
Appendix 7A

Cultural Heritage Report

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**Impact Assessment
on the
Potential Archaeology & Architectural Heritage
for the
Cork Lower Harbour Drainage Scheme
*Including underwater and intertidal dimension by ADCO Ltd***

**Planning Ref.: PRE-PLANNING
ÆGIS Ref: 62-37
NGR (*centred*): 176575/065449**



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2007

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PLEASE NOTE...

That the archaeological recommendations, mitigation proposals and suggested methodology followed in this report are similar to those used on previous similar projects approved by the Archaeological Planning and Licencing Unit National Monuments Section (formerly Dúchas), Dun Sceine, Harcourt Lane, Dublin 2. The National Monuments Acts 1930-2004, The Planning and Development Act 2002 and the most recent EPA guidelines were consulted. Guidelines and Plans issued from time-to-time by the statutory bodies have been consulted. This study also follows the NRA Guidelines for the Assessment of Archaeological Heritage Impacts of National Road Schemes and Guidelines for the Assessment of Architectural Heritage Impacts of National Road Schemes (NRA n.d.; NRA n.d.a). These are listed in the reference section of this report.

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

ÆGIS acknowledges the information supplied from the Archaeological Survey of Ireland Files, maintained by the National Monuments Section (formerly Dúchas), and information supplied by the client. The National Monuments Acts 1930-2004 is the current legislation in relation to archaeological projects.

This report is based on a template formulated by ÆGIS. All technical information, mapping and aerial photos were supplied by Mott MacDonald Pettit.

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II. Glossary of Terms Used

ASI	Archaeological Survey of Ireland, a division of the DoEHLG
Barony, Parish, Townland	These terms refer to land divisions in Ireland. The barony is the largest land division in a county, which is formed from a number of parishes. These parishes are in turn made up of several townlands, which are the smallest land division in the country. The origins of these divisions are believed to be in the Early Medieval/Christian period (AD500-AD1000), or may date earlier in the Iron Age (500BC-AD500).
CCC	Cork County Council
CH	Cultural Heritage Feature Number
CLH	Cork Lower Harbour
CTC	Cobh Town Council
DoEHLG	Department of Environment, Heritage and Local Government
E	East
EPA	Environmental Protection Agency
First Edition	This relates to editions of the OS 6 inch maps for each county. The first edition map completed for the area dates to the early 1840s and this is referred to in the text as the "First Edition".
Inventory	Published archaeological inventory for County Cork.
KM	Kilometre
M	Metres, all dimensions are given in metres or part of a metre, unless otherwise stated
MMP	Mott MacDonald Pettit (lead consultants to the project)
N	North
n.d.	No Date (of publication or of unpublished report)
NGR	National Grid Reference
NIAH	National Inventory of Architectural Heritage
NMI	National Museum of Ireland
NMS	National Monuments Section. Regulatory body within the DoEHLG with responsibility for archaeological heritage
NRA	National Roads Authority
OS	Ordnance Survey
OSI	Ordnance Survey of Ireland
Pers. Comm.	Personal Communication
PO	Preservation Order
PS	Protected Structure
Refs	References
RMP	Record of Monuments and Places. An update of the older SMR, (sites and monuments record), on which all known archaeological sites are marked and listed in an accompanying list. The sites marked afford legal protection under the National Monuments Acts 1930-2004. The record is based on the 6-inch map series for the country and is recorded on a county basis. Each archaeological monument on the RMP has a unique code known as the RMP number (see below)
RMP Number CO-	This code is the number of the site on the RMP constraint map. It begins with the county code, here CO for Cork, the 6-inch sheet number, followed by the number of the archaeological monument on that sheet.
RPS	Record of Protected Structures
S	South
Sheet	This relates to the 6-inch map for each county, which is divided into sheets.
SMR	Sites and Monuments Record. The precursor of the RMP, the SMR now commonly relates to the archive paper files of known archaeological monuments maintained by the Archaeological Survey of Ireland (ASI). These files are arranged according to RMP number.
TB	Townland Boundary
W	West

- WWTP** Waste Water Treatment Plant
- ZAP** Zone of archaeological potential. This refers to the area indicated around a recorded archaeological monument on the RMP constraint map. This zone is for indication purposes only and is usually circular in shape or more irregular depending on nature of the archaeological monument is it indicating.

