

C O U R T N E Y • D E E R Y

ARCHAEOLOGY & CULTURAL HERITAGE

Archaeological Desk Study

Western Way SHD

36-40 Dominick Street Upper,

Dublin 7.

Strategic Housing Development

For a

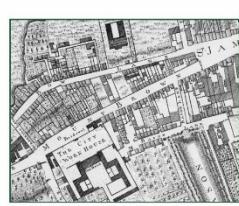
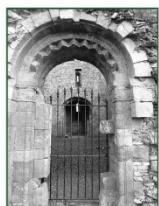
Shared Living Scheme

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For

Western Way Developments Ltