeological features, deposits and objects to the level of geological strata or the base level of any given development. Full archaeological excavation is recommended where initial investigation has uncovered evidence of archaeologically significant material or structures and where avoidance of the site is not possible. (CIfA 2014b)

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 or underwater. If such archaeological remains are present test trenching defines their character and extent and relative quality.’ (CIfA 2014a)

Archaeological Monitoring can be defined as a ‘formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons within a specified area or site on land or underwater, where there is possibility that archaeological deposits may be disturbed or destroyed. The programme will result in the preparation of a report and ordered archive.’ (CIfA 2014c)

APPENDIX 6 PLANNER'S RESPONSE DETAILING WHY ARCHAEOLOGICAL REMAINS CANNOT BE PRESERVED IN-SITU

MEMO	 JSA John Spain Associates Planning & Development Consultants Chartered Town Planners & Chartered Surveyors
	39 Fitzwilliam Place, Dublin 2
Tel: (01) 6625803	
E-mail: info@johnspainassociates.com	
Web: www.johnspainassociates.com	
Re:	Cookstown Archaeology

1.0 INTRODUCTION

The purpose of this briefing note is to set out the background and rationale for the preservation by record of archaeological features found during the course of a geophysical survey relating to lands at Cookstown, Enniskerry, Co. Wicklow, having regard to the potential impact on the layout/design in respect of the development.

2.0 PLANNING CONTEXT

Bray Municipal District Local Area Plan 2018-2024

The local planning policy framework for the subject lands is provided by the Bray Municipal Local Area Plan 2018-2024.

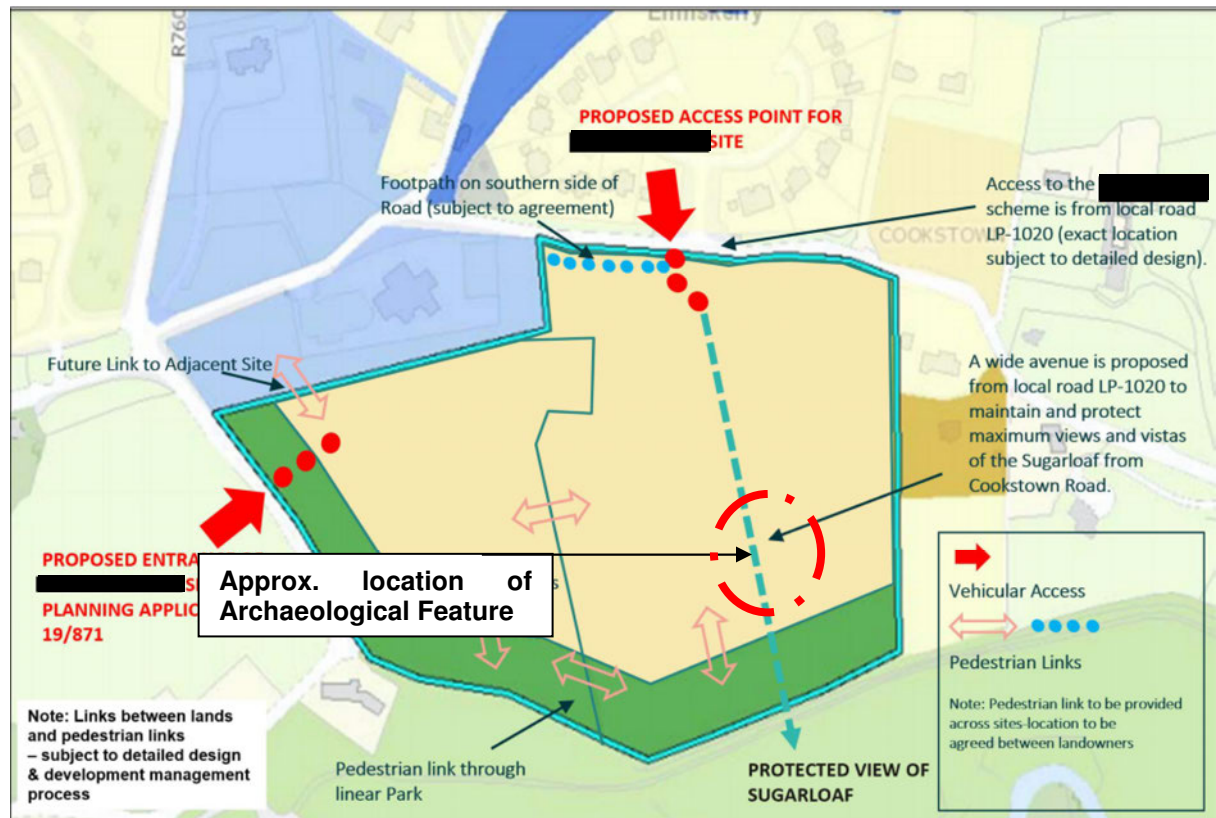
The subject lands are zoned, R10 New Residential, R20 New Residential, OS1 Open Space and CE Community and Education.

Action Area Plan AA6

The LAP requires that an Action Area Plan is prepared in respect of the lands. After extensive discussions over a number of months an Action Area Plan was submitted and agreed with Wicklow County Council. The overall layout is shown on Figure 1.

The site comprises approximately half of the Area Action Plan 3 (AA3) area. An Action Plan for AA3 has been prepared by the applicant and was submitted to Wicklow County Council during pre-application consultation and has now been approved. The proposed development meets the LAP objective for the action plan area, which is to develop it for residential and open space uses.

Figure 1 AAP Agreed Framework with Wicklow County Council.



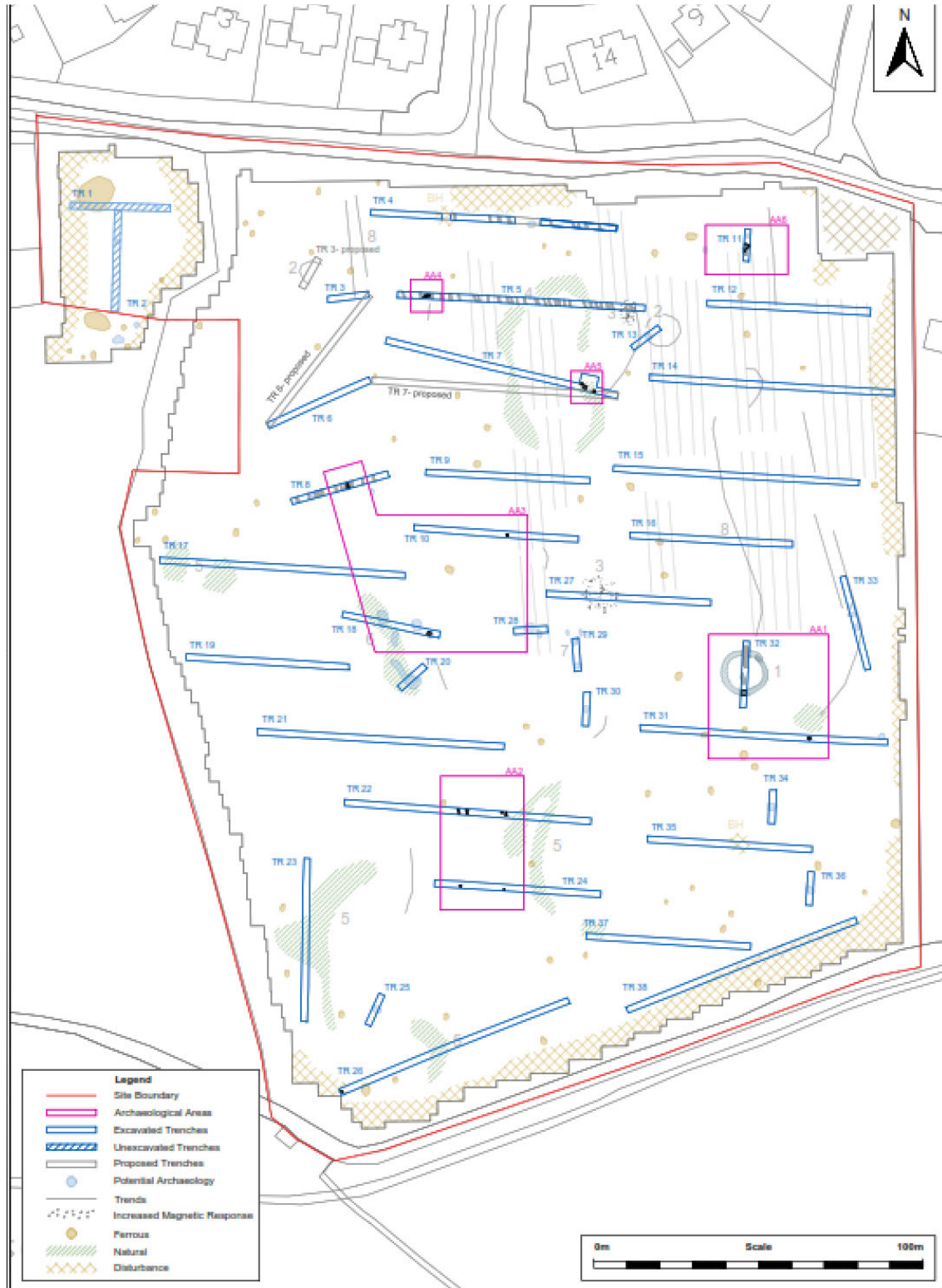
The AAP provides 2 hectares of open space in the southern portion of the subject site.

