

IN THE MATTER OF AN APPLICATION TO
AN BORD PLEANÁLA

FOR APPROVAL OF THE FOYNES TO LIMERICK ROAD (INCLUDING
ADARE BYPASS) COMPRISING:

- (I) FOYNES TO RATHKEALE PROTECTED ROAD SCHEME,
2019;
- (II) RATHKEALE TO ATTYFLIN MOTORWAY SCHEME, 2019;
- (III) FOYNES SERVICE AREA SCHEME, 2019.

ABP Ref. ABP-306146-19 and ABP-306199-19

ORAL HEARING

Brief of Evidence

Archaeology, Architecture and Cultural Heritage

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1. QUALIFICATIONS AND EXPERIENCE

1.1 My name is Faith Bailey and I am a senior archaeologist and cultural heritage consultant employed by IAC Archaeology. I have been involved in the project since 2014. I hold an MA in Cultural Landscape Management (archaeology and built heritage) and a BA in single honours archaeology from the University of Wales, Lampeter. I am a licence eligible archaeologist, a member of the Chartered Institute of Archaeologists, a member of the Institute of Archaeologists of Ireland and have over 18 years' experience working in the commercial archaeological, architectural and cultural heritage sector.

2. ROLE IN PROPOSED ROAD DEVELOPMENT

2.1 My role in the Foynes to Limerick Road (including Adare Bypass) project involved undertaking the archaeological, architectural and cultural heritage appraisal in respect of the proposed road development, specifically undertaking the environmental appraisal in respect of these matters for the EIAR.

2.2 I have been working on the project since 2014 with responsibility for the following:

- Co-ordinating our internal team and the production of information;
- Liaising with the environmental project managers (Roughan & O'Donovan – AECOM Alliance) and wider environmental and design team;
- Liaising and consulting with the TII Project Archaeologist for the proposed road development;
- Compilation of constraints study and route selection assessment in relation to the archaeological, architectural and cultural heritage resource;
- Production of the archaeological, architectural and cultural heritage impact assessment of the proposed road development in Chapter 14 of the EIAR; and
- Compilation of Appendices 14.1 - 14.14 of the EIAR

3. EXECUTIVE SUMMARY

3.1 Chapter 14 of the EIAR and its accompanying Appendices is to be taken as read in their entirety and is not replicated here. To assist the Board in its consideration of this application for Approval and for the convenience of all participants at this hearing, the key items pertaining to the archaeological, architectural and cultural heritage assessment of the proposed Foynes to Limerick Road (including Adare Bypass) detailed in Chapter 14 of the EIAR are summarised briefly below.

3.2 The receiving environment is defined as an area measuring c. 250m from the edge of the proposed road development. Measurements are taken from the proposed development boundary to the upstanding remains of a site or structure, or the edge of the site as seen from aerial photography, LiDAR or geophysical survey. Where there are no obvious indications of a site, the measurement is taken to the centre of the site as indicated on Figures 14.1-14.23 in Volume 3 of the EIAR.

