

**ARCHAEOLOGICAL ASSESSMENT
AT THE
FORMER CARNEGIE LIBRARY,
JOHNS QUAY,
KILKENNY CITY**

ON BEHALF OF: KILKENNY COUNTY COUNCIL

ITM: 650733,656073

AUTHOR: JACQUI ANDERSON

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ABSTRACT

This assessment has been prepared on behalf of Kilkenny County Council, to study the impact, if any, on the archaeological and historical resource of the proposed redevelopment of former Carnegie Library, Johns Quay, Kilkenny City (ITM 650733,656073). The assessment was carried out by Jacqui Anderson of IAC Archaeology.

The proposed development area is located along St. John's Quay, east of the River Nore in Kilkenny City. It is currently occupied by the Carnegie Library Building, which is a protected structure and listed in the National Inventory of Architectural Heritage (RPS B113, NIAH 12000227).

The proposed development area is located within the Zone of Archaeological Potential for the historic city of Kilkenny (KK019-026), which is a recorded monument. There are an additional six recorded monuments within the 100m study area of the proposed development area. St. John's Abbey, c. 74m east, is also a National Monument in State Guardianship and subject to a Preservation Order (Nat. Mon. 344 & 331, KK019-026068, Pres. Order 46/1936).

A review of the Excavations Bulletin (1970–2024) revealed that archaeological monitoring of duct trenching was carried out in a number of areas within Kilkenny City, including within proposed development area (Bennett 2001:703, Licence No. 01E0109). Nothing of archaeological significance was identified in the car park.

Cartographic analysis has shown that the development area remained as undeveloped greenfield prior to the construction of Carnegie Library in the early 20th century. A mill race, was formerly located in the northeastern side of the development area and is visible on the historic mapping as early as Rocque's map of 1758.

The proposed development will predominantly comprise the renovation and redevelopment of the existing library structure. Some ground disturbances may occur within the car park area as part of landscaping and required services. These excavations may have an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level.

It is recommended that all ground disturbances be monitored by a suitably qualified archaeologist under licence to the National Monuments Service of the DoHLGH. 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.

CONTENTS

ABSTRACT	I
CONTENTS	II
List of Figures.....	iii
1 INTRODUCTION	1
1.1 General.....	1
1.2 The Development	1
2 METHODOLOGY	3
2.1 Paper Survey.....	3
2.2 Field Inspection	4
3 RESULTS OF ARCHAEOLOGICAL ASSESSMENT	6
3.1 Archaeological and Historical Background	6
3.2 Summary of Previous Archaeological Fieldwork	9
3.3 Cartographic Analysis	10
3.4 Development Plan	11
3.5 Topographical Files of the National Museum of Ireland	12
3.6 Aerial Photographic Analysis	12
3.7 Field Inspection	12
4 CONCLUSIONS	14
5 IMPACT ASSESSMENT AND MITIGATION STRATEGY	15
5.1 Impact Assessment.....	15
5.2 Mitigation	15
6 REFERENCES	16
APPENDICES	I
Appendix 1 SMR/RMP Sites within the Study Area	i
Appendix 2 Legislation Protecting the Archaeological Resource	vii
Appendix 3 Impact Assessment and the Cultural Heritage Resource	x
Appendix 4 Mitigation Measures and the Cultural Heritage Resource	xii

FIGURES

LIST OF FIGURES

- Figure 1 Site location showing nearby archaeology (After Google Earth 2022)
- Figure 2 Plan of proposed development
- Figure 3 Extracts from historic maps (c. 1655 and 1758) showing the approximate location of proposed development area
- Figure 4 Extracts from historic OS maps (1842 and 1871) showing the approximate location of proposed development area
- Figure 5 Extract from historic OS map of 1903 showing the approximate location of the proposed development area

1 INTRODUCTION

1.1 GENERAL

The following report details an archaeological assessment undertaken in advance of the proposed redevelopment of former Carnegie Library, Johns Quay, Kilkenny City (Figure 1; ITM 650733,656073). This assessment has been carried out to ascertain the potential impact of the proposed development on the archaeological and historical resource that may exist within the area. It was undertaken by Jacqui Anderson of IAC Archaeology (IAC), on behalf of Kilkenny County Council.

The archaeological assessment involved a detailed study of the archaeological and historical background of the proposed development area and the surrounding landscape. This included information from the Record of Monuments and Places of County Kilkenny, the Topographical Files within the National Museum of Ireland and all available cartographic and documentary sources for the area. A field inspection has also been carried out with the aim to identify any previously unrecorded features of archaeological or historical interest.

Whilst Carnegie Library (RPS B113, NIAH 12000227) is a protected structure and listed in the National Inventory of Architectural Heritage (NIAH), this assessment encompasses archaeology only. Built Heritage is assessed separately.

1.2 THE DEVELOPMENT

The development (Figure 2) will consist of:

- 1) Repurposing the former Carnegie Library into a Kilkenny Local Studies Hub, preserving its original architectural character while enhancing its role as a cultural and heritage resource.
- 2) Reconfiguring the building layout to create a continuous finished floor level aligned with the original double-bay configuration:
 - i) Northern bay comprising of: 8 no. staff workspaces; a staff canteen; storage facilities with roller shelves; a restroom; and a heat pump room. (c.90sq.m. GFA, staff use only).
 - ii) Southern bay comprising of: a county librarian / meeting room; open-plan local studies facilities and reading areas; utility and storage rooms; a flexible exhibition space adaptable to the hub's needs; and a zinc-clad and glazed rear extension in the south-east corner to expand the exhibition space and enhance public visibility. (c.20sq.m. GFA, staff use only / c.107sq.m. GFA public access, including c.10sq.m. GFA extension to the rear of the main pavilion).
 - iii) Central circulation space comprising of: a maintained central circulation space; an extended rear elevation (finishes matching the proposed south-east projection), including 2 no. restrooms (including 1 no. wheelchair accessible), designed for potential segregation when

the main building is closed. (c. 35.4sq.m. GFA public access, including a c.19.0sqm. projection to the rear of the main pavilion as per original footprint.)