The proposed access arrangements to the development lands also indicated. These access proposals consist of a priority junction located off the Cookstown Road. This will serve as the main access to the development and the junction will be designed to the relevant design standards.

3.0 REVIEW OF LAYOUT

Location of Archaeological Feature

Figure 2 Location of Archaeological Feature in South Eastern Part of Site



Source: IAC

A geophysical survey was carried out across the proposed development area under licence 19RO0234. The probable remains of a sub-circular enclosure have been recorded which as set out by IAC most likely represent a ditched feature such as a barrow measuring c. 14.5m in diameter.

The Masterplanners noted the following issues:

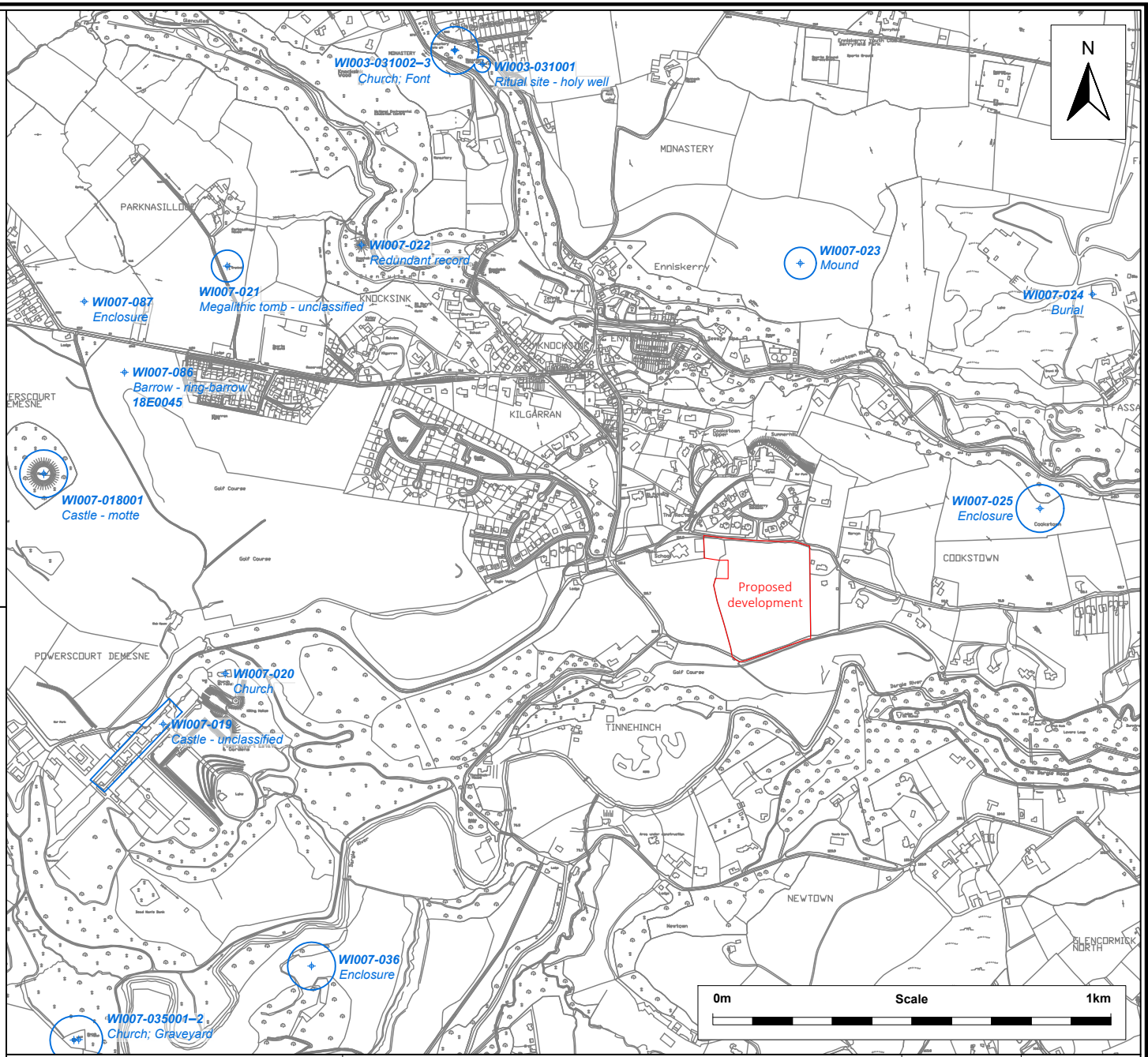
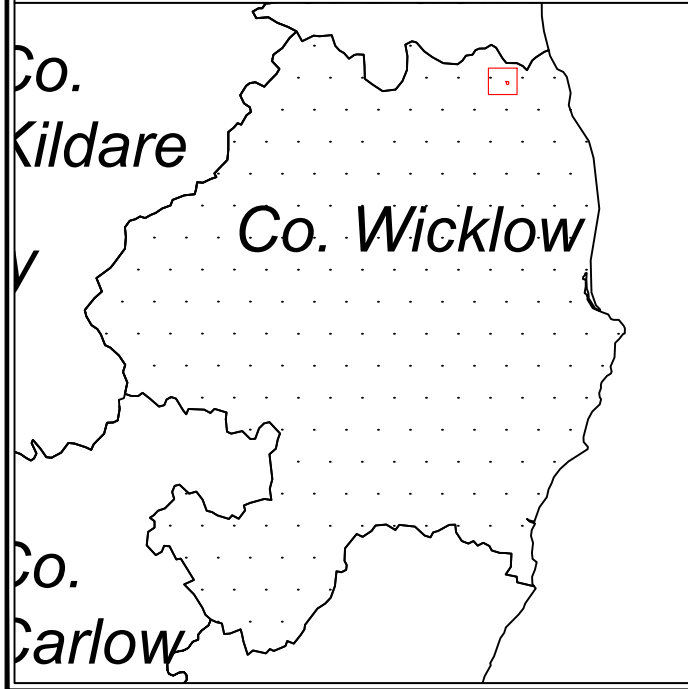
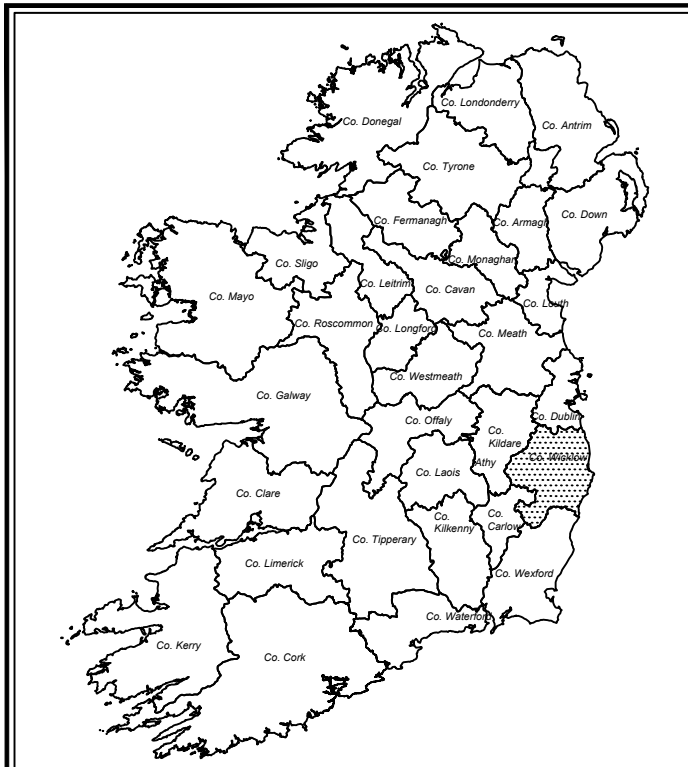
1. The preservation *in situ* adjacent to the identified open space area would lead to an over-concentration of open space within the south east portion of the Masterplan lands and would affect the distribution and hierarchy of open space.
2. A significant proportion of the site is already identified for open space as per AAP3 for the lands and the provisions of the Bray Municipal District LAP 2018-2024.
3. The preservation in situ would lead to a substandard form of development in respect of layout (lack of passive surveillance & potential for antisocial behaviour).

Having regard to the location of the feature, and associated constraints, the design team found it difficult to accommodate particularly in respect of providing a legible layout. In addition, the location of the archaeological feature does not allow for a satisfactory arrangement in relation to the identified open space located to the south whereby there is insufficient distance to allow for a back-to-back arrangement of dwellings. This makes it more difficult to provide adequate passive surveillance to the open space. The result would be to effectively sterilise a large portion of the site and militate against providing a coherent layout.

