

11 Conservation of the Archaeological and Architectural Heritage



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Vision: The Council recognises that Dún Laoghaire-Rathdown has an outstanding built heritage, both archaeological and architectural, with the second highest concentration of protected structures in the Country. The Council is committed to ensuring that this heritage plays its part in the future sustainable development of the County.

11.1 Introduction

Past generations have left their mark on the towns, villages, countryside and coastline of Dún Laoghaire-Rathdown. This legacy is collectively referred to as the County's 'Built Heritage'. In Dún Laoghaire-Rathdown this encompasses an inventory of features and elements such as harbours, piers, boat slips, bridges, quarries, Martello Towers, Victorian terraces, Georgian houses, public buildings, street furniture, churches, castles, schools, yacht clubs, and a range of domestic architecture.

The conservation and enhancement of the County's built heritage has the potential to contribute greatly to general 'quality of life' issues and helps generate a 'sense of place'. The Council is committed to ensuring that this heritage plays a part in the future sustainable development of the County. A key issue in the County Development Plan is how these significant elements are protected, while, at the same time, allowing for their appropriate reuse and enhancement. Protection of the historic environment is not about preventing change. Rather it is about providing the appropriate tools and mechanisms through the County Development Plan, to manage change in a positive way, so that it enhances rather than diminishes the historic environment.

11.2 Archaeological Heritage

11.2.1 Introduction

Dún Laoghaire-Rathdown has a rich archaeological heritage, which has left its traces in the landscape.

This heritage includes structures, constructions, groups of buildings, moveable objects, developed sites and all recorded monuments (as well as their contexts) whether situated on land or underwater. The Council fully recognises its role in protecting this resource for future generations to enjoy.

The European Convention on the Protection of Archaeological Heritage (Valetta, 1992) was ratified by Ireland in 1997. The archaeological heritage of the County is protected by the National Monuments Acts 1930-2004 and is comprised of:

- Recorded sites and features of historical and archaeological importance included in the Record of Monuments and Places (RMP).
- Registered sites and features of historical and archaeological importance included in the Register of Historic Monuments, as established under Section 5 of the National Monuments Act, 1987.
- National Monuments in State Ownership or Guardianship.
- National Monuments, which are the subject of Preservation Orders.
- All previously unknown archaeology that becomes known (e.g. through ground disturbance, fieldwork, or the discovery of sites underwater).

The Department of the Environment, Heritage and Local Government has set out guiding policies in the publication *'Framework and Principles for the Protection of the Archaeological Heritage'*, (1999) and part of the defining policy is that full account is taken of archaeological considerations in the wider planning and development process.

11.2.2 The Record of Monuments and Places (RMP)

The Record of Monuments and Places (RMP), was established under Section 12 of the National Monuments (Amendment) Act 1994. Structures, features, objects or sites listed in this Record are known as Recorded Monuments. The RMP is accompanied by a set of maps on which monuments are designated by a relevant reference number and denoted by a circle defining a Zone of Archaeological Potential.

The Record of Monuments and Places for Dún Laoghaire-Rathdown is listed in Appendix C-Schedule 2 of the Appendices Document accompanying this Written Statement. The qualities of archaeological and architectural interest are not mutually exclusive and certain structures may appear on both the Record of Monuments and Places and the Record of Protected Structures. All structures in Appendix C Schedule 2, with the exception of those highlighted as "May contain Protected Structures", are also defined as Protected Structures. Accordingly, these structures are protected by both the National Monuments

Acts and the Planning and Development Act 2000, as amended.

11.2.3 Policy AH1: Protection of Archaeological Heritage

It is Council policy to protect archaeological sites, National Monuments (and their setting), which have been identified in the Record of Monuments and Places (RMP), whilst at the same time reviewing and assessing the feasibility of improving public accessibility to sites and monuments under the direct ownership or control of the Council or of the state.

11.2.4 Policy AH2: Protection of Archaeological Material In Situ

It is Council policy to seek the preservation in-situ (or, as a minimum, preservation by record) of all archaeological monuments included in the Record of Monuments and Places, and of previously unknown sites, features and objects of archaeological interest that become revealed through development activity. In respect of decision making on development proposals affecting sites listed in the Record of Monuments and Places, the Council will have regard to the advice and/or recommendations of the Department of the Environment, Heritage and Local Government.

The Council will strictly control development proposals that could have a negative impact on the significance of archaeological sites and

monuments, their setting and/or interpretation. Landuses shall not give rise to significant losses of the integrity, quality or context of archaeological material - except as may be conditioned or directed by the appropriate heritage agencies. This shall be achieved by the application of appropriate design standards and criteria.

11.2.5 Policy AH3: Protection of Historic Towns

It is Council policy to protect the Historic Town of Dalkey as identified by the Department of Environment, Heritage and Local Government.

Dalkey, an historic town, has been designated by the Department of the Environment, Heritage and Local Government as a Zone of Archaeological Potential, and is an area where intense archaeology is present.

The redevelopment of the historic town of Dalkey will include as far as is practical the retention of the existing street layout, historic building lines and traditional plot widths where these derive from medieval or earlier origins.

The historic core of Dalkey has also been designated as an Architectural Conservation Area, with specific policy recommendations formulated to protect its special character and guide its future development.





11.2.6 Policy AH4: Designation of Archaeological Landscapes

It is Council policy to identify, designate and protect Archaeological Landscapes in co-operation with relevant government departments.

Following consultation between the Department of the Environment, Heritage and Local Government and the Council, areas that contain several Recorded Monuments or very important sites will be designated as Archaeological Landscapes.

11.2.7 Policy AH5: Historic Burial Grounds

It is Council policy to protect historic burial grounds within the County and encourage their maintenance in accordance with good conservation practice.

There are numerous ecclesiastical sites dotted throughout the County which are of significant archaeological interest, many of which are listed in the Record of Monuments and Places.

11.2.8 Policy AH6: Underwater Archaeology

It is Council policy for all developments, which have the potential to impact on riverine, intertidal and sub-tidal environments to require an archaeological assessment prior to works being carried out.

Under the National Monuments Acts all shipwrecks over one hundred years old, and other underwater archaeological structures, features and objects are protected.

11.3 Architectural Heritage

11.3.1 Introduction

Dún Laoghaire-Rathdown has a diverse architectural heritage that is reflected in the significant number of areas of special character, which are defined as Architectural Conservation Areas, and the very high number of Protected Structures.

The Convention for the Protection of the Architectural Heritage of Europe (The Granada Convention), drawn up by the Council of Europe, was ratified by Ireland in 1997. The national legislative provision for the protection of architectural heritage was subsequently introduced and implemented in the form of the Planning and Development Act, 2000. Part IV of the Act provides the legislative basis for the protection of architectural heritage. To complement this, the Department of the Environment, Heritage and Local Government issued "Architectural Heritage Protection Guidelines for Planning Authorities". While primarily aimed at planning authorities, these Guidelines also offer assistance and advice to owners and occupiers of Protected Structures, and buildings within Architectural Conservation Areas.

11.3.2 Policy AR1: Record of Protected Structures

It is Council policy to compile and maintain a Record of Protected Structures and will include in the Record every structure or parts of such structures which, in the Planning Authority's opinion, are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. The Council will ensure that interventions to Protected Structures shall have regard to the Department of Environment, Heritage and Local Government document "Architectural Heritage Protection Guidelines for Planning Authorities" (2004).

A Protected Structure, unless otherwise stated, includes the interior of the structure, the land lying within the curtilage of the structure, any other structures lying within that curtilage and their interior, all fixtures and features which form part of the interior or exterior of that structure. The protection also extends to any features specified as being in the attendant grounds.

The inclusion of a structure in the Record of Protected Structures does not preclude development of and/or extension to that structure provided that the special interest of the structure is duly recognised and not compromised. While not defined by legislation, curtilage is taken to be the parcel of ground immediately associated with the Protected Structures. In deciding what comes within the curtilage of a Structure, due regard will be had to Paragraph 13.1 of the Architectural Heritage Protection (2004) Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government. Curtilage can be defined on a case-by case basis by the Planning Authority, under Section 57 Declaration of the Planning and Development Act 2000 at an owner's request.

The Record of Protected Structures is listed in Appendix C Schedule 1 of the Appendices booklet accompanying this Written Statement and is shown on the County Development Plan Maps. Appendix 16 of the Written Statement contains Development Management Considerations for development proposals affecting or potentially affecting Protected Structures. (See also Section 16.9.1).

11.3.3 Policy AR2: National Inventory of Architectural Heritage (NIAH)

It is Council policy to consider further amendments to the record of Protected Structures following the publication of the National Inventory of Architectural Heritage of the County.

The Department of the Environment, Heritage and Local Government is responsible for carrying out surveys of the architectural heritage on a county-by-county basis. Buildings included in these surveys are recommended for inclusion by the Minister on

to the Record of Protected Structures. Following the publication of the NIAH of the County, and any subsequent Ministerial recommendations, the Council will consider further amendments to the Record of Protected Structures.

11.3.4 Implications of Designation & Section 57 Declarations

Under the planning system, many minor works to structures do not normally require planning permission. These works are known as exempted development. However for a Protected Structure, such works can be carried out without planning permission only if the works would not affect the character of the structure, or any element of the structure which contributes to its special interest.

Under Section 57(2) of the Planning and Development Act, 2000, owners and occupiers proposing to carry out any works to a Protected Structures can seek a declaration from the Planning Authority. A declaration issued under this section sets out the type of works which would or would not materially affect the character of the structure or any element of the structure which contributes to its special interest.

11.3.5 Policy AR3: Funding & Assistance for Protected Structures

It is Council policy to continue to administer a prioritised scheme of Conservation Grants for owners and occupiers of Protected Structures as resources permit.

The Council administers a Scheme of Conservation Grants for owners and occupiers of Protected Structures. This grant is subject to the availability of funds from the Department of Environment, Heritage and Local Government and qualifying works in accordance with good conservation practice. Applications are assessed according to a Scheme of Priorities based on the importance and urgency of the works. Additional sources of funding, which may be availed of include the Civic Structures Grant Scheme, the Heritage Council's Buildings at Risk Scheme and Section 482 of the Taxes Consolidation Act.

11.3.6 Policy AR4: Protection of Buildings in Council Ownership

It is Council policy to carry out an audit and assess the condition of all Protected Structures within the Council's ownership and/or control, and to devise a prioritised management/maintenance plan for these Structures.

The Council will demonstrate best conservation practice with regard to Protected Structures, Recorded Monuments and elements of architectural heritage in its ownership and care.

11.3.7 Policy AR5: Energy Efficiency of Protected Structures

It is Council policy to have regard to any future advisory documents issued by the Department of the Environment, Heritage, and Local Government and existing international guidance on energy efficiency of historic buildings to ensure that best conservation practice is followed.

In the interest of preserving the character of Protected Structures, the enhanced thermal performance requirements (Part L) of the Building Regulations do not apply to works (including extensions) of buildings included on the Record of Protected Structures.

Notwithstanding the exemptions, in the overall interest of promoting sustainability, the Council recognises the need to balance the requirements of improving energy efficiency, provided that the retrofitting of energy efficiency measures does not harm the special interest of the Protected Structure.

11.3.8 Policy AR6: Protection of Historic Street Furniture

It is Council policy to promote the retention of historic items of street furniture where these contribute to the character of the area.

Items of street furniture can be important elements in establishing the character and interest of our streetscapes and rural landscape. Such items could include bollards, railings, street signs, post boxes, telephone kiosks, horse troughs, water pumps, jostle stones, milestones, cobbles and setts, coal hole covers, weighbridges, plaques and granite kerbing. (See also Chapter 15).

11.3.9 Policy AR7: Protection of Coastline Heritage

It is Council policy to promote the retention of features of the County's coastal heritage where these contribute to the character of the area.

The 17km coastline of Dún Laoghaire-Rathdown is central to the development and identity of the county. Historically, the coastline has been used for a wide variety of purposes- amenity, recreation, commercial, industrial, sporting, military etc. Much of the coastline is now predominantly man-made and reflects the relationship between the people and the sea. A wide range of coastal buildings and structures are currently on the Record of Protected Structures. These include Dún Laoghaire Harbour, the smaller harbours at Coliemore and Bullock, the Martello Towers and associated gun batteries, as well as private residences. There are many other, generally smaller, features and structures such as slipways, bathing structures, steps and informal or small landing jetties, seawalls and follies that are also part of the coastal built heritage. While many of these are not afforded statutory protection they

do add to the overall visual richness of the County's coastal landscape.

11.3.10 Policy AR8: Architectural Conservation Areas (ACA)

It is Council policy to protect the special character of places, areas, groups of structures or townscapes, which have been designated as Architectural Conservation Areas.

Many of the towns and villages of Dún Laoghaire-Rathdown contain areas which exhibit a distinct character and intrinsic qualities, based on their historic built form and layout. This character is often derived from the cumulative impact of the area's buildings, their setting, landscape and other locally important features developed gradually over time. The Planning and Development Act, 2000 provides the legislative basis for the protection of such areas, known as Architectural Conservation Areas. Under this Act, an Architectural Conservation Area is defined as a place, area, group of structures or townscape that is of special architectural, historical, archaeological, artistic, cultural, scientific, social, technical interest or value, or contributes to the appreciation of Protected Structures.

While the purpose of the designation is to protect and enhance the special character of the area, this does not preclude any appropriate forms of development. The Council will actively encourage high quality infill development within these areas, if it will enhance their intrinsic character.

Chapter 16 of the Written Statement contains Development Management Considerations for Development in Architectural Conservation Areas. These areas are listed in Appendix C-Schedule 3 of the Written Statement.

11.3.11 Implications of Designation

The designation of an Architectural Conservation Area has the effect of de-exempting works to the exterior of any structure where they would, in the opinion of the Planning Authority materially affect the character of the area, and therefore the works will require planning permission. Repair or refurbishment works which do not materially affect the external character will not require planning permission.

The Architectural Conservation Area designation does not prevent internal changes or re-arrangements provided that these changes do not impact on the exterior appearance of the structure.

Architectural Conservation Areas

WHAT IS AN ARCHITECTURAL CONSERVATION AREA (ACA)?

The 2000 Planning and Development Act provides the legislative base for the designation of Architectural Conservation Areas (ACAs). Under Part IV of this Act, an ACA is defined as 'a place, area, group of structures or townscape, taking account of building lines and heights, that:

- is of special architectural, historical, archaeological, artistic, cultural, social or technical interest or value, or
- contributes to the appreciation of protected structures'

The Planning Act provides that all development plans must now include objectives for conserving the character of ACAs.



ABOVE: A view of Royal Terrace in Dún Laoghaire.

WHAT'S THE DIFFERENCE BETWEEN A CONSERVATION AREA AND AN ARCHITECTURAL CONSERVATION AREA (ACA)?

Prior to the commencement of the 2000 Planning and Development Act a number of local authorities including Dún Laoghaire Rathdown County Council had designated non-statutory conservation areas. The 2000 Act places Architectural Conservation Areas on a statutory footing.

WHAT TYPES OF AREAS CAN BE CONSIDERED FOR ACA STATUS?

A wide variety of areas can be considered for designation as an Architectural Conservation Area (ACA). For example, an ACA could include a terrace of houses or buildings surrounding a square, or any group of buildings, which together give a special character to an area. Dún Laoghaire Rathdown County Council has initiated the process of establishing ACAs in its functional area through the adoption of a scheme of priorities. This scheme is based on assessing the existing Conservation Areas within the county as set out in schedule 3 of the County Development Plan 2004-2010. The first scheme of priorities was adopted by the council members at a special meeting in May 2004. The first areas assessed as possible ACAs are: Clarinda Park, Crosthwaite Park, Royal Terrace, Dalkey, Foxrock, the Pembroke Estate cottages in Dundrum and the Pembroke Estate cottages in Rooterstown. The areas have been assessed in accordance with the Department of the Environment, Heritage and Local Government Architectural Heritage Protection Guidelines for Planning Authorities, 2004.

PURPOSE OF THE DESIGNATION OF AN ACA

The purpose of an ACA designation is to protect and enhance the special character of the ACAs and its objectives are to:

- Ensure that all proposed developments are carried out in a manner sympathetic to the special character of the area.
- conserve, restore, and rehabilitate the existing building stock in the area.

Dún Laoghaire Rathdown County Council recognises that by making provision for the protection of these areas, that in order to retain the special character of an area, in many cases, this protection is best achieved by controlling and guiding change on a wider scale than the individual structure. The aim is to conserve these historic areas by guiding their evolution in a way that protects their special and distinctive qualities, and will over time add new ones.



ABOVE: A view of the Pembroke Cottages in Maze Street, Dundrum.

PREPARATION FOR DESIGNATION OF AN ACA

The designation of an ACA involves an 11-step process as outlined in the Department of the Environment, Heritage and Local Government Architectural Heritage Protection Guidelines for Planning Authorities. These include the establishment of the boundaries of the ACA, a comprehensive character assessment of the area, and following this, public consultation, in advance of formulating precise policies that relate to the area. Following the public consultation, the ACA may be adopted as is, or revised to take account of any objections or suggestions received. The ACA formally comes into existence when the variation of the development plan is adopted by the elected members. The panel adjacent outlines step by step the process involved for designating an ACA.



ABOVE: Cast-iron entrance gates to the park in Royal Terrace.

DEVELOPMENT CONTROL IN AN ACA

In an ACA the carrying out of works to the exterior of a structure will be exempted development only if those works would not materially affect the character of the area. Dún Laoghaire Rathdown County Council will formulate policies and development control objectives for each ACA. The aim is to guide the process of change within the area in order that future development will continue to contribute to the distinctive character of the ACA.

WHERE CAN I GET FURTHER INFORMATION ON ACAS?