- 3) Access Improvements comprising of: enhanced front access with stone paving and metal railings matching the original features; and secondary accessible entrance at the rear with a ramp (1:20 slope) extending south and metal railings.
- 4) Public Realm Enhancements comprising of: soft and hard landscaping; biodiversity planting; public lighting; and Sustainable Urban Drainage Systems (SUDS).
- 5) The provision of 27 no. car parking spaces, including 2 no. designated accessible space. A shared loading area will also be provided.
- 6) The provision of 10 no. bicycle parking spaces (5 no. Sheffield bike stands) to the north-east of the building.
- 7) All associated site development works, including above- and below-ground services.

2 METHODOLOGY

A study area, defined as 100m from the boundary of the proposed development area, was assessed to inform this report. Research was undertaken in two phases. The first phase comprised a paper survey of all available archaeological, historical and cartographic sources and the second phase comprised a field inspection.

2.1 PAPER SURVEY

- Record of Monuments and Places for County Kilkenny;
- Sites and Monuments Record for County Kilkenny;
- National Monuments in State Care Database;
- Preservation Orders List;
- Topographical files of the National Museum of Ireland;
- Cartographic and written sources relating to the study area;
- Kilkenny City and County Development Plan (2021–2027);
- Kilkenny Archaeological Project (2008);
- Aerial photographs; and
- Excavations Bulletin (1970–2024).

Record of Monuments and Places (RMP) is a list of archaeological sites known to the National Monuments Section, which are afforded legal protection under Section 12 of the 1994 National Monuments Act and are published as a record.

Sites and Monuments Record (SMR) holds documentary evidence and field inspections of all known archaeological sites and monuments. Some information is also held about archaeological sites and monuments whose precise location is not known e.g. only a site type and townland are recorded. These are known to the National Monuments Section as ‘un-located sites’ and cannot be afforded legal protection due to lack of locational information. As a result, these are omitted from the Record of Monuments and Places. SMR sites are also listed on a website maintained by the Department of Housing, Local Government and Heritage (DoHLGH) – www.archaeology.ie.

National Monuments in State Care Database is a list of all the National Monuments in State guardianship or ownership. Each is assigned a National Monument number whether in guardianship or ownership and has a brief description of the remains of each Monument. The Minister for the DoHLGH 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.

Preservation Orders List contains information on Preservation Orders and/or Temporary Preservation Orders, which have been assigned to a site or sites. 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.

The **Topographical Files of the National Museum of Ireland** are the national archive of all known finds recorded by the National Museum. This archive relates primarily to artefacts but also includes references to monuments and unique records of previous excavations. The find spots of artefacts are important sources of information on the discovery of sites of archaeological significance.

Cartographic sources are important in tracing land use development within the development area as well as providing important topographical information on areas of archaeological potential and the development of buildings. Cartographic analysis of all relevant maps has been made to identify any topographical anomalies or structures that no longer remain within the landscape.

Documentary sources were consulted to gain background information on the archaeological and cultural heritage landscape of the proposed development area.

Development Plans contain a catalogue of all the Protected Structures and archaeological sites within the county. The Kilkenny City and County Development Plan (2021–2027) was consulted to obtain information on cultural heritage sites in and within the immediate vicinity of the proposed development area.

Aerial photographic coverage is an important source of information regarding the precise location of sites and their extent. It also provides initial information on the terrain and its likely potential for archaeology. A number of sources were consulted including aerial photographs held by the Ordnance Survey and Google Earth.

Excavations Bulletin is a summary publication that has been produced every year since 1970. This summarises every archaeological excavation that has taken place in Ireland during that year up until 2010 and since 1987 has been edited by Isabel Bennett. This information is vital when examining the archaeological content of any area, which may not have been recorded under the SMR and RMP files. This information is also available online (www.excavations.ie) from 1970–2023.

2.2 FIELD INSPECTION

Field inspection is necessary to determine the extent and nature of archaeological and historical remains and can also lead to the identification of previously unrecorded or suspected sites and portable finds through topographical observation and local information.

The archaeological field inspection entailed -

- Walking the proposed development and its immediate environs.
- Noting and recording the terrain type and land usage.
- Noting and recording the presence of features of archaeological or historical significance.
- Verifying the extent and condition of any recorded sites.
- Visually investigating any suspect landscape anomalies to determine the possibility of their being anthropogenic in origin.

3 RESULTS OF ARCHAEOLOGICAL ASSESSMENT

3.1 ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

The proposed development area is located along St. John's Quay, within Gardens townland, in Kilkenny City. It is currently occupied by the Carnegie Library Building, which is a protected structure and listed in the NIAH Building Survey (RPS B113, NIAH 12000227). The proposed development area is located within the Zone of Archaeological Potential for the historic city of Kilkenny (KK019-026), which is a recorded monument. There are an additional six recorded monuments within the 100m study area of the proposed development area. St. John's Abbey, c. 74m east, is also a National Monument in State Guardianship and subject to a Preservation Order (Nat. Mon. 344 & 331, KK019-026068, Pres. Order 46/1936).

3.1.1 Prehistoric Period

Although recent discoveries may push back the date of human activity by a number of millennia, the Mesolithic period (8000–4000 BC) is the earliest time for which there is clear evidence for prehistoric activity in Ireland. The nearby River Nore was likely a focus point for Mesolithic populations, as a means of a food or transport resource; however, there is no recorded evidence for Mesolithic populations within the vicinity of the proposed development area.

During the Neolithic period (4000–2500 BC), communities generally became less transient, and their economy became based on the rearing of stock and cereal cultivation. The transition to the Neolithic was marked by major social change associated with the construction of large megalithic monuments. While Neolithic activity is recorded within the wider receiving landscape, there are no sites of this date in the study area.

The tradition of megalithic tombs ended in the early Bronze Age (2500–800 BC) in favour of individual, subterranean cist or pit burials that were either in isolation or in small cemeteries. While there are no recorded Bronze Age monuments located within the study area, or its immediate environs, there is a cluster of possible burial sites, three ring ditches (KK019-022001-003), situated c. 1.3km to the west. An isolated cremation burial deposit (KK019-026217) of probable Bronze Age date was also discovered during excavations, c. 611m to the northeast (Bennett 2006:10556, Licence No. 05E0435ext.). In addition, a recorded *fulacht fia* was uncovered in the townland of Newtown (KK019-095), c. 1.7km to the northeast of the proposed development area.