4.0 CONCLUSIONS

Following the trench testing and advice from IAC and having regard to the nature of the archaeological resource, [REDACTED] are seeking to 'preserve by record' the underground archaeological features found during testing programme at Cookstown, Enniskerry, Co. Wicklow.

It is acknowledged that preservation in situ of archaeological remains is the preferable option wherever possible. However, given the difficulties of redesigning the layout of the development, as outlined above, coupled with the truncated nature of the remains on site and their local significance only, it is considered by the Archaeological Consultant that that preservation by record of the features would be an acceptable form of archaeological mitigation. This should be carried out by a licence eligible archaeologist in consultation with the National Monuments Service of the Department of Housing, Local Government and Heritage.



	Title	Location of proposed development and surrounding recorded monuments	Scale	1:15,000@A4	Drawn by	DM/RB
	Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	18/02/20	Checked by	MnIC
	Client	[REDACTED]	Job no.	J3472	Fig.	1
					Rev.	-

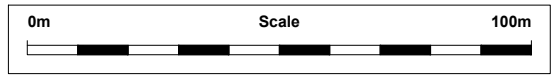


IAC Archaeology

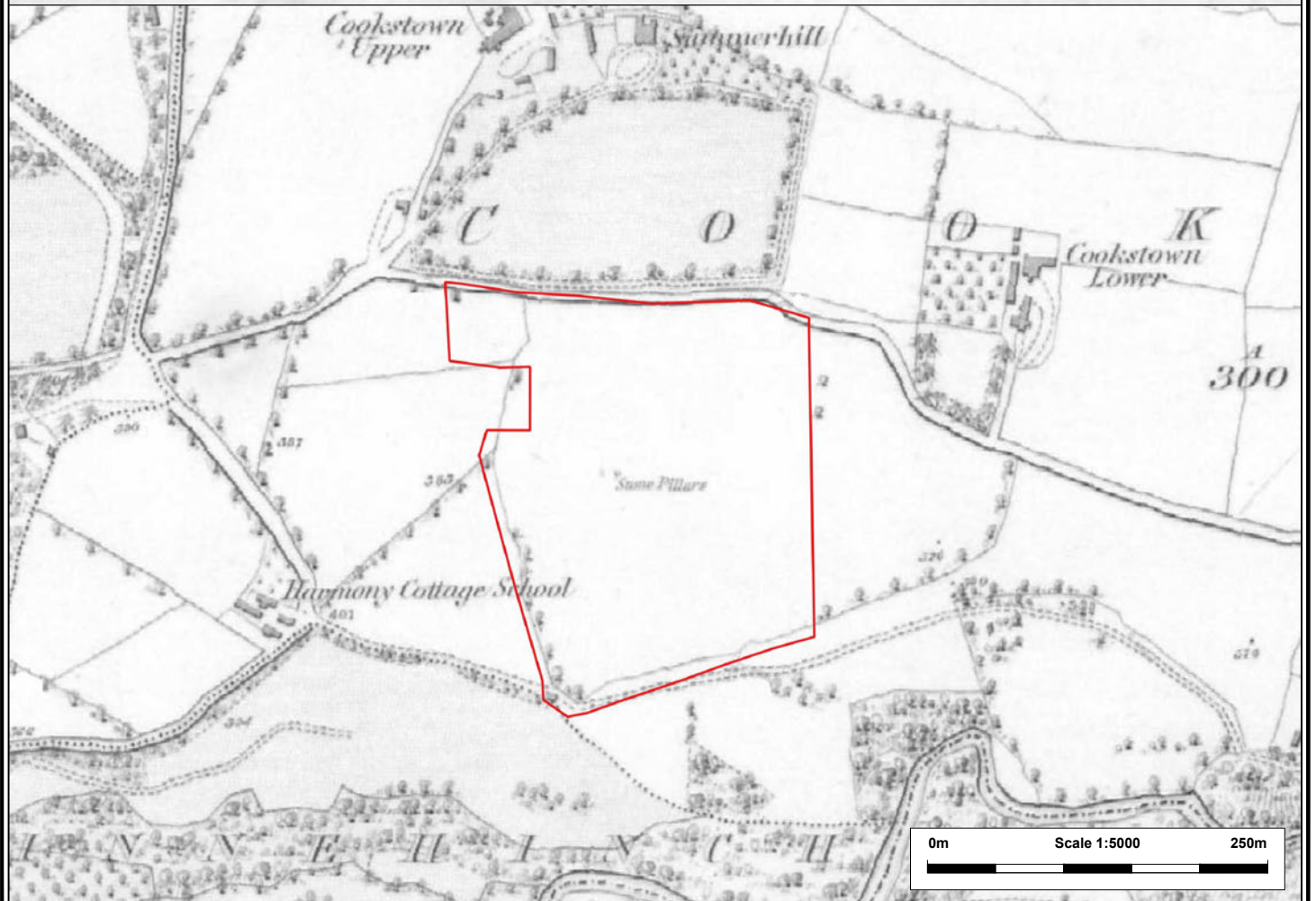
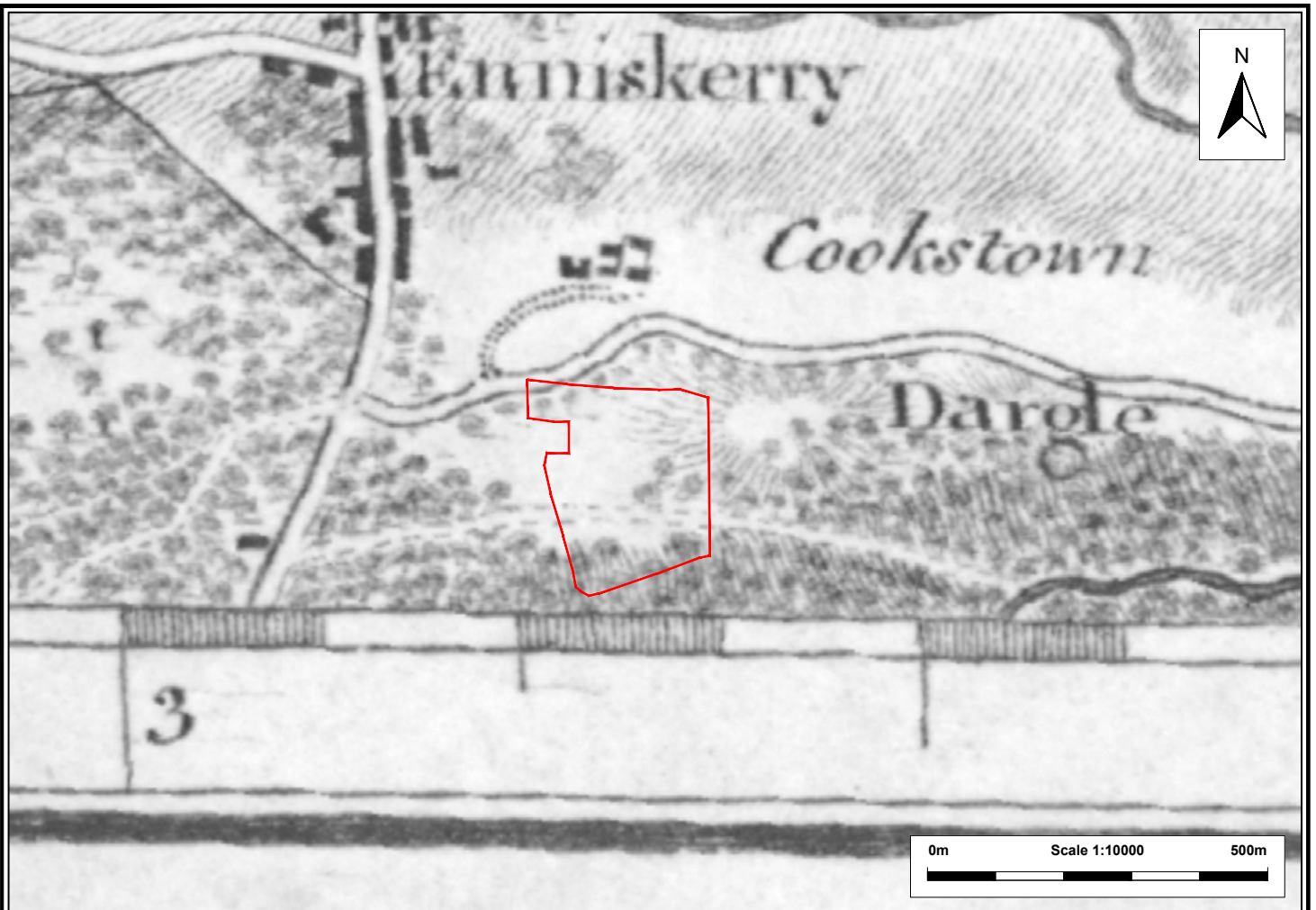
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Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	20/11/20	Checked by	MnIC
Client	██████████	Job no.	J3472	Fig.	2a
				Rev.	-