- 3.3 LiDAR survey along the route corridor was specifically commissioned for the purposes of informing the archaeological assessment along with the geophysical survey. The geophysical survey totalled 105ha, constituting a 32% sample of the greenfield lands within the alignment of the proposed road development.
- 3.4 A total of 122 Archaeological Heritage (AH) assets recorded by the Record of Monuments and Places (RMP) or Sites and Monuments record (SMR) have been recorded within the receiving environment. Exclusion zones have been defined around three recorded monuments in order to avoid physical impacts from the road development (AH 4, 24 and 64). As the full extent of AH 64 is currently unknown, there remains a potential significant impact to part of the monument during the construction phase. Prior to the implementation of mitigation, five recorded monuments will be subject to profound negative impacts (AH 7, 8, 58, 60, and 62) and two will be subject to very significant negative impacts (AH 39 and 75).
- 3.5 A total of 93 previously unrecorded potential archaeological sites were identified through LiDAR survey. Exclusion zones have been defined around two potential archaeological sites, LI 13 and 25, in order to avoid physical impacts. Of the 93 sites, and prior to the application of mitigation, six will be subject to profound negative impacts (LI 18, 34, 40, 63, 75 and 76), two will be subject to very significant negative impacts (LI 57 and 74) and 15 will be subject to significant negative impacts (LI 4, 7, 9, 16, 17, 22, 29, 30, 36, 56, 58, 62, 64, 67, and 83).
- 3.6 A geophysical survey was carried out at selected sites of archaeological potential along the proposed road development. Prior to the application of mitigation, one site will be subject to a profound negative impact (M-44), nine sites will be subject to very significant direct negative impacts, (M-17, M-19, M-20, M-21, M-22a, M-27, M-26, M-32 and M-43), and six further sites will be subject to significant direct negative impacts, (M-24, M-28, M-31, M-34, M-38a, and M-41).
- 3.7 The assessment has shown that there will be no direct negative impacts to any of the previously recorded 49 architectural heritage sites within the study area as a result of the construction of the proposed road development. An exclusion zone has been defined around BH 26 (pillbox) to allow preservation of this structure in situ, although a potential very significant indirect negative impact is predicted during the operation of the proposed road development. Additional predicted indirect operational impacts include significant positive impacts to the historic village and conservation area at Adare (BH 35), along with significant indirect negative impacts on the setting of seven further structures (BH 3, 9, 17, 20, 25, 27 and 34).
- 3.8 A total of 18 designed landscapes have been identified within the receiving environment of the proposed road development. One landscape, Ballyclogh demesne (DL 1), will be subject to significant direct negative impact.
- 3.9 A total of 132 Cultural Heritage assets were identified within the receiving environment. An exclusion zone has been defined around CH 104 (pillbox) to allow for the preservation in situ of this structure. Of the 132 sites, and prior to the application of mitigation, one will be subject to a profound negative impact (CH 103), one will be subject to a very significant negative impact (CH 125). A total of 34 sites will be subject to potential significant negative direct impacts during construction (CH 4, 5, 6, 8, 10,

11, 15, 23 46, 55, 61, 62, 63, 64, 67, 78, 82, 87, 89, 90, 91, 93, 95, 97, 98, 100, 101, 102, 108, 115, 116, 121, 126, 132). During the operation of the scheme, one site will be subject to a very significant negative indirect impact (CH 104) and there will be three significant negative indirect impacts (CH 37, 49 and 131).

- 3.10 Once the recommended mitigation measures, as detailed in Section 14.6 of Chapter 14 of the EIAR, have been applied, and as specified in the corrigenda, there will be no significant negative residual negative impacts on the archaeological, architectural or cultural heritage resource as a result of the construction or the operation of the proposed road development.

4. RESPONSES TO SUBMISSIONS

4.1 Overview

- 4.1.1 Of the 154 submissions/objections made to An Bord Pleanála (ABP) in respect of the Foynes to Limerick Road (including Adare Bypass), three include observations relevant to the archaeological, architectural and cultural heritage environment. One further response to the FI also includes an observation on the built heritage environment.

- 4.1.2 The key items raised are listed below and each of the submissions is responded to separately:

- The potential loss of a site of local historical interest namely, Going's Cross, due to the work at Clogh East and Clogh West near Croagh (Submission / objection ENV-5)
- Implementation of archaeological and cultural heritage mitigation (Submission / Objection ENV-8)
- Impact of the proposed road development on the setting of Clonshire Castle (Submission / objection ENV-17)
- Potential blasting impacts on Ballyclogh House (Submission / objection FI-2).

4.2 Loss of a Site of Local Historical Interest Namely, Going's Cross

Issues Raised in Submissions / Objections

- 4.2.1 Submission / Objection ENV-5 raised the following point *“Regarding work at Clogh East and Clogh West near Croagh, we fear that an area of huge local historical interest will be destroyed, namely, Going’s Cross (the site of the ambush of Captain Going in the 1821). This ambush was one of a series of traumatic events in the agrarian struggle which impacted on the populations of Askeaton, Coolcappa-Kilcolman, Rathkeale and Croagh.”*

Response

- 4.2.2 It should be noted that the submission does not include specific locational detail with regards to ‘Going’s Cross’. However, additional research carried out the shows the site of the ambush was located at Curraheen South, c. 970m north of the proposed road development at chainage 52,050. An overview of the location is included in Figure 1 below.