There are no recorded Iron Age (800 BC–AD 500) sites within the vicinity of the proposed development area, although it is clear that many pre-existing monuments were reused during this period, and it is possible that the above-mentioned ring ditches date to this time.

3.1.2 Early Medieval Period (AD 500–1100)

The early medieval period is depicted in the surviving sources as an almost entirely rural-based society. Territorial divisions were based on the *túath*, or petty kingdom, with Byrne (1973) estimating there may have been at least 150 kings in Ireland at any given time. This period, with a new religious culture and evolving technologies, saw significant woodland clearance and the expansion of grassland. A new type of plough and the horizontal mill were two innovations that improved agriculture and allowed for the population to increase.

It is likely that settlement first occurred in the Kilkenny environs during the 6th century when St Canice was thought to have founded a monastic settlement, c. 550m northwest of the proposed development area, on a knoll overlooking the River Nore. The name of the settlement derives from *Cill Chainnigh* (Canice's Church) and while little is known of this saint according to the Annals of Ulster, he died in AD 599-600 (Bradley 1990, 64). Later additions to this early church survive today, including the cathedral (KK019-026029) and round tower (KK019-026175). The settlement of Kilkenny was located within the territory of the *Osraighe*, which formed part of the *Érainn*. During the 9th century, a powerful King, *Cerball mac Dúnlainge*, came to power with aspirations of controlling Leinster (Bradley 1990, 65; Bradley 2000, 1). Due to his prowess in battle and skill at manipulating Viking families, Cerball became one of the most powerful kings in Leinster. The fertile plain of central Kilkenny was the power base for Cerball and his successors and as such the monastery at Kilkenny had a local significance that was not shared by more remote foundations (*ibid.*). The shift in power during the 9th century was consolidated during the 10th and 11th centuries and as such marks Kilkenny's beginnings as a town.

3.1.3 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. Their presence was strongest in the east of the country, and it was mainly in this region that land was carved up and granted to the newly arrived lords who participated. The main success of the Anglo-Norman occupation was the welding of scattered territories into a cohesive unit through the introduction of the English form of shire government. The rural landscape became a network of manorial centres; these units would generally contain a castle (*motte and bailey*), a manorial house and a number of dwellings, with extensive surrounding acreage.

By 1173, a castle (KK019-026078) had been established by the new Anglo-Norman establishment overlooking the River Nore, c. 287m south of the proposed development area. It was the centre of an important manor, which was passed from the Marshalls to the De Clares and Le Dispensers, before being sold to James Butler, third Earl of Ormond in 1391. A borough was established around the castle between 1170 and 1207, known as Hightown or Englishtown, which was later extended to the northwest (Irishtown) and northeast during the mid-12th century (Bradley 1990, 66). Further expansion took place during the 13th century, including the foundation of a number of religious houses.

The priory of the Augustinian canons of St John the Evangelist (KK019-026068) occupied much of the medieval walled suburb of St John's, which was located c. 74m east of the proposed development area (Devine and Ó Drisceoil 2022, 8). It consisted of an area of c. 2 acres within a walled precinct. There were several gateways into the precinct, including St Michael's Gate at the west end of Michael Street, Cart Gate mid-way along Back Lane and, likely, there was also an entrance from John's Street (Bradley 2011, 336, 340).

The priory also owned property outside the boundary of the precinct, including orchards. The priory was founded by the earl of Pembroke William Marshal to replace the earlier, possibly pre-Anglo-Norman, St John the Evangelist's Hospital, which is thought to have been sited around Green's Bridge to the north. The precise foundation date of St John's is not known but its new lands were allocated by 1211. A Lady Chapel was added to the priory church in 1290 and by 1325 the priory was substantially rebuilt; the bell tower collapsed in 1329-1330 and was probably rebuilt in the 15th century (Bradley 2000). The precinct and its possessions in the town were described at this time as follows:

'a church, belfry and cemetery, a hall, dormitory, six chambers, a kitchen, store, granary, two orchards, three gardens and sundry other closes, containing four acres, within the precincts of the priory; also ... twenty four messuages, thirty-three gardens, one hundred acres of arable land, twenty of pasture, ten of meadow and ten of wood; a water-mill and a pigeon house...' (Archdall 1786, 370).

Strong links between the Butlers and the King proved beneficial to Kilkenny when in 1419, when they received a grant of tolls for murage (KK019-026001; Thomas 1992, 129). The commonage, meaning the land held in common by the burgesses of the town, stretched for c. 3km outside of the town walls; likely including the proposed development area. The use of it was strictly controlled. Digging was prohibited and tenants were required to keep the land 'playne and grene' so that it could be used for shooting and archery by the townspeople (Bradley 2000, 18). The medieval routeway leading to Thomastown is recorded c. 792m to the southwest as a road/trackway (KK019-026218).

3.1.4 Post-Medieval Period (AD 1600–1800)

In 1650, a parliamentary army led by Oliver Cromwell besieged Kilkenny for one week before the city surrendered. As a result, many of the citizens were transplanted to Connacht and by 1660 half of Hightown was populated by English (Bradley 2000, 6). The protestant population peaked in the mid-17th century before declining to c. 5% by 1800 (ibid.). The late 16th and early 17th centuries had proven to be a time of relative prosperity with an accompanying phase of building. Many of the surviving merchant houses of Kilkenny, such as Rothe House, were built during this period. Economic development at this time was based on the rich agricultural hinterland, and principally upon cattle and grain production (ibid., 7).

In 1615, the nave and chancel of St John's priory (KK019-026068) were in ruins and by 1628, when it is recorded in a rental roll, its precinct and lands were in the ownership

predominantly of the Rothe, Archdekin, Shee and Langton merchant families (Bradley 2011, 328-31). In 1645, a Jesuit chapel and college were briefly established at the priory but in the late 17th century much of the nave of the church, with its two square towers, and many of the domestic buildings were levelled and the materials used to construct a military barracks, which was in turn converted into an asylum in 1818 (Bradley 2000, 22). The asylum would be known as Evan's Home.