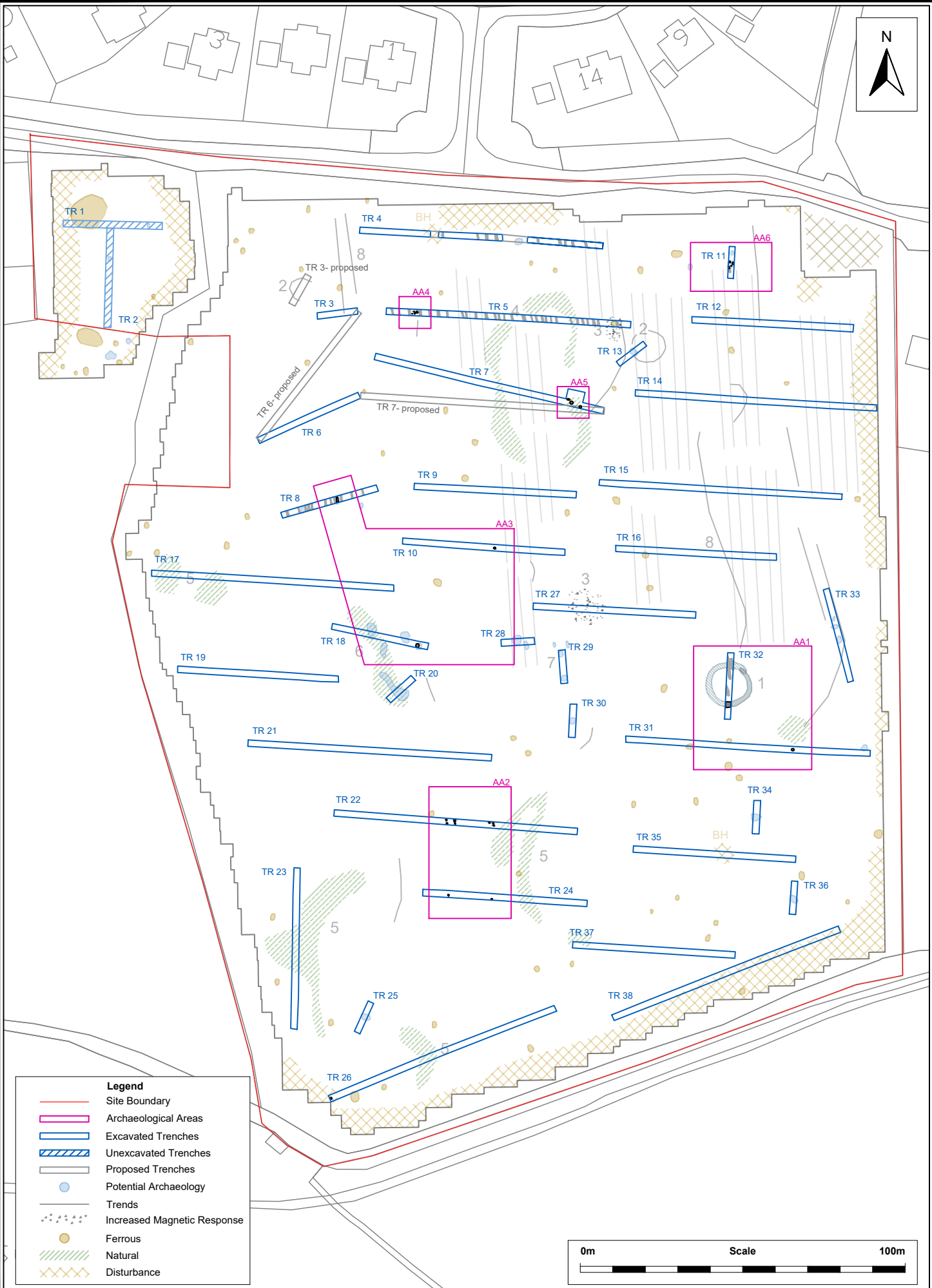
Legend	
	Site Boundary
	Archaeological Areas
	Excavated Trenches
	Unexcavated Trenches
	Proposed Trenches
	Potential Archaeology
	Trends
	Increased Magnetic Response
	Ferrous
	Natural
	Disturbance



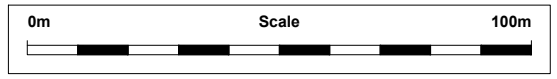
Title	Plan of proposed development showing test trenches and archaeological areas	Scale	1:1500@A4	Drawn by	RB/SS
Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	20/11/20	Checked by	Mn/C
Client		Job no.	J3472	Fig.	2b
				Rev.	-



Title	Extract from John Taylor (1816) and 6-inch Ordnance Survey map (1838) showing the proposed development area	Scale	As shown @A4	Drawn by	DM
Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	18/02/20	Checked by	MnC
Client	██████████	Job no.	J3472	Fig.	3
				Rev.	-



Legend	
	Site Boundary
	Archaeological Areas
	Excavated Trenches
	Unexcavated Trenches
	Proposed Trenches
	Potential Archaeology
	Trends
	Increased Magnetic Response
	Ferrous
	Natural
	Disturbance

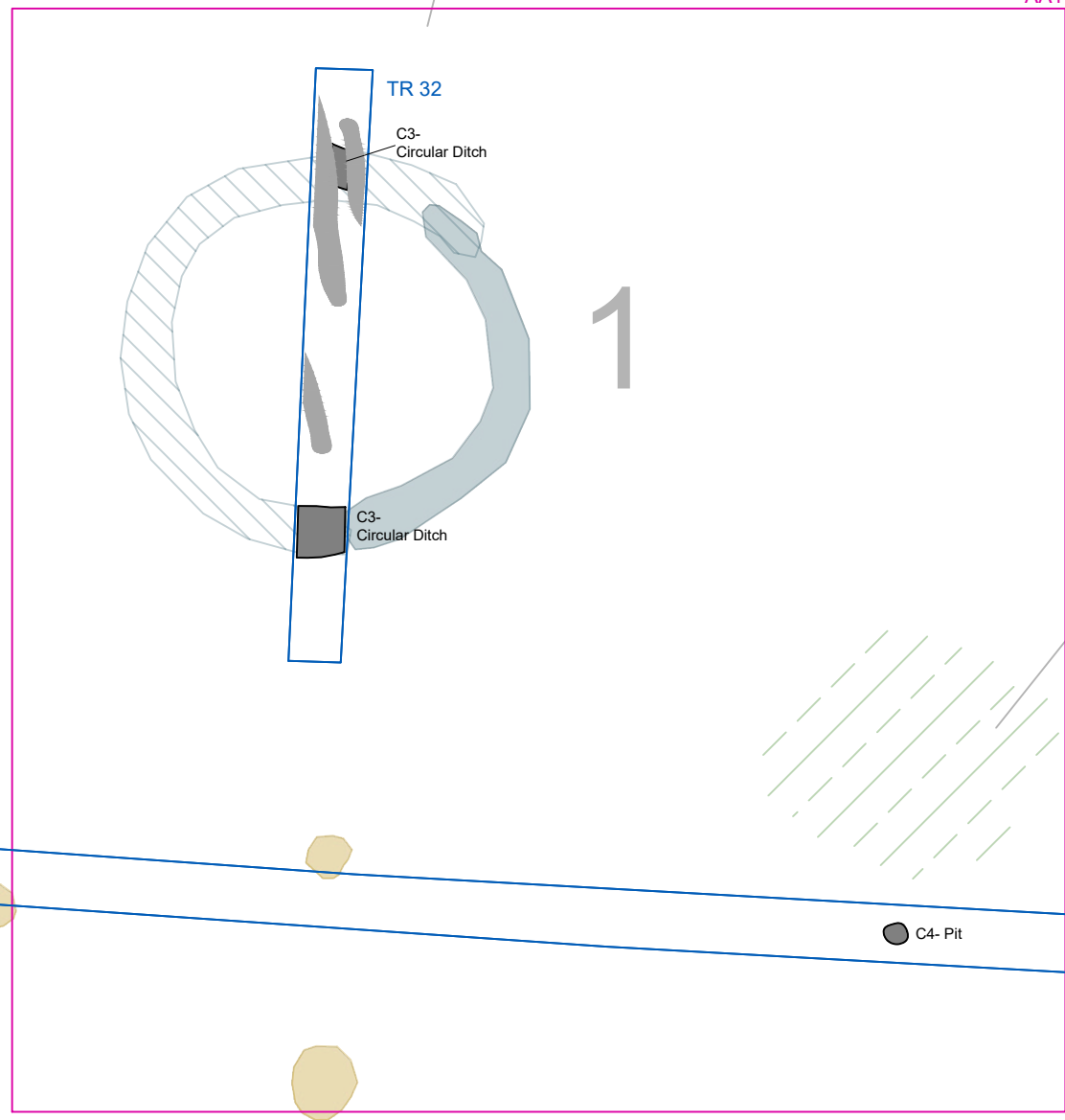


	Title	Results of geophysical survey showing trench locations and AA1-6	Scale	1:1500@A4	Drawn by	DM/RB	
	Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	25/02/20	Checked by	MnC	
	Client	[REDACTED]	Job no.	J3472	Fig.	4	Rev.