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1. Introduction to the Study Area

1.1 Scope of Study (figs 1 & 2)

A full description of the proposed development project was supplied by the lead consultants Mott MacDonald Pettit.

This report details the archaeological and architectural cultural heritage assessment of the proposed upgrade of the existing waste water system and the provision of a waste water treatment plant (WWTP) and sludge treatment centre of the Cork Lower Harbour and environs, as detailed in the preceding paragraphs. The report is a pre-planning assessment report and fulfils the criteria of an impact assessment and follows the most recent EPA guidelines on the compilation of an EIS (2002). NRA guidelines have also been used in this regard (n.d.; n.d.a). The objective of any cultural heritage (architecture and archaeology) assessment study includes the identification of all recorded archaeological monuments within the study area including the legal status, if any, of these features (NRA n.d., 16). For architectural heritage the study is to identify structures and features of known architectural merit. This study collates information from readily available sources that will be used to inform the later stages of the planning process (NRA, n.d.a, 13). For both archaeological and architectural heritage at assessment stage data collection is based on a desk study to identify all features and structures of known architectural merit and all known and recorded archaeological monuments, from *published sources* (NRA n.d., 16; NRA n.d.a, 13). Fieldwork is also undertaken. In the case of this study, the historical integrity of some of the locations in the study area, is also very important and must be considered. Cobh town being a particular case in point. The entire town's entity being perhaps greater than the sum of its parts, due to its location and its rich maritime history associated with voyages of the *Titanic* and the *Sirius*.

The report details the recorded and potential archaeological and cultural heritage features within the study area and in its vicinity and discusses the proposed impact of the development on that archaeology and/or cultural heritage.

The following brief has been fulfilled by this report:

- The identification of all recorded archaeological monuments within the pipeline areas and pumping stations, including the legal status, if any, of these monuments;
- The identification of structures and features of architectural merit within the study area based on published sources;
- A report on the archaeological walkover inspection of the proposed pipeline and waste water treatment lands;
- A general account of the historical and archaeological background of the study area, including examination of RMP maps, SMR files and the topographical files, as well as a concise summary of the historical background of the study area;
- The predicted impact(s) (if any) of the proposed development on the known and potential archaeology and architecture is discussed;
- Suggested mitigation procedures for addressing those predicted impacts (if any).

No intrusive archaeological investigations (test-trenching or excavation) have been undertaken at this stage. Suggested further archaeological (and/or cultural heritage) mitigation is stated at end of the report.

1.2 Definition of Archaeological & Architectural Heritage

The archaeological heritage may be defined as

a finite non-renewable physical and material resource. Archaeology is the study of past human societies through their material remains and artefactual assemblages. The study of archaeological remains increases our understanding and knowledge of the structure and culture of the past and ancient societies that are not recorded by any other means (NRA n.d., 8).

Every archaeological monument is unique and contains valuable information on the individual site as well as evidence for a wider cultural framework. As a group, archaeological monuments can contribute information on cultural evolution and important changes over time, while providing insights into communications, trade, and growth of past human societies (*ibid.*).

Architectural heritage is defined by the Architectural Heritage (National Inventory) and Historic Monuments Act 1999 as all

structures and buildings together with their settings and attendant grounds, fixtures and fittings... groups of such structures and buildings and sites, which are of architectural, historic, archaeological, artistic, cultural, scientific, social or technical interest (NRA n.d.a, 7).

It is important to note that not all archaeological or architectural heritage is known or recorded at present and “new” sites are constantly being identified, by a variety of methods.