Industrial use of the Rivers Nore and Bregagh intensified with the construction of a number of new mills and the development of a brewing industry. Concerted efforts to introduce the linen industry were ultimately unsuccessful given the lack of incentive to grow flax on land where corn flourished. A 17th century mill complex (KK019-026164) and deflection dam on the former Mill Island on the east bank of the River Nore was located c. 464m northwest of the proposed development area. Excavations here (Bennett 2001:708; 2002:1021, Licence No. 01E0608) in advance of the Kilkenny Flood Relief Scheme, revealed wattle panels that were dated between 1670-1680. Excavations also documented a succession of post-medieval building phases. A mill race mentioned in the c. 1211 William Marshal charter to the Augustinian priory of St John's ran from this mill complex to Maudlin Mills (KK019-026076). A further water mill (KK019-026042) was located c. 556m to the northwest, immediately south of the former medieval bridge (KK019-026040) that might have been the original mill of St John's priory.

3.2 SUMMARY OF PREVIOUS ARCHAEOLOGICAL FIELDWORK

A review of the Excavations Bulletin (1970–2024) has revealed that a number of archaeological investigations have previously taken place within the study area of the proposed development. These are summarised below.

Archaeological monitoring of cable laying works was carried out at John's Barrack Lane, Evans House, Carnegie Carpark and John's Bridge Street (Bennett 2001:703, Licence No. 01E0109), partially within the proposed development area. Two areas of archaeological significance were identified, outside the proposed development area boundaries. Barrack Lane produced evidence of truncated and disarticulated human bone fragments, together with one broken decorated stone and a possible truncated wall foundation. There were remnants of cobbling outside the front of Evans House. The grounds around Evans House contain several cut stone fragments that were most likely associated with St John's Priory and its destruction. No features of archaeological significance were identified within the proposed development area.

Archaeological excavation was carried out in advance of a dwelling house at No. 6 John's Quay (Bennett 1990:077), immediately south of the proposed development area. Roque's map of 1758 indicates that the area was open ground during the 18th century but would eventually become Prior's Orchard. No medieval structures or materials were uncovered. The absence of any sherds of medieval pottery and the presence of a small amount of 17th and 18th century pottery immediately above the natural surface indicated that the site was open ground down to the end of the medieval period.

Archaeological testing at 12 John Street, c. 54m south of the proposed development area, under licence 00E0807, did not identify anything of archaeological significance (Bennett 2000:0539).

A single archaeological test trench was excavated at 10 John Street, c. 64m south of the proposed development area (Licence No. 98E0050). Nothing of archaeological significance was identified (Bennett 1998:350).

A single test trench was excavated against the outer face of the boundary wall of Evan's Home, immediately northeast of the proposed development area (Bennett 1990:077, Licence No. C414; 90E4109). The tentative evidence indicated an earlier wall underlies the present boundary wall, indicating that this may be the late medieval town wall. Excavations of the curtilage of the former Evan's Home, now Butler Gallery, exposed an earlier cesspit, contemporary with the building of the latrines (Bennett 2022:618, Licence No. 22E0322). There were no traces of medieval or even late post-medieval material. Test excavations and the monitoring of geophysical bores (Bennett 2010:415, Licence No. C414; 10E4109) revealed the early 18th century parade ground of the barracks along with substantial quantities of building stone from the priory and disarticulated human bone. Further excavations to the rear of Evan's Home (Bennett 1999:439, Licence No. 99E0662) revealed part of the medieval priory chapel, sealed by a universal layer of mortar, rich in post-medieval brick and pottery, representing the building level of Evan's Home. One isolated deposit produced a single sherd of late 16th/17th-century German stoneware, suggesting some truncated activity after the initial medieval phase.

Archaeological monitoring took place to the rear of 15 St. John Quay, c. 72m north of the proposed development area, but nothing of archaeological potential was noted (Licence No. 02E1008, Bennett 2002:1018).

3.3 CARTOGRAPHIC ANALYSIS

William Petty, Down Survey Map, Kilkenny Liberties, Parishes of St John's, County Kilkenny, c. 1655 (Figure 3)

This early mapping shows the proposed development area within the enclosed lands of St Johns Augustinian Priory (KK019-026068) surrounded by the town ditch/wall. Further to the east lies an open space annotated as the 'Cursed Garden' and 'Towne Ditch'. The medieval walled town of Kilkenny (KK019-026) is depicted on the western bank of the River Nore with the castle to the south.

John Rocque, A Survey of the City of Kilkenny, 1758 (Figure 3)

This map shows the area of the proposed development with a parcel of land bordered by St John's Street, Michael Street and the River Nore. A watercourse labelled as The Lake is shown to the east of the proposed development area. The Barracks and St. Johns Abbey are depicted to the east of the watercourse. A In the wider area, Gallows Hill and The Pound are marked to the east and The College to the south.

John Taylor, County of Kilkenny, 1802

This map does not provide topographic detail; however, it depicts the major routeways around Kilkenny City and its surrounding parishes. The proposed development is situated within the urban centre of Kilkenny on the eastern banks of the River Nore. St Mauls Parish is depicted to the north.

First Edition Ordnance Survey Map, 1842, scale 1:10,560 (Figure 4)

This is the first accurate historic mapping coverage of the area containing the proposed development area, which is depicted as undeveloped land to the east of the River Nore, within the townland of Gardens. A watercourse (mill race) runs through the north-eastern part of the proposed development area. The site of the barracks has now been repurposed to Evans' Asylum with a Glebe marked to its south. St Johns Abbey is still extant although is no longer labelled.

Ordnance Survey Map, 1871, scale 1:1,056 (Figure 4)

By the time of this map Evans Asylum, St Johns Church, graveyard (KK019-026235) and Abbey are depicted along with Summer House to the north of the mill race, a section of which has been culverted. A lodge is also noted to the north of the watercourse. Barrack Lane connects with John Street Lower. John's Quay is also adjoined with Major Walk during this period. The proposed development area remains an open space.

Ordnance Survey Map, 1903, scale 1:2,500 (Figure 5)

The mill race is now labelled as such. To the immediate north of the proposed development area, a row of structures has been constructed fronting on to St. Johns Quay, By the time of this later mapping, several structures within the study area of the proposed development area have been labelled including St Johns School, Baths, Infants school at Evans Asylum, St Johns Church (in ruins), Abbey and a Smithy. The road arrangement is now similar to the modern layout.