TR 27

AA1



TR 32

C3-
Circular Ditch

1

C3-
Circular Ditch

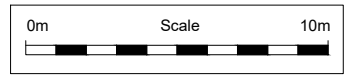
TR 31

C4- Pit

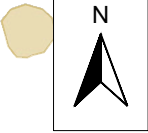
TR 34



Legend	
	Archaeological Areas
	Excavated Trenches
	Archaeological Features
	Agricultural Features
	Potential Archaeology
	Trends
	Ferrous
	Natural



Title	Detail of AA1	Scale	1:250@A4	Drawn by	RB
Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	25/02/20	Checked by	MnIC
Client		Job no.	J3472	Fig.	5
				Rev.	-



TR 21

AA2

TR 22

C11

C9

C6

C10

C8

C7

C5

TR 24

C12

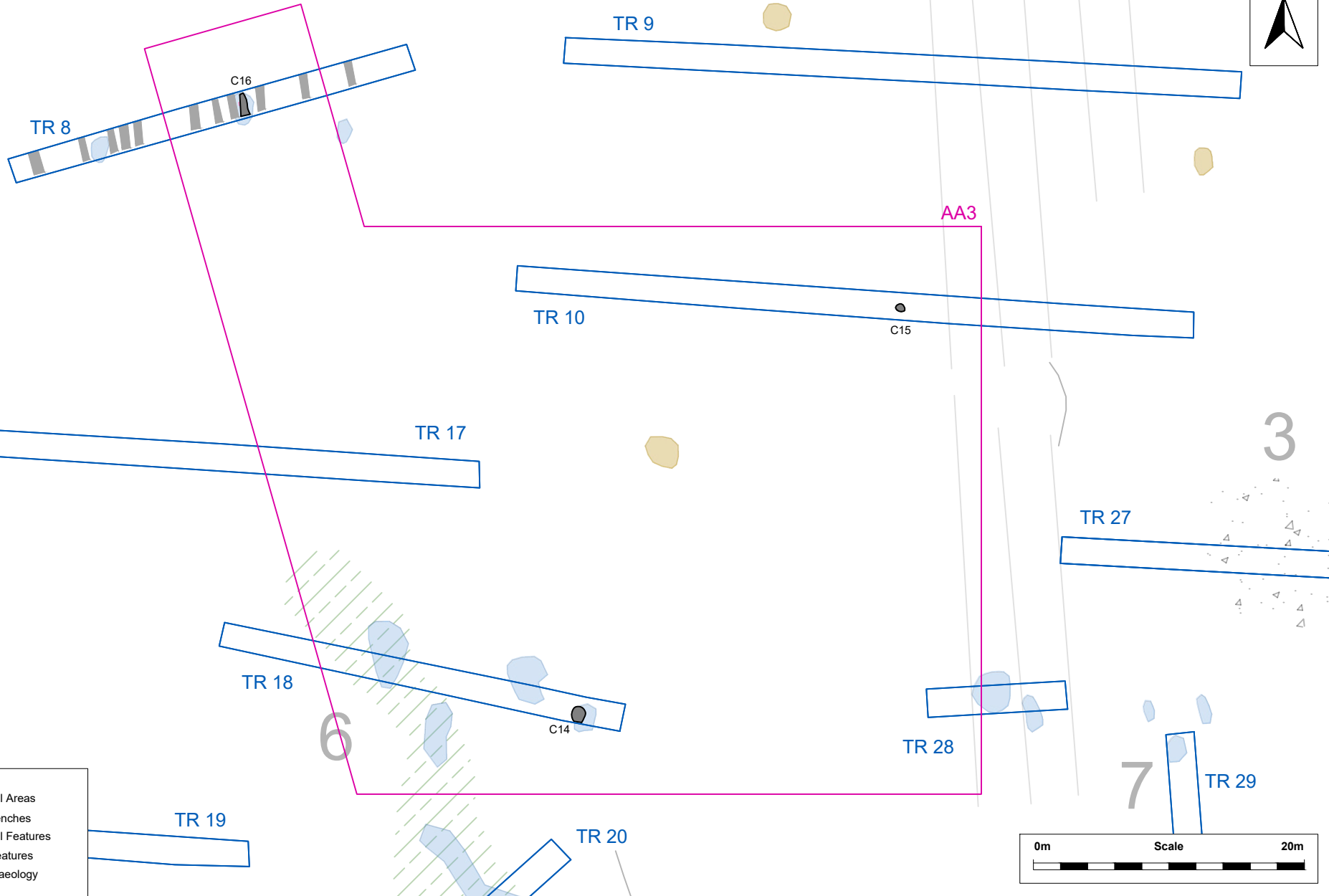
C13

Legend

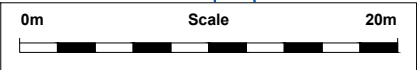
- Archaeological Areas
- Excavated Trenches
- Archaeological Features
- Trends
- Ferrous
- Natural

0m Scale 10m

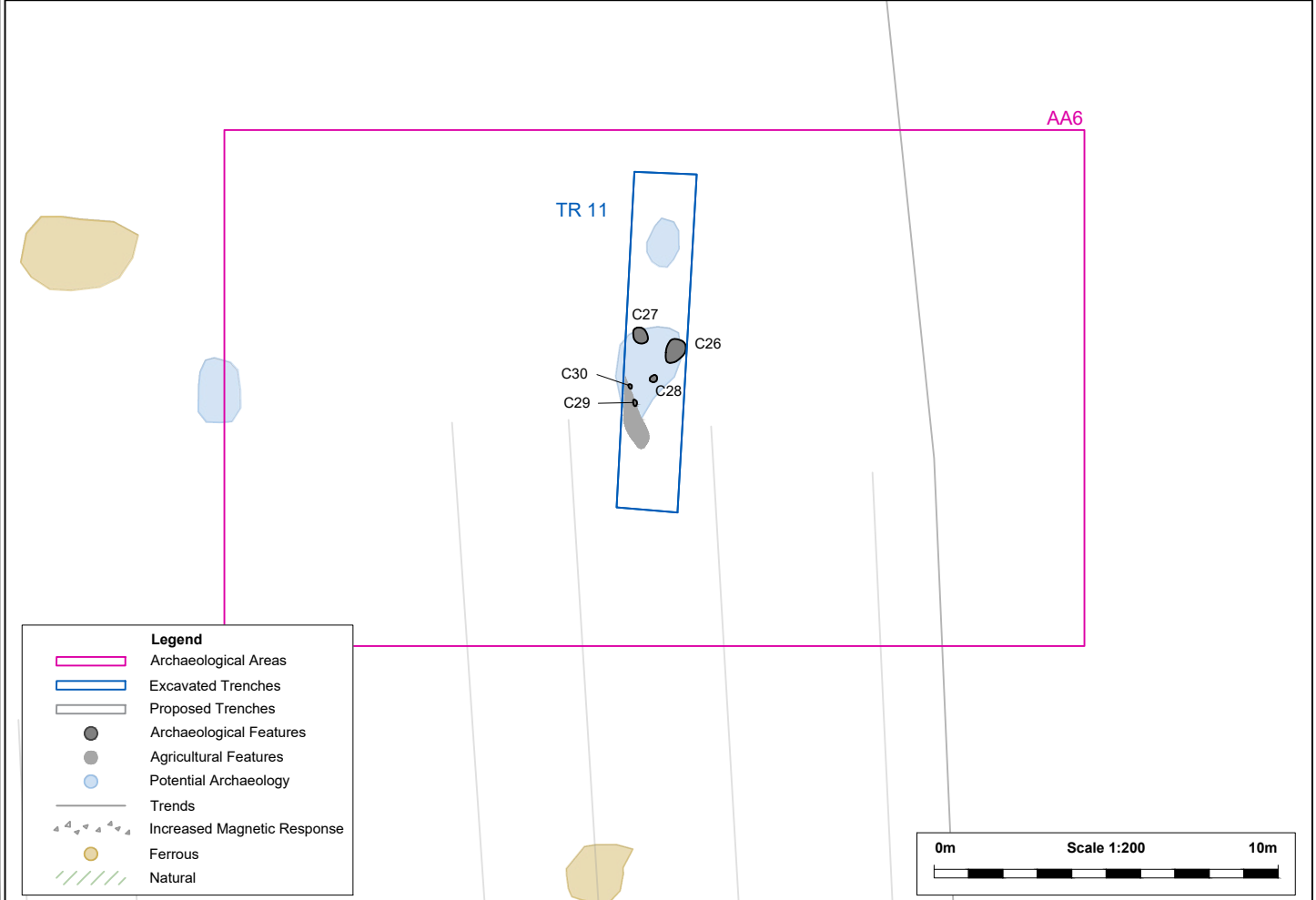
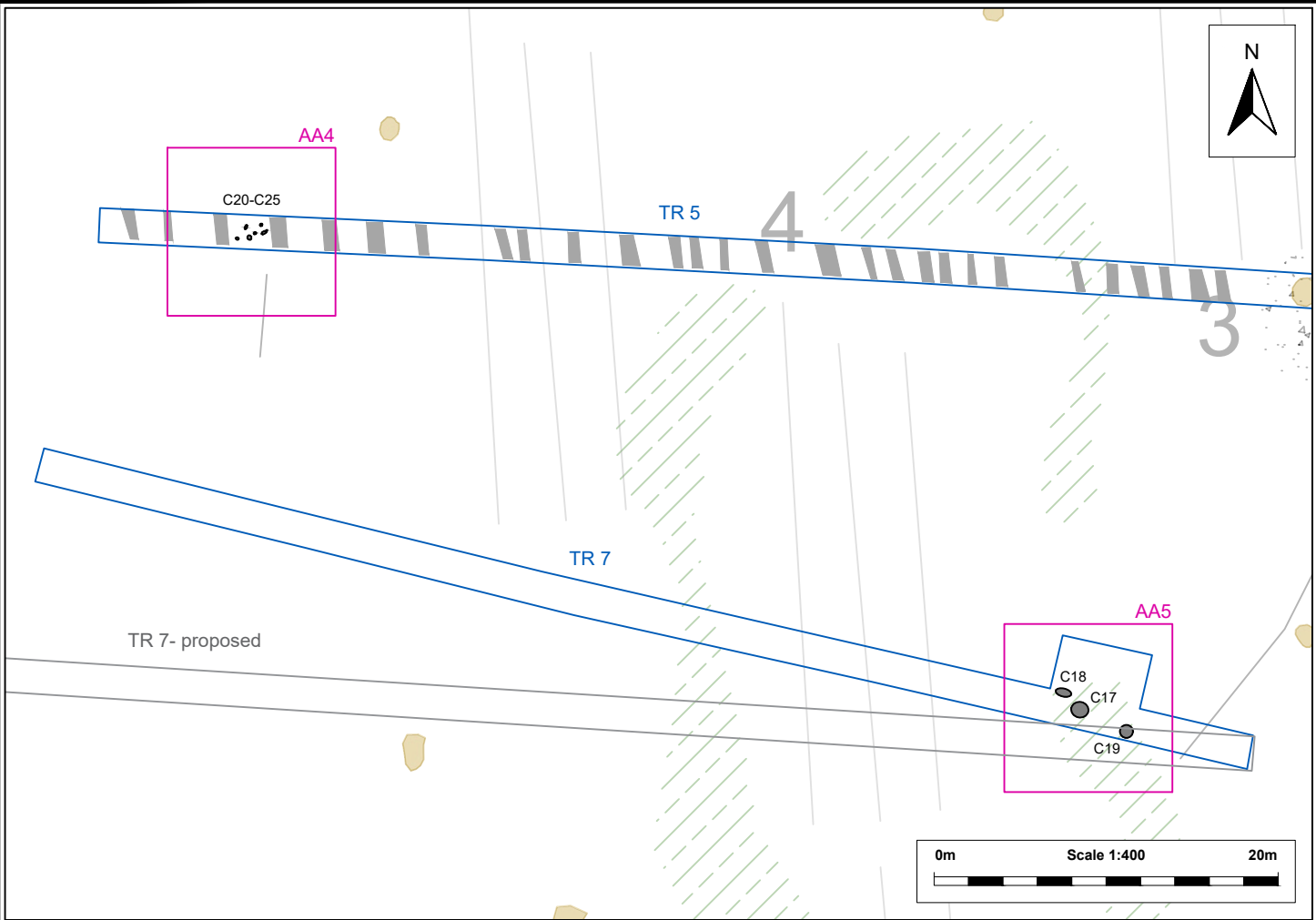
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Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	25/02/20	Checked by	MnIC		
Client	[REDACTED]	Job no.	J3472	Fig.	6	Rev.	-