1.3 Protection of Heritage: The Legislative Frameworks

The current relevant legislation in relation to the protection of the archaeological and architectural heritage is detailed below, (there is some overlap in the legislation at present, and this accounts for the repetition in the list below, from NRA n.d., 9; n.d.a 8, with additions):

Level of Legislation	Archaeological Heritage Legislation	Architectural Heritage Legislation
National	National Monument Act 1930 amended 1954, 1987, 1994, 2004 Road Act 1993 National Cultural Institutions Act 1997 The Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous) Provisions Act 1999 <i>Framework and Principles for the Protection of the Archaeological Heritage</i> (Dept of Arts, Heritage, Gaeltacht and the Islands 1999) Local Government (Planning and Development) Act 2000 <i>Advice notes on current practice (in the preparation of environmental impact statements)</i> (EPA 2003) <i>Guidelines on the information to be contained in Environmental Impact Statements</i> (EPA 2002) <i>Environmental Impact Assessment of National Road Schemes – A Practical Guide</i> (NRA 2005) <i>Code of Practice between the NRA and the Department of Arts, Heritage, Gaeltacht and the Islands</i> (2000)	National Monument Act 1930 amended 1954, 1987, 1994, 2004 Heritage Act 1995 The Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous) Provisions Act 1999 Local Government (Planning and Development) Act 2000 <i>Architectural Heritage Protection Guidelines for Planning Authorities</i> (DoEHLG 2004) Action on Architecture 2002-2005 Government Policy on Architecture <i>Advice notes on current practice (in the preparation of environmental impact statements)</i> (EPA 2003) <i>Guidelines on the information to be contained in Environmental Impact Statements</i> (EPA 2002) <i>Code of Practice between the NRA and the Department of Arts, Heritage, Gaeltacht and the Islands</i> (2000) <i>NIAH Handbook</i> (National Inventory of Architectural Heritage DoEHLG June 2006)
European	European Convention on the Protection of the Archaeological Heritage ratified by the ROI 1997 (“The Valetta Convention”) Council of Europe Convention on the Protection of the Architectural Heritage of Europe ratified by the ROI 1997 (“The Granada Convention”)	Council of Europe Convention on the Protection of the Architectural Heritage of Europe ratified by the ROI 1997 (“The Granada Convention”) European Council Directive on Environmental Impact assessment (85/337/EEC) 1985 and amending directive (97/11/EC) 1997 Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964)
International	International Council on Monuments and Sites (ICOMOS) advisory body to UNESCO concerning the protection of sites and recommendation of World Heritage sites ratified by the ROI 1992	Convention for the Protection of World Cultural and National Heritage (1972)

Table 1. Relevant legislation in relation to the protection of the archaeological and architectural heritage

Using the above legislative framework, there are a number of methods can be applied to secure the protection of archaeological/architectural monuments. These include National Monument designation (ownership and guardianship by the State including local authorities), the Register of Historic Monuments, The Record of Monuments and Places (RMP), the placing of Preservation Orders and temporary Preservation Orders on endangered archaeological

monuments. The government department with responsibility for the archaeological heritage is the Department of the Environment, Heritage and Local Government and its Minister. Protected Structure legislation is currently in place to protect the architectural heritage of the country. The work of the NIAH (National inventory of architectural heritage) informs the compilation of lists of Protected Structures by local authorities. The NIAH's work is ongoing. The NIAH has yet to undertake fieldwork in the study area, though this is scheduled for later in 2007 (W. Cummins NIAH pers. comm.).

National monuments may be acquired by the Minister by agreement or by compulsory purchase order. The State or the local authority may assume the guardianship of any national monument (apart from dwellings). The owners of national monuments may also appoint the Minister or local authority as guardian of that monument, should they be in agreement. Once in the ownership or guardianship of the State, the site cannot be interfered with without the written consent of the Minister. At the time of writing there are no National Monuments being directly impacted by the proposed development.