3.4 DEVELOPMENT PLAN

The Kilkenny City and County Development Plan (2021–2027) recognises the statutory protection afforded to all Record of Monuments and Places (RMP) sites under the National Monuments Legislation (1930–2014). The development plan lists a number of aims and objectives in relation to archaeological heritage. The Council endeavours to preserve in situ all archaeological monuments, whether on land or underwater, listed in the Record of Monuments and Places (RMP) and any newly discovered archaeological sites, features, or objects.

The proposed development area is located within the Zone of Archaeological Potential for the historic city of Kilkenny (KK019-026), which is a recorded monument. There are an additional six recorded monuments within the 100m study area of the proposed development area (Table 1, Figure 1, Appendix 1).

St. John's Abbey is also a National Monument in State Guardianship and subject to a Preservation Order (Nat. Mon. 344 & 331, KK019-026068, Pres. Order 46/1936).

TABLE 1: Recorded archaeological sites in proximity to the study area

RMP NO.	LOCATION	CLASSIFICATION	DISTANCE FROM PROPOSED DEVELOPMENT
KK019-026	Deansground, Collegepark, Jamesgreen, Maidenhill, Newpark Lower, Pennefatherslot, Walkinslough, Dukesmeadows	Historic town	0m
KK019-026267	Gardens (Kilkenny City By., St. John's Par.)	Graveslab	26m northeast
KK019-026024	Gardens (Kilkenny City By., St. John's Par.)	House - 16th/17th Century	29m east
KK019-02623	Gardens (Kilkenny City By., St. John's Par.)	Graveyard	40m east
KK019-026242	Gardens (Kilkenny City By., St. John's Par.)	Tomb - Effigial	70m east
KK019-026068	Gardens (Kilkenny City By., St. John's Par.)	Religious House - Augustinian Canons	74m east
KK019-026071	Gardens (Kilkenny City By., St. John's Par.)	Bridge	85m southeast

3.5 TOPOGRAPHICAL FILES OF THE NATIONAL MUSEUM OF IRELAND

Information on artefact finds from the study area in County Kilkenny has been recorded by the National Museum of Ireland since the late 18th century. Location information relating to these finds is important in establishing prehistoric and historic activity in the study area.

While a large number of artefacts have been retrieved from the River Nore during dredging works associated with the River Nore Drainage Scheme/ Kilkenny Flood Relief Scheme (Ó Drisceoil et al. 2008), no stray finds are recorded from within the study area of the proposed development area.

3.6 AERIAL PHOTOGRAPHIC ANALYSIS

Inspection of the aerial photographic coverage of the proposed development area held by the Ordnance Survey (1995–2013), Google Earth (2005–2024), Bing Maps, and Apple Maps did not reveal anything of archaeological nature given the built-up nature of the proposed development area, which is currently occupied by the Carnegie Library.

3.7 FIELD INSPECTION

The field inspection sought to assess the site, its previous and current land use, the topography and any additional information relevant to the report. During the course of the field investigation the proposed development site and its surrounding environs were inspected (Figure 1).

The proposed development area is currently occupied by Carnegie Library, a protected structure (RPS B113, NIAH 12000227), which is surrounded by a modern car parking area. The library building itself is a detached three-bay single-storey structure built in 1908-10. The building is set back from the river with a road and public realm located between the building and the river.

The car park is surfaced with tarmac and partially bordered on three sides by a coursed masonry wall likely to be contemporary with the library structure. A number of drain covers were noted in the car park, which indicates that services are present across the site.

No evidence for the route of the mill race through the northern portion of the site was noted during the course of the inspection, and no previously unrecorded sites of archaeological potential were noted.

4 CONCLUSIONS

The proposed development area is located at former Carnegie Library, Johns Quay, Kilkenny City. It is currently occupied by the Carnegie Library Building (RPS B113, NIAH 12000227). The proposed development area is located within the Zone of Archaeological Potential for the historic city of Kilkenny (KK019-026), which is a recorded monument. There are an additional six recorded monuments within the 100m study area of the proposed development area. St. John's Abbey is also a National Monument in State Guardianship and subject to a Preservation Order, c. 74m east of the proposed development area (Nat. Mon. 344 & 331, KK019-026068, Pres. Order 46/1936).

A review of the Excavation Bulletin (1970-2024) revealed that archaeological monitoring of duct trenching was carried out in a number of areas within Kilkenny City, including the car park within the proposed development area (Bennett 2001:703, Licence No. 01E0109). Works were also carried out at John's Barrack Lane, Evans House, and John's Bridge Street, outside of the proposed development area. Disarticulated human bone fragments, together with one broken decorated stone and a possible truncated wall foundation were recorded at Barrack Lane. There were remnants of cobbling noted outside the front of Evans House. In addition, several cut stone fragments that were most likely associated with St John's Priory were recorded in the grounds of Evans House. Nothing of significance was identified within the proposed development area.

Cartographic analysis has shown that the proposed development area is situated within the former domain of St Johns Augustinian Priory (KK019-026068), which was bordered by the town ditch/wall to the east and River Nore to the west. The cartographic sources show that the proposed development area was undeveloped greenfield prior to the construction of Carnegie Library in the early 20th century. A mill race (now culverted) runs along the north-eastern portion of the proposed development area and is visible on the historic mapping as early as Rocque's map of 1758.

A field inspection of the proposed development area has been carried out as part of the archaeological assessment. The site is characterised by the existing library structure and a large car park, which is bounded by a coursed masonry wall. No evidence of the mill race was noted during the inspection. The position of the development area, adjacent to the river and within the immediate proximity of recorded medieval activity, means the site can be considered as possessing high archaeological potential.

5 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. Upstanding archaeology can be affected adversely by direct damage or destruction arising from development, from inadvertent damage arising from vibration, undermining etc. and also by indirect impacts to a building's visual setting, view or curtilage.

5.1 IMPACT ASSESSMENT

- The proposed development will predominantly comprise the renovation and redevelopment of the existing library structure. Some ground disturbances may occur within the car park area as part of landscaping and required services. These excavations may have an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level.

5.2 MITIGATION

- It is recommended that all ground disturbances associated with the redevelopment of the former Carnegie Library be monitored by a suitably qualified archaeologist under licence to the National Monuments Service of the DoHLGH. 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.