Legend	
	Archaeological Areas
	Excavated Trenches
	Archaeological Features
	Agricultural Features
	Potential Archaeology
	Trends
	Increased Magnetic Response
	Ferrous
	Natural



	Title	Detail of AA3	Scale	1:400@A4	Drawn by	RB	
	Project	Cookstown Road, Enniskerry, Co. Wicklow	Date	25/02/20	Checked by	MnIC	
	Client		Job no.	J3472	Fig.	7	Rev.



Legend

- Archaeological Areas
- Excavated Trenches
- Proposed Trenches
- Archaeological Features
- Agricultural Features
- Potential Archaeology
- Trends
- Increased Magnetic Response
- Ferrous
- Natural



Plate 1 Site location showing eastern field, facing southeast



Plate 2 Trench 3, facing west



Plate 3 Trench 4, facing east



Plate 4 AA4, posthole cluster, C20-25, in Trench 5, facing north



Plate 5 AA5, pit C17 in Trench 7, facing south



Plate 6 AA3, pit C16 in Trench 8, facing southwest



Plate 7 AA3, pit C15 in Trench 10, facing east



Plate 8 AA6, features C26–C30, in Trench 11, facing east



Plate 9 Early Neolithic pottery from Pit C26 in Trench 11



Plate 10 Trench 12, facing east



Plate 11 Trench 15, facing west



Plate 12 AA3, pit C14 in Trench 18, facing west



Plate 13 Trench 20, facing southwest



Plate 14 AA2, pits C8 and C9 in Trench 22, facing west



Plate 15 AA2, pit C12 in Trench 24, facing southeast



Plate 16 Trench 26, facing west



Plate 17 Trench 29, facing north



Plate 18 AA1, pit C4 in Trench 31, facing south



Plate 19 AA1, ditch C3 at southern end of Trench 32, facing west



Plate 20 AA1, ditch C3 at northern end of Trench 32, facing west



Plate 21 Trench 38, facing west



Plate 22 Linear agricultural features in Trench 7, facing west

APPENDIX 3 DAU SUBMISSION IN RELATION TO ARCHAEOLOGY



**An Roinn Turasóireachta, Cultúir,
Ealaíon, Gaeltachta, Spóirt agus Meán**
Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media

Your Ref: ABP-3010078-21
Our Ref: SHD Enniskerry WW
(Please quote in all related correspondence)

31st May 2021

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

Via email to bord@pleanala.ie

**Strategic Housing Development Application: [REDACTED] [REDACTED] [REDACTED] [REDACTED]:
application consisting of 165 dwellings, open space and creche**

A chara

I refer to Strategic Housing Development notification dated 5th May received in connection with the above.

Outlined below are Nature Conservation observations/recommendations co-ordinated by the Development Applications Unit.

Archaeology

An archaeological impact assessment report dated December 2020 prepared by Muireann Ní Cheallacháin, Irish Archaeological Consultancy Ltd. (excavation licence 20E0027), was submitted with the documentation relating to the proposed development. A geophysical survey was carried out by Leigh Surveys during November 2019 (19R0234 J. Leigh) followed by the programme of archaeological testing during January 2020.

Archaeological features were identified in a number of locations within the confines of the development site, as detailed in the archaeological report. A total of 36 long trenches were excavated within the confines of the development area. These trenches were positioned to investigate anomalies identified during the geophysical survey, to assess the archaeological potential of the proposed development area and to inform the development of an appropriate archaeological strategy.

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



The assessment identified six distinct areas of archaeology within the overall development site as detailed in the Archaeological Impact Assessment report. A ring-ditch measuring c. 14.5m in diameter was identified in Area 1. This feature is likely to be prehistoric in date and will be directly impacted by the development as currently proposed. Other identified archaeological areas contained features of potentially varying dates (possibly Neolithic – Bronze Age) such as concentrations of pits, isolated pits, charcoal pits, cluster of postholes, possible postholes and possible burnt mound activity.

The National Monuments Service concurs with the findings and recommendations outlined in the Archaeological Impact Assessment report and it is recommended that all archaeological features identified be fully archaeologically excavated by hand in advance of site preparation and/or construction works (licensed under the National Monuments Acts 1930-2014).

Adequate areas surrounding the identified archaeological features shall be topsoil stripped under archaeological direction (under licence) in order to define the full extent and nature of these features. All archaeological features exposed shall be fully excavated by hand by a suitably qualified archaeologist licensed under the National Monuments Acts 1930-2014.

In addition to the full excavation by hand of archaeological areas already identified, all topsoil stripping associated with the development shall be monitored by a licensed archaeologist to determine the presence/absence of any additional archaeological features. Any further mitigation strategies shall be agreed in advance with the National Monuments Service.

Detailed methodologies for archaeological excavation and monitoring shall be submitted for consideration in any future licence applications submitted to the National Monuments Service.

The National Monuments Service shall be furnished with a final report describing the results of the archaeological monitoring and excavation following the completion of all required archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.



You are requested to send further communications to the Development Applications Unit (DAU) at manager.dau@chq.gov.ie, or to the address below.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'Diarmuid Buttimer', is written over a circular scribble.