The law governing ACAs is set out in the Planning and Development Acts 2000 and 2001 and the Planning and Development Regulations 2000 to 2002 which may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2 or downloaded from www.environ.ie. For further information on ACAs and the built heritage in the Dún Laoghaire Rathdown area contact the Conservation Division, Dún Laoghaire Rathdown County Council, County Hall, Marine Road, Dún Laoghaire (Tel: 01 2054700).



ABOVE: A view of the houses on Crosthwaite Park Street.

11.3.12 Policy AR9: Public Authority Works within Architectural Conservation Areas

It is Council policy to produce a Management Plan for public authority works within Architectural Conservation Areas. The placing underground of all electricity, telephone and TV cables within Architectural Conservation Areas and Candidate Architectural Conservation Areas should be sought.

Proposed infrastructural and public utility works within Architectural Conservation Areas should have regard to the retention of existing historic items such as street furniture. All proposed interventions including pavement and road surfaces, public lighting, signage and the placement and specification of street furniture should respect the existing character of the area.

11.3.13 Policy AR10: Candidate Architectural Conservation Areas

It is Council policy that within a Candidate Architectural Conservation Area, the Council will have particular regard to the impact of a proposed development on the character of the area in which it is to be placed. The preservation of the existing character of an area does not preclude all forms of development. All proposals for new development should preserve or enhance the character and quality of the environment within a Candidate Architectural Conservation Area.

A number of Conservation Areas were identified in the previous County Development Plan. These are now referred to as Candidate Architectural

Conservation Areas. The Council is committed to assessing these areas to determine if they meet the requirements and criteria for re-designation as Architectural Conservation Areas as set out in the Planning and Development Act, 2000 and the Department of the Environment, Heritage and Local Government, "Architectural Heritage Protection Guidelines for Planning Authorities".

These areas are listed in Appendix C-Schedule 4 of the Written Statement.

11.3.14 Policy AR11: Twentieth Century Architecture

It is Council policy to seek/promote the appropriate development of distinctive twentieth century buildings and estates to ensure that the special interest of the structure/estate is not compromised and to encourage an increased awareness and appreciation of the significance of high quality twentieth century architecture within Dún Laoghaire-Rathdown.

The architectural significance and heritage value of certain twentieth century buildings is often overlooked. This built inheritance is testament to the spirit of the machine age, advances in building technology and the use of man-made materials.

In recognition of the significance of twentieth century architecture, Dún Laoghaire-Rathdown has identified and included a number of buildings of this period onto the Record of Protected Structures.

11.3.15 Policy AR12: Vernacular Heritage – Renovation and Re-use of Locally Significant Buildings

It is Council policy to retain, where appropriate and encourage the rehabilitation and suitable reuse of the vernacular heritage and existing older buildings where appropriate, in preference to their demolition and redevelopment.

Vernacular heritage refers to buildings that have been built over the years by local people using local materials, and have generally evolved without having any involvement of architects or regard to formal styles or trends. These often modest structures, which primarily consist of domestic dwellings, mills, walls and outbuildings, make a positive contribution to the historic built environment of Dún Laoghaire-Rathdown. Much of this heritage, whilst not included on the Record of Protected Structures is considered to be of local interest and its loss and replacement can often diminish the character of an area.

Similarly, there are many existing older buildings, which also contribute to the built heritage of the County that are not included on the Record of Protected Structures or located within an Architectural Conservation Area. The reuse of these buildings can play a vital role in the sustainable development of the County. The retention of original windows, doors, roof coverings and other significant features that contribute to the character of the building and the overall area will be encouraged. (See also Sections 5.3.3, 5.3.4 and 16.3.4).

11.3.16 Policy AR13: Industrial Heritage

It is Council policy to promote the marketing and interpretation of industrial heritage sites and to encourage public awareness and appreciation of this heritage with a view to optimising its tourism potential. In respect to decision making on development proposals, the Council will have regard to those items identified in the Industrial Heritage Survey, listed in Appendix D of the accompanying Appendix Booklet.

The industrial heritage of Dún Laoghaire-Rathdown includes some sites of national, if not international importance. Dublin and Kingstown Railway for example was one of the first in the world, while the Atmospheric Railway was the first of its kind.

The chimney flue at Ballycorus lead mines is notable for its pioneering design, which reduced the extent of pollution emitted during smelting works. Another very significant site of industrial heritage is Dún Laoghaire Harbour, which is one of the largest harbours in the Country.

The industrial heritage of Dún Laoghaire also contains a wide range of elements, including transportation systems, such as, railway infrastructure, engineering structures such as bridges and viaducts, and small local items such as milestones and post boxes. These are listed in Appendix D.