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William Petty, Down Survey Map, Kilkenny Liberties, Parishes of St John's, County Kilkenny, c. 1655

John Rocque, *A Survey of the City of Kilkenny*, 1758

John Taylor, *County of Kilkenny*, 1802

Ordnance Survey maps of County Kilkenny, 1842, 1871 and 1903

ELECTRONIC SOURCES

www.excavations.ie – Summary of archaeological excavation from 1970–2023.

www.archaeology.ie – DoHLGH website listing all SMR/RMP sites.

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

www.geohive.ie– Ordnance Survey Ireland National Townland and Historical Map Viewer (including Aerial imagery 1995, 2000, 2005 and 2013)

www.googleearth.com – Satellite imagery (2005–2024).

www.apple.com/maps/ - Satellite imagery (2018)

www.booksulster.com/library/plnm/placenamesC.php - Contains the text from *Irish Local Names Explained* by P.W Joyce (1870).

www.logainm.ie – Placenames Database of Ireland, developed by Fiontar (DCU) and The Placenames Branch (DoTCAGSM).

APPENDICES

APPENDIX 1 SMR/RMP SITES WITHIN THE STUDY AREA

SMR NO.	KK019-026
RMP STATUS	Yes
TOWNLAND	Deansground, Collegepark, Jamesgreen, Maidenhill, Newpark Lower, Pennefatherslot, Walkinslough, Dukesmeadows
PARISH	St John. St. Canice, St. Patricks, St. Marys
BARONY	Kilkenny City
I.T.M.	Various
CLASSIFICATION	Historic town
DIST. FROM DEVELOPMENT	0m
DESCRIPTION	Zone of archaeological potential surrounding the historic core of Kilkenny City.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	KK019-026267
RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St. Johns
BARONY	Kilkenny City
I.T.M.	650780,656126
CLASSIFICATION	Graveslab
DIST. FROM DEVELOPMENT	26m northeast
DESCRIPTION	Reused as a building stone during the construction of the Evans' asylum, also known as Evan's Home, in 1818.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	KK019-026024
RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St. Johns
BARONY	Kilkenny City
I.T.M.	650807,656072
CLASSIFICATION	House - 16th/17th Century
DIST. FROM DEVELOPMENT	29m east
DESCRIPTION	File not available.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	KK019-026235
RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St. Johns
BARONY	Kilkenny City
I.T.M.	650849,656083
CLASSIFICATION	Graveyard
DIST. FROM DEVELOPMENT	40m east
DESCRIPTION	Graveyard of the 13th-century Augustinian priory of St. John the Evangelist (KK019-026068-) presently occupying the walled area (0.5 acres) to S and E of the priory church and is defined by Michael Street in E, Barrack Lane in W and John Street in S. An archaeological excavation (C000414), carried out by Claire Walsh in 2019 of an area (L 27m; Wth 1.8m) running N-S on Barrack Lane, uncovered the skeletal remains of c. 150 individuals (Claire Walsh pers. comm.). The burials were all in simple pits and orientated E-W with their heads to the W. The burials have been dated to the medieval period, possibly the 13th and 14th centuries.
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	KK019-026242
RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St. Johns
BARONY	Kilkenny City
I.T.M.	650844,656113
CLASSIFICATION	Tomb - Effigial
DIST. FROM DEVELOPMENT	70m east
DESCRIPTION	In a recess in the N wall of the roofless chancel of St John's Priory, Kilkenny (KK019-026068----). An effigial tomb (chest dims. L 2.21m; Wth 1.3m; H 0.72m; mensa H 0.11m) with the effigy of an knight (L 1.39m; Wth 0.7m; H 0.2m) and his wife (L 2.3m; Wth 0.5m; H 0.33m) on separate slabs. The knight is badly damaged, the head and feet are missing. Hunt (1974, vol. 1, 194-5; vol. 2, 155, 289) describes the armour as being, 'of Ossory type with a few minor differences. The trunk is protected by the usual pair of plates, the skirt of the habergeon appearing beneath. The arms are of plate, but the cowters are smaller than the usual Kilkenny variety and have a small rondel over the cubitus. There are articulating plates above and below. The gauntlets have short tight cuffs pointed below with fluting in chevron form on the back of the hands, giving the pieces a gothic appearance. The leg defences also have a more gothic feeling than the type, with a pronounced keel down the cuisses and greaves and are of a narrower and more elegant form than is usual. The poleyns are of simple outline, articulating twice above and below. The neck and shoulders are protected by a pisane, with besagews on the shoulder points. The sword hangs

	<p>across the body from a strap over the right shoulder, as at Gowran. The hilt has a drooping cross, with disproportionately large disc-like terminations, and a small ovate pommel'. The figure of the woman is well preserved. She is described by Hunt (ibid. 195) as wearing, 'a long gown with tubular folds and with a V-neck. The tight sleeves are buttoned nearly to the shoulder. The gown is belted with a wide girdle ornamented with quatrefoils, and over the gown she wears a mantle thrown far back from the shoulders to mid-arm. On her head is a heart-shaped head-dress, the central kerchief decorated with leafage, below which a finely pleated barbe falls from either side and beneath her chin suggesting that she was a widow. On the folds of her dress is an inscription, which is continued upon the mensa of the tomb and of her husband's tomb'.</p> <p>The inscription, in raised Black Letter script, is transcribed by Carrigan (1905, vol. 3, 256) as, 'Hic ja.... Purcell quondam..... Obiit [] die m..... Hic jacet et Johanna Purcell uxor eius q[ui] obiit vi die me[n]sis [] A. D. mcccc' and translated as, 'Here lies ... Purcell formerly ... died.... Here also lies Johanna Purcell his wife who died the 6th of [] A. D. 1500'.</p> <p>The front panel of the tomb is carved with seven ogee-headed niches with decorated spandrels. Each niche contains the figure of an apostle, with their names carved on either side of their heads. Described by Hunt (ibid. 195; vol. 2, 289), 'On the dexter stands St Peter holding two keys in his right hand and a book in his left, a loop of his gown held under the left arm. This figure is partly carved on the return of the dexter end-slab. The second niche has a figure of St Andrew holding his saltire cross in both hands. The third niche contains a figure of St James Major with his pilgrim's hat, staff and purse. The central niche contains the figure of St John holding a chalice in his left hand and with his right extended on his breast. The fifth figure is St Thomas with a spear held in the right hand angularly across the body. The next figure is St James Minor with a saw in this right hand and book in his left and the last niche has a figure of St Philip holding a cloth before him, with both hands, containing five loaves'.</p> <p>'The end-slab at the feet is carved with two niches containing figures of St Bartholomew and St Simon, each carved with their names on a scroll behind their heads and with their respective attributes, a flesher's knife and a pole-axe or sparth' (ibid., vol. 2, 290).</p> <p>'The head-end is carved on the dexter side with the figure of an archbishop blessing and holding a cross-staff and with decorated pointed mitre under a canopy with foliage. Unfortunately, he has no label. On the sinister is a broad panel carved with a Crucifixion, Christ crucified with a voluminous perizonium flaring out on either side between the figures of Our Lady and St John. The Virgin has a pleated gown with a large veil and clasped hands, St John on the sinister in a gown of the same pleated form with a cloak, holding one end in the right hand as if to wipe away his tears. Above the arms of the cross are four rectangles carved in relief with roses and quatrefoil floral decoration' (ibid., vol. 2, 291).</p> <p>This effigial tomb can be attributed to the O'Tunney workshop (ibid. 195-6).</p>
REFERENCE	www.archaeology.ie/ SMR file
SMR NO.	KK019-026068

RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St. Johns
BARONY	Kilkenny City
I.T.M.	650847,656111
CLASSIFICATION	Religious House - Augustinian Canons
DIST. FROM DEVELOPMENT	74m east
DESCRIPTION	<p>The priory of the Augustinian canons of St John the Evangelist occupied much of the medieval walled suburb of St John's which was located on the E bank of the River Nore. It consisted of an area of c. 2 acres within a walled precinct, currently defined by Back Lane to the N, the town wall/Michael Street to the E, John Street to the S and the mill-stream 'the Little River', c. 25m E of the Carnegie Library on John's Quay, to the W. There were several gateways into the precinct, including St Michael's Gate at the W end of Michael Street, Cart Gate mid-way along Back Lane and it is likely that there was also an entrance from John's Street (Bradley 2011, 336, 340).</p> <p>The priory was founded by the earl of Pembroke William Marshal to replace the earlier, possibly pre-Anglo-Norman, St. John the Evangelist's Hospital, which is thought to have been sited around Green's Bridge to the N (Egan 1884, 260-3; Carrigan 1905, Vol. 3, 243; Gwynn and Hadcock 1970, 182; Farrelly et al. 1993, 62; Bradley 2000, 13; Bradley 2011, 318-19). The precise foundation date of St John's is not known but it would appear that its new lands were allocated by 1211 and its original grant was confirmed by a charter from William Marshal the younger c. 1223 (McNeill 1931, 63; Ledwich 1781, 528-9; Bradley 2005, 65 n. 9). In the charter, the younger Marshal granted to the Augustinian brothers the site, 'in honour of God and St John the Evangelist and to sustain the poor and indigent'. The church consisted of a nave and chancel in the 13th century, with a tower at the junction which may have been built slightly later (Bradley 2011, 331). A Lady Chapel was added to the priory church in 1290 and in 1325 the priory was substantially rebuilt; the bell tower collapsed in 1329-1330 and was probably rebuilt in the 15th century (Bradley 2000, 13; Bradley 2011, 319, 331-2). Place's c. 1698 drawing of Kilkenny, from the SW, shows St John's with a long nave, with a series of what appear to be lancet windows, a substantial tower and a chancel (Bradley 2011, 331).</p> <p>Following the surrender of the priory to the commissioners in March 1540 its property and lands were granted to the Corporation and citizens of Kilkenny and like the rest of the city's monastic holdings these were subsequently parcelled out amongst the ruling oligarchy (White 1943, 178; Gwynn and Hadcock 1970, 182; Bradley 2011, 322). The precinct and its possessions in the town were described at this time as follows:</p> <p>'a church, belfry and cemetery, a hall, dormitory, six chambers, a kitchen, store, granary, two orchards, three gardens and sundry other closes, containing four acres, within the precincts of the priory; also ... twenty four messuages, thirty-three gardens, one hundred acres of arable land, twenty of pasture, ten of meadow and ten of wood; a water-mill, a pigeon house, and 3s annual rent, with the appurtenances in Kilkenny, of the yearly value, beside all reprises, of 14s 4d. ...' (Archdall 1786, 370).</p>

Its total holdings at the Dissolution amounted to over 240 acres, a grange, ten messuages, 40 gardens, the Maudlin mill, a wood called 'Chanons grove' with 200 acres of land adjoining and a further 200 acres in Drakelands as well as an interest in eight churches (Egan 1884, 262; Gwynn and Hadcock 1970, 182). In 1615 the nave and chancel of St John's priory was in ruins and by 1628, when it is recorded in a rental roll, its precinct and lands were in the ownership predominantly of the Rothe, Archdekin, Shee and Langton merchant families (Ledwich 1781, 403-4; Bradley 2011, 328-31). The rental (reprinted by Edward Ledwich) provides information on some of the buildings that occupied the site at this time: 'two chambers in the cloister of St. John's and orchard near the cloyster', 'the cart gate, castle, and out stall in St. John's cloyster', 'the bake-house at St. John's and the Prior's fires', 'chapter house within the cloyster' and 'rooms from the entry of St. John's Abbey towards the outer St. John's gate' (Ledwich 1781, 403-4).

Analysis of the rental and Kilkenny Corporation leases, as well as a limited amount of information yielded from archaeological excavations, allows the general layout of the main priory precinct after the Dissolution, and by extension much of its medieval layout, to be reconstructed (Bradley 2011, 331-43). The church, positioned just S of centre, dominated the precinct. The chapter house was located immediately N of the crossing tower and the cloister occupied the position immediately N of the nave (ibid. 332). The W range of the cloister housed the prior's chambers at ground-floor level and the dorter or dormitory of the canons on the first-floor (ibid. 334). Portion of the rib-vaulted ground-floor of the NE angle of the W range survives. Within a pointed arched recess there is a pointed doorway, now blocked up, exiting to the N, and another, also blocked up, exiting to the E, to the former cloister.