Diarmuid Buttimer
Development Applications Unit

APPENDIX 4 EVIDENCE OF OWNERSHIP

Wicklow County Council
County Buildings
Whitegates
Wicklow Town
Wicklow

Our client: [REDACTED]
Residential development sites at Enniskerry being the property contained in folios WW7407, WW29371F, WW39294F and WW42107F

Dear Sirs

We act for [REDACTED], the registered owner of the above referenced property.

We attach copies of the Land Registry maps which show the property of [REDACTED] shaded red, being the property contained in the above folios of the register County Wicklow.

We confirm that [REDACTED] completed the purchase of this property contained in WW7407 and WW29371F in February 2017. In addition, [REDACTED] completed the purchase of the lands contained in folios WW39294F and WW42107F in September 2016.

Yours faithfully



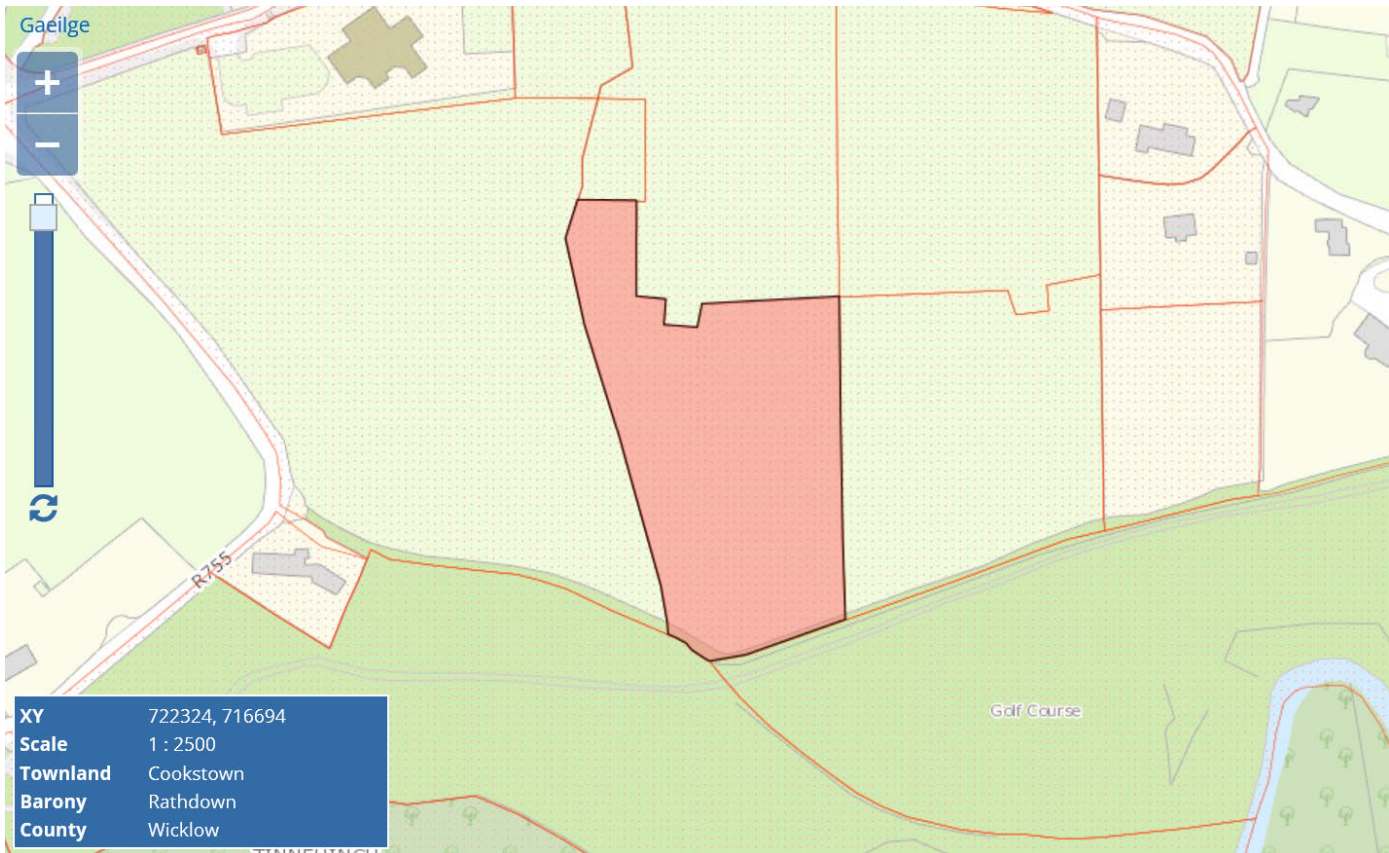
Eversheds Sutherland

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David O'Beirne Joseph Stanley Dermot McEvoy Peter Fahy Tony McGovern Norman Fitzgerald Joanne Hyde Sean Greene
Mark Varian Pamela O'Neill Margaret Gorman Peter Curran Steven Rodgers Seán Ryan Aisling Gannon Piaras Power Gerard Ryan
Alan Connell Enda Newton Gavin O'Flaherty Neil O'Mahony Lee Murphy Stephen Barry Cian MacGinley Darragh Blake Marie O'Riordan
Deborah Hutton Lorcan Keenan Marie McGinley Terry O'Malley Peter O'Neill Enda Cullivan Eoin Mac Aodha Julie Galbraith

Consultants: Rory O'Donnell Ciaran Walker Tim Kiely

7234215.1



Property Details

> Back

Folio Number	WW7407
Title Level	Freehold
Plan Number	32
Property Number	1
Area of selected plans	1.63 hectares.
Number of Plans on this folio:	1
Address	Not Available

[View Folio PDF](#) [Request Certified Copy](#)

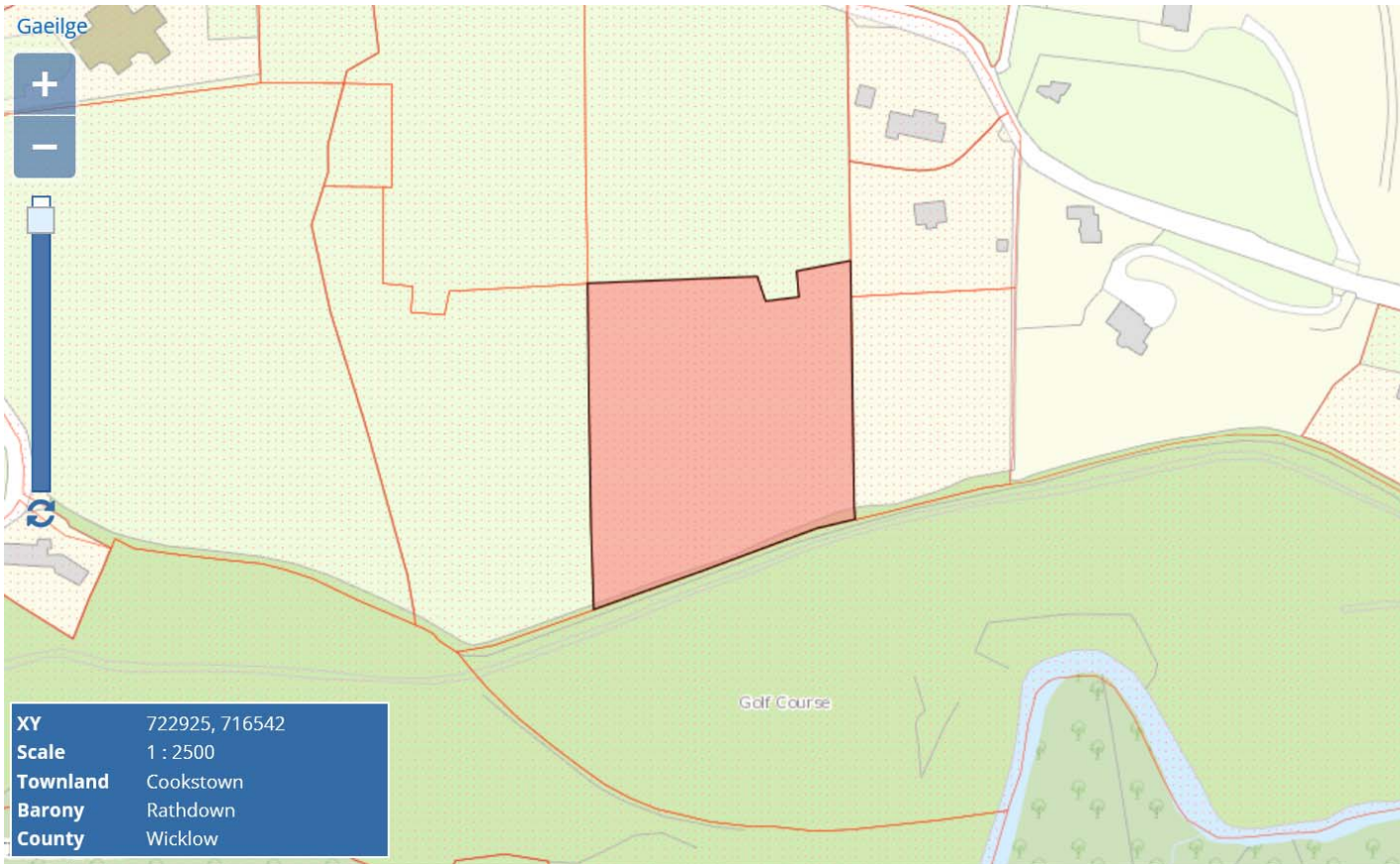
The following Applications are Pending on this Folio