- 4.2.3 Major Going, the former head of the police establishment in Co. Limerick, was riding from Limerick City to Rathkeale on the evening of October 14th 1821 when he was waylaid by a group of individuals who subsequently murdered him¹ (Donnelly 2007, p.64). The ambush and murder of Major Going was one in a series of events which took place over the course of what has become known as the 'Irish Agrarian Rebellion, 1821-24'. The Rebellion was a direct response to the economic collapse of 1819, with the collapse of grain prices but increase in rents.
- 4.2.4 An article from 1950 by Michael Kerins states that the murder of Going took place "a short distance from Rathkeale on the road to Cappagh"². The Dublin Evening Post, dating to 18th October 1821, states that the ambush and subsequent murder of Going was recorded as having taken place "*at or near a place called Curraheen*".³
- 4.2.5 In a 2003 publication entitled "Cappagh: A Sense of History", by Frank Whelan, the ambush of Major Going is described in more detail, along with the location as marked on Figure 1 and shown in more detail on Figure 2 below.

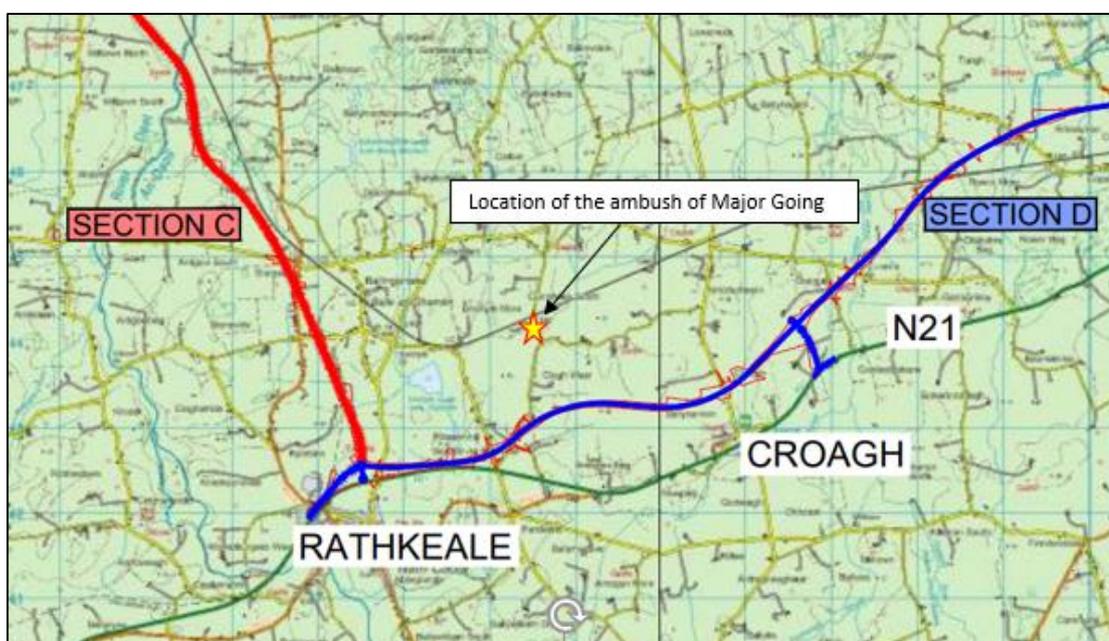


Figure 1 Overview of the location of Going's Cross and the proposed road development

¹ Donnelly, J. S. 2007 Captain Rock: The Origins of the Irish Agrarian Rebellion of 1821-24. In New Hibernia Review, Vol. II, No. 4, pp. 47-72

² <https://cappaghasenseofplace.com/rathkeale-through-the-years-by-michael-kerins-in-1950-in-limerick-weekly-echo/#:~:text=The%20place%20where%20he%20met,time%20where%20major%20Langford%20now> – accessed 20/01/21

³ Dublin Evening Post, 18 October 1821 (accessed via the British Newspaper Archive – www.britishnewspaperarchive.co.uk – accessed 20/01/21)