The N range may have originally housed the kitchen and rectory, however, post the Dissolution the kitchen and rectory occupied only the NW angle of the cloister, extending northward, with a stable in the central part of this range and a chamber attached to the E (ibid. 333). A bake-house, brew house and barn were located in the N portion of the precinct, with a lime-kiln in the NE angle (ibid. 335-8). The vicar occupied a chamber immediately W of the church and S of this there was a hospital, possibly at 19-21 John Street Lower, which was sited in the SW corner of the precinct (ibid. 338-9). There were also gardens within the precinct to supply the needs of the kitchen and the infirmary (ibid. 340-41). The graveyard (KK019-026235-) is located S of the church. Bradley (2011, 333) mentions that there are several references in the 16th century, 'to at least six houses, two of one bay, one of two bays, and two of four bays, between the churchyard [graveyard] and the street, none of which survive above ground level, as well as a house adjoining St Michael's Gate on the E side. The priory also owned property outside the boundary of the precinct, including orchards immediately to the W (ibid. 334, 341-3).

In 1645 a Jesuit chapel and college were briefly established at the priory but in the late 17th-century much of the nave of the church, with its two square towers, and many of the domestic buildings were levelled and the materials used to construct a military barracks, which was in turn converted into an asylum in 1818 (Bradley 2000, 22; Clohosey 1946-7, 62). Today, most of the chancel, the Lady Chapel (incorporated into the

	<p>present St John's C of I church in 1817), a fragment of the nave, as well as parts of the W range survive above ground level (Farrelly et al. 1993, 58). The priory church is constructed of limestone rubble roughly coursed and is orientated NE-SW (described as E-W for convenience). A late 18th-century illustration by Wheatley (https://catalogue.nli.ie/Record/vtls000550645; accessed 5 April 2022), viewed from the E, shows the E gable and the E end of the S wall of the roofless chancel with the E gable and S wall of the roofless Lady Chapel in the foreground. The E gable of another smaller building is depicted projecting from the W end of the S wall of the Lady Chapel. The chancel survives as depicted. It has a clasping buttress on the NE and SE angle. The E gable is dominated by two sets of graded three-light cusped trefoil-pointed windows, the central window of each set being higher. Externally the window heads have hood-mouldings with decorative label-stops, including head-stops. There are two relieving arches, one over each tripartite arrangement. Centrally placed in the gable above these windows is a quartrefoil window and above this there is a narrow flat-headed single-light window with external chamfer. Internally both tripartite arrangements are set within moulded rear-arches carried on banded shafts.</p> <p>Leask (1966, vol. 2, 109) suggests that the E window grouping is stylistically too early.</p>
REFERENCE	www.archaeology.ie/ SMR file

SMR NO.	KK019-026071
RMP STATUS	Yes
TOWNLAND	Gardens
PARISH	St Johns
BARONY	Kilkenny City
I.T.M.	650845,656024
CLASSIFICATION	Bridge
DIST. FROM DEVELOPMENT	85m southeast
DESCRIPTION	File not available
REFERENCE	www.archaeology.ie/ SMR file

APPENDIX 2 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 the Department of Housing, Local Government and Heritage) 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.

Kilkenny City and County Development Plan 2021–2027

Objectives:

9C To protect archaeological sites and monuments (including their setting), underwater archaeology, and archaeological objects, including those that are listed in the Record of Monuments and Places, and in the Urban Archaeological Survey of County Kilkenny or newly discovered sub-surface and underwater archaeological remains.

9D To carry out further research on the eighteen archaeological landscapes as identified in the Preliminary Audit of Archaeological Landscapes in County Kilkenny.

9E To develop an enhanced policy framework for the three priority sites identified in Section 9.3.1.1 above, plus for any additional sites identified through Objective 9D above.

The plan lists a number of development management standards:

- Endeavour to preserve in situ all archaeological monuments, whether on land or underwater, listed in the Record of Monuments and Places (RMP), and any newly discovered archaeological sites, features, or objects by requiring that archaeological remains are identified and fully considered at the very earliest stages of the development process and that schemes are designed to avoid impacting on the archaeological heritage.
- To require archaeological assessment, surveys, test excavation and/or monitoring for planning applications in areas of archaeological importance if a development proposal is likely to impact upon in-situ archaeological monuments, their setting and archaeological remains.
- Ensure that development within the vicinity of a Recorded Monument is sited and designed appropriately so that it does not seriously detract from the setting of the feature or its zone of archaeological potential. Where upstanding remains of a Recorded Monument exist a visual impact assessment may be required to fully determine the effect of any proposed development.
- Require the retention of surviving medieval plots and street patterns and to facilitate the recording of evidence of ancient boundaries, layouts etc. in the course of development.
- Safeguard the importance of significant archaeological or historic landscapes from developments that would unduly sever or disrupt the relationship, connectivity and/or inter-visibility between sites.

APPENDIX 3 IMPACT ASSESSMENT AND 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 2022). 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 4 MITIGATION MEASURES AND 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.

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, inter-tidal zone or underwater. If such archaeological remains are present field evaluation defines their character, extent, quality and preservation, and enables an assessment of their worth in a local, regional, national or international context as appropriate’ (ClfA 2020a).

Full Archaeological Excavation can be defined as ‘a programme of controlled, intrusive fieldwork with defined research objectives which examines, records and interprets archaeological deposits, features and structures and, as appropriate, retrieves artefacts, ecofacts and other remains within a specified area or site on land, inter-tidal zone or underwater. The records made and objects gathered during fieldwork are studied and the results of that study published in detail appropriate to the project design’ (ClfA 2020b).

Archaeological Monitoring can be defined as ‘a formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons. This will be within a specified area or site on land, inter-tidal zone or underwater, where there is a possibility that archaeological deposits may be

disturbed or destroyed. The programme will result in the preparation of a report and ordered archive (ClfA 2020c).

Underwater Archaeological Assessment consists of a programme of works carried out by a specialist underwater archaeologist, which can involve wade surveys, metal detection surveys and the excavation of test pits within the sea or riverbed. These assessments are able to access and assess the potential of an underwater environment to a much higher degree than terrestrial based assessments.