D2020LR161062K	Awaiting Attention
-----------------------	--------------------

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

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[Help](#)



XY 722925, 716542
Scale 1 : 2500
Townland Cookstown
Barony Rathdown
County Wicklow

Property Details

> Back

Folio Number	WW29371F
Title Level	Freehold
Plan Number	A214J
Property Number	1
Area of selected plans	1.51 hectares.
Number of Plans on this folio:	1
Address	Not Available

[View Folio PDF](#)
[Request Certified Copy](#)

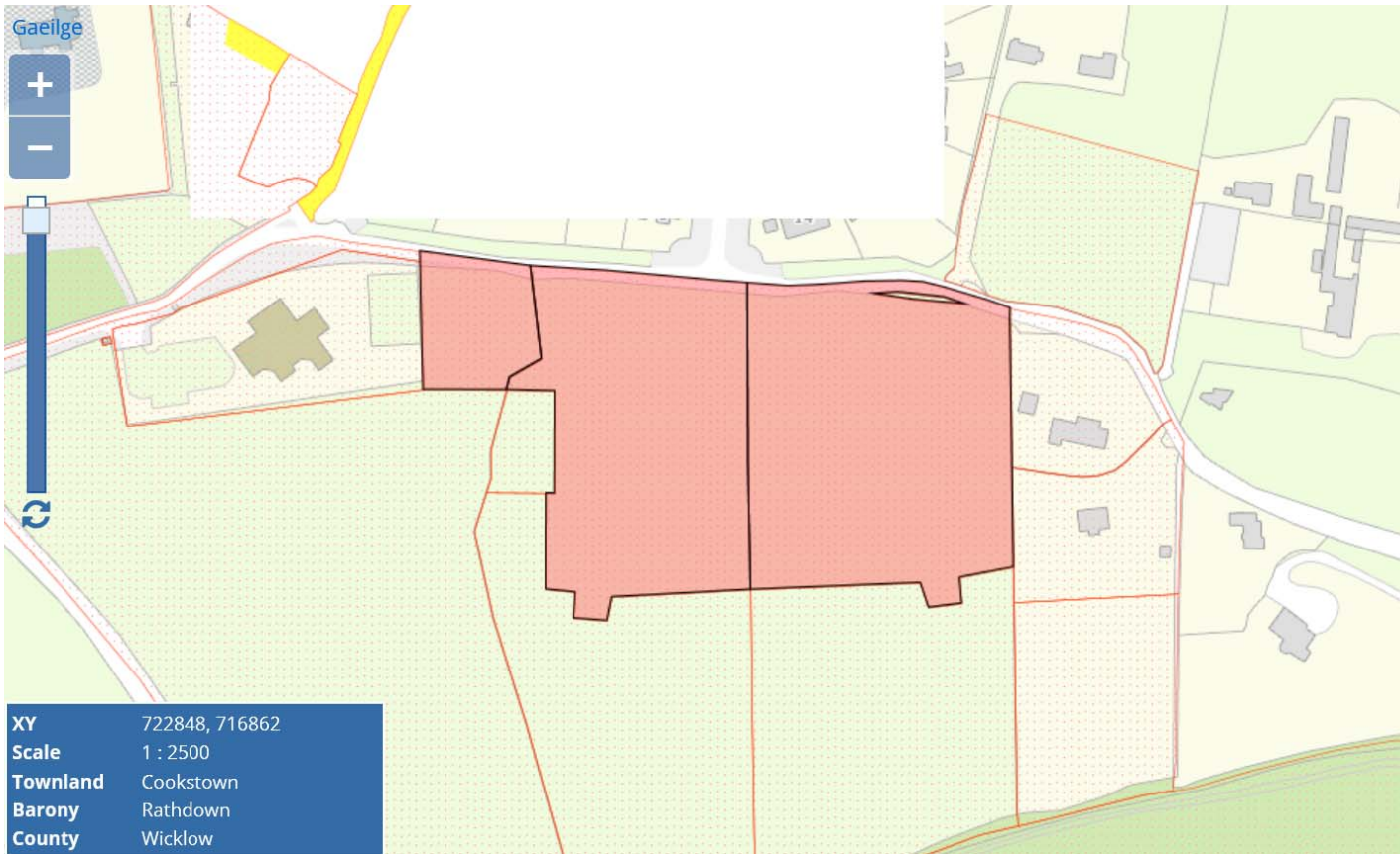
The following Applications are Pending on this Folio

D2020LR161062K	Awaiting Attention
-----------------------	--------------------

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

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XY 722848, 716862
Scale 1 : 2500
Townland Cookstown
Barony Rathdown
County Wicklow

Property Details

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Folio Number	WW39294F
Title Level	Freehold
Plan Number	DNDW1
Property Number	1
Area of selected plans	3.22 hectares.
Number of Plans on this folio:	3
Address	Not Available

[View Folio PDF](#) [Request Certified Copy](#)

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

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XY 722637, 716900
Scale 1 : 2500
Townland Cookstown
Barony Rathdown
County Wicklow

Property Details

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Folio Number	WW42107F
Title Level	Freehold
Plan Number	DNDX9
Property Number	1
Area of selected plans	0.12 hectares.
Number of Plans on this folio:	1
Address	Not Available

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*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

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APPENDIX 5 WCC CHECKLIST



County Wicklow Residential Zoned Land Tax (RZLT)

Submission Template

A: Details of person / representative / agent making submission

Name	Rory Kunz, John Spain Associates
Address	39 Fitzwilliam Place, Dublin 2 D02 ND61.
Phone No.	01 662 5803
Email Address	

If you are the landowner of the lands that are the subject of this submission, or making the submission on behalf of the landowner, please complete Part (B) of this form.

If you are not the landowner of the lands that are the subject of this submission or making the submission on behalf of the landowner, (i.e. you are a 'third party') please complete Part (C) of this form.

Please be advised that personal information will be redacted before publishing.

B: Landowner Submission

Town	Enniskerry
Landowner name	████████████████████
Landowner address	██████████ ██████ ██████
Landowner phone	██████████
Landowner email	██████████████████████████████
Address of site	Cookstown Road, Enniskerry, Co. Wicklow (include Eircode if known)
Site description	(if address is unclear)
Site Area	5.11 hectares

Maps / information to accompany submission	Check
Have you included the required Ordnance Survey map showing the lands at an appropriate scale i.e. 1:1000 in urban areas or 1:500 in rural area, clearly identifying the map in question?	Yes
Have you included proof of ownership?	Yes

Are you:	Check
Challenging the inclusion of certain lands on the map?	Yes
Challenging the date that lands are considered to be 'in scope'?	No
Requesting a change in zoning?	No
Identifying additional lands that you believe should be shown on the maps?	No

<p>Grounds for your submission Please see John Spain Associates letter.</p>
--

C: Third Party Submission

Town	
-------------	--

Landowner name	(if known)
Landowner address	(include Eircode if known)
Landowner phone	(if known)
Landowner email	(if known)
Address of site	(include Eircode if known)
Site description	(if address is unclear)
Site Area	(if known)

Please include a map if available

Please be advised that where we cannot identify the land we may not be able to take your submission into account.

Are you:	Check
Challenging the inclusion of certain lands on the map?	
Challenging the date that lands are considered to be 'in scope'?	
Identifying additional lands that you believe should be shown on the maps?	
<p>Grounds for your submission (please see advice at end of this document)</p> <p>(you can set out grounds on this form, or attach a separate document)</p>	

Criteria for inclusion on the map - any submission to exclude or include land should make reference to these criteria:

Land that meets the criteria for inclusion on the map, and therefore liable to the RZLT, is land that –

- is included in a development plan or local area plan and is zoned for residential development or zoned for a mixture of uses, that includes residential development.
- is serviced, or it is reasonable to consider may have access to services. Serviced means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed.
- is not affected in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of archaeological or historic remains.

but which is not –

- land that, while zoned residential, is an authorised development used to carry on a trade or profession by a business liable to pay commercial rates, and which provides services to residents of adjacent residential areas.
- land that is zoned for a mixed used purpose (including residential) unless it is reasonable to consider that such land is vacant or idle.
- land that is required for, or occupied by, other uses such as social, community or governmental infrastructure, including education and healthcare facilities, facilities used for the purposes of public administration, transport facilities and infrastructure, utilities, energy or telecommunications infrastructure and facilities; water and wastewater infrastructure and facilities, waste management and disposal infrastructure, recreational infrastructure including sports facilities and playgrounds.
- land that is subject to a statutory designation that may preclude development.
- land in respect of which the Derelict Sites Levy is payable.