The **Register of Historic Monuments** was enacted under the 1987 amendment to the National Monuments Act. It required that the Minister established and maintained a Register of Historic Monuments and archaeological areas, which once on the register, would be afforded statutory protection under the 1987 Act. Two months notice in writing is required to be provided to the Minister, prior to any works being undertaken on or in the vicinity of a registered monument. With the establishment of the RMP (under the 1994 amendment Act) the Register became somewhat redundant. At the time of writing, there were no Registered Monuments being directly impacted by the proposed development.

The **Record of Monuments and Places (RMP)** was established under the 1994 amendment to the Act. It was the duty of the Minister to establish and maintain such a record where the Minister believes such monuments may exist. The record comprises a list of monuments and places and a constraint map indicating the location of such monuments and places. The RMP is maintained on a county basis. Sites on the RMP all received statutory protection under the National Monuments Act 1994. (The current protective legislation at the time of writing is the National Monuments Act 1930-2004.) The **black line or circle** on the RMPs (figure 4.6) indicates the zone of archaeological potential (ZAP) either around an individual archaeological site (usually a circle) or around a town or archaeological complex (usually an irregular shape). This line provides a protective zone of archaeological potential, which is a zone that is protected under The National Monuments (amendment) Acts 1930-2004 legislation.

According to section 12 of the National Monuments Acts 1930-2004, where “the owner or occupier (other than the Minister for Environment and Local Government) of a monument or place included in the Record, or any other person, proposes to carry out, or 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 for the Environment and local Government to carry out work and shall not, except in the case of urgent necessity and with the consent of the Minister, commence the work until two months after giving the notice”. The **Sites and Monuments Record (SMR)** was the precursor to the RMP and now commonly refers to the paper archive housed in the Archaeological Survey of Ireland, which details pertinent information on each individual archaeological monument.

In the event that archaeological sites are deemed to be in immediate danger of destruction or damage a **Preservation Order** can be issued under the provisions of the 1930 (principal) National Monuments Act. These Orders make any interference with the site illegal. Under the 1954 Act, Temporary Preservation Orders can also be issued, while having the same function as a Preservation Order, have a time limit of six months, after which the case must be reviewed. Again, work on or in the vicinity of archaeological monuments under temporary or full Preservation Orders require Ministerial written consent. At the time of writing, it appeared that there were no Preservation Orders on archaeological monuments being directly impacted by the proposed development.

There are also a number of methods in which the architectural heritage may be protected. The Heritage Council was established by **The Heritage Act 1995**. Its main objective seeks to promote the interest in, knowledge and protection of all Irish heritage, which includes the archaeological and architectural resource. The 1995 Act, protects all heritage buildings owned by local authorities from damage or destruction. The **Architectural Heritage Act 1999** requires the Minister to establish a survey in order to identify record and evaluate the architectural heritage of the State. The body established to undertake this work is known as the **NIAH**, National Inventory of Architectural Heritage, which is undertaking the survey at present. The NIAH has not yet undertaken the inventory for this area of Cork and there are no structures included in the survey for the study area at the time of writing. Inclusion of structures on this inventory does not provide statutory protection; however, local authorities are encouraged to use the NIAH surveys as a baseline in creating their **Record of Protected Structures (RPS)**. The RPS is an obligation of local authorities under the Local Government (Planning and Development) Act 2000. This record should list structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. The Record of Protected Structures for County Cork is included in the Cork County Development Plan 2003, (Cork

County Council). Cobh town also has a Development Plan (Cobh Town Council 2005), which lists all the Protected Structures in the town. Cobh is also important on a wider level due to its historical importance, particularly its maritime history.

“Cultural heritage” is the loose collective term applied to both archaeological and architectural heritage (Buttimer *et al* 2000). However, as a rule of thumb the archaeological resource covers sites and monuments from the prehistoric to the post medieval period, while the architectural resource includes standing structures and sites dating from the post-medieval to the modern period.

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