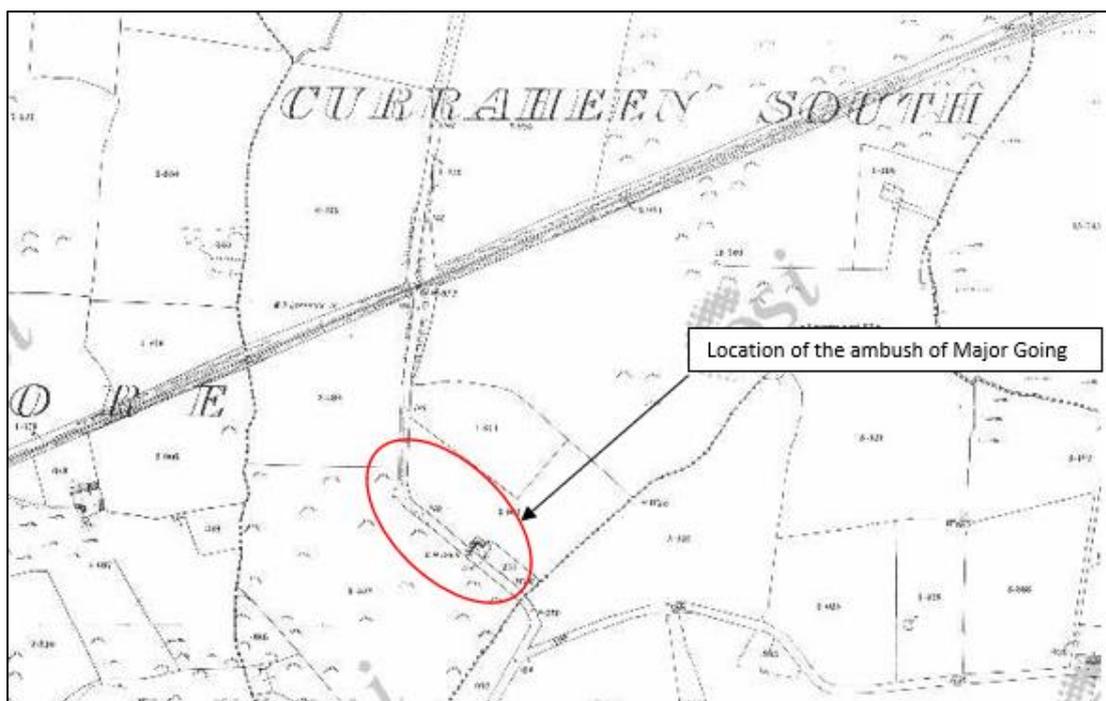


Figure 2 Extract from the historic OS map (1909), showing the location of the ambush

4.2.6 The extract from Whelan's book reads as follows: "On Saturday the 13th October, the major mounted his grey steed and rode off to Limerick, where he remained for the night. The next morning being Sunday, instead of going home directly, he paid a visit to Mr Waller at Castletown. Having spent a few hours in company with his friends, he set out for Rathkeale. Preparations were made by the conspirators and a small band of sharpshooters was placed on all roads leading to his home. He selected the road that leads through Cappagh Village.....He took the Curraheen Road home.....Just after he passed a house a little beyond the present railway bridge the road turns sharply to the left for about 100 yards, well shaded by a hedge. When he arrived in the middle of the bend a volley was fired from behind the hedge and the major fell to the ground riddled with bullets."⁴

4.2.7 The research carried out clearly shows that the site of Going's Ambush was located over 900m from the proposed road development and is well outside the study area of the EIAR. The proposed road development will not directly or indirectly impact on this site of cultural heritage interest.

4.3 Implementation of Archaeological and Cultural Heritage Mitigation Issues Raised in Submissions / Objections

4.3.1 Submission / Objection ENV-8 raised the following points: "*The watercourses within the footprint of the proposed road take and its environs were major conduits into the interior and to many important monuments that mark the landscape. There is therefore high potential that underwater cultural heritage could be present within the footprint of the proposed works. A detailed underwater archaeological impact assessment should*

⁴ Whelan, F. 2003 *Cappagh: A Sense of History*, pg 23

be carried out in advance of construction so as to inform detailed archaeological mitigation of any impacts arising.”

4.3.2 The submission / objection states that *“It is the Departments recommendation that all of the Mitigation Measures detailed in Section 14.6 of the EIAR are carried out in full in advance of the commencement of any construction works.”*

4.3.3 The submission / objection also recommends that *“the archaeological component of the scheme be overseen by a Project Archaeologist. The Project Archaeologist is responsible for liaison with the National Monuments Service for all archaeological aspects of the scheme.”*

Response

4.3.4 It should be noted that the archaeological assessment carried out as part of the EIAR included full review and analysis of all archaeological baseline resources pertinent to the landscape, including the watercourses contained therein. This analysis was further supplemented by field inspections.

4.3.5 It can be confirmed that confirmatory underwater archaeological assessments will be carried out on watercourses, which will be impacted by the proposed road project, to confirm the efficacy of the relevant mitigation measures as identified in Section 14.6.3 of the EIAR document prior to construction, and that all mitigation measures detailed in Section 14.6 of the EIAR will indeed also be carried out in full prior to construction under the supervision of a Project Archaeologist appointed by TII.

4.4 Impact of the Development on the Setting of Clonshire Castle

Issues Raised in Submissions / Objections

4.4.1 Submission / objection ENV-17 raises the following point *“...it is somewhat ironic that one of the most visually prominent sections of this new route would be positioned within the immediate environs of Clonshire Castle and it is difficult to conclude that the protection of this National Monument was foremost within the design process for this project. It is our opinion that this carriageway would tower over the open countryside which has surrounded this Castle for several hundred years and would be detrimental to the setting of this feature. The promotion of National Primary Road N69 as the primary link between Foynes Port and Limerick City, or the selection of Route Option 2, would plainly have not have had such an adverse effect on this nationally important feature and we question the wisdom of the approach advocated by the Council.”*

Response

4.4.2 Clonshire Castle is included within the Record of Monuments and Places and is a Protected Structure (AH 69 and BH 34). The castle is not a National Monument. The structure is located 60m east of the lands required for the proposed road development and 150m southeast from the proposed embankment. As detailed in Tables 14.19 and 14.21 of Chapter 14 of the EIAR, the operational impact has the potential to result in an indirect significant negative impact upon the castle as an archaeological heritage and built heritage asset prior to the application of mitigation.

4.4.3 It was noted during the course of the assessment that clear views of the castle are available from the local road to the northwest, which will be bridged over by the

proposed road development. Views from the base of the Castle directly west, towards the proposed road project are partially impeded by a belt of mature trees. The proposed road development will be located on an embankment c.4.8m to 9m above current ground level from Chainage 56+400 to 56+500, with an attenuation pond also located between the proposed embankment and castle. Views to and from the castle to the south, east and north will not be impacted by the proposed road development.

- 4.4.4 It is proposed to record the current setting of the castle as laid out in Section 14.6.1 and 14.6.2 of Chapter 14 of the EIAR and to provide natural screening, as illustrated in a series of photomontages produced for the Landscape and Visual Chapter (Volume 5B of the EIAR, View Point 20).

4.5 Potential blasting impacts on Ballyclogh House

Issues Raised in Submissions / Objections

- 4.5.1 Page 13 of the submission states '*With regards to the zone of influence and in Chapter 14 of the EIAR, I cannot agree with the conclusion that likely impact on Ballyclogh House, below, can be defined as moderately negative*'. The submission goes on to describe the fact that the structure is listed as protected by Limerick City and County Council and further notes '*However, the blasting envisaged as part of this scheme could have catastrophic connotations for this listed structure. It is approximately 500m from the large cut areas between Ch. 5+100 to Ch. 6+400. The vibrations associated with the blasting as outlined above needs to specifically take account of the vulnerability of this building*'.

Response

- 4.5.2 As detailed in section 4.5.21 of Ms Jennifer Harmon's Noise and Vibration Brief of Evidence, she states that '*The closest sensitive structures identified to this cutting are at distances of approximately 120m. The blast design in this area, will therefore be controlled to not exceed the limit values at these buildings. Notwithstanding, giving the protected status and vulnerability of this structure, a pre and post condition structural survey will be included as part of the Schedule of Environmental Commitments.*'
- 4.5.3 Ballyclogh House is located outside of the '250m study area of the assessment undertaken for Chapter 14, Archaeological, Architectural and Built Heritage. The predicted moderate impact cited in the submission relates specifically to the impact of the operation of the scheme on the former demesne landscape of the house. The northern and eastern sections of this demesne is located within the 250m study area.

5 CONCLUSION

- 5.1 In summary, a detailed assessment of the archaeological, architectural and cultural heritage resource has been carried out as part of the proposed road development. This has included a thorough analysis of baseline data, along with LIDAR survey, field inspections and geophysical survey. A full assessment of the potential impacts has been carried out, which is accompanied by a suite of mitigation measures that are designed to reduce or completely remove any negative direct or indirect impacts upon the archaeological, architectural and cultural heritage resource.

- 5.2 In these circumstances, having addressed the issues raised in submissions and observations made to the Board, we can confirm that the proposed road development will not result in any significant negative impacts upon the archaeological, architectural and/or cultural heritage resource, following the implementation of mitigation. Items raised in the relevant submissions and observations have not affected the results of the archaeological, architectural and cultural heritage assessment.

Appendix 1

The following submissions have been responded to in this Brief of Evidence:

Submissions Responded to in this Brief of Evidence	
ENV-	5,8,17
SCH-	None
FI-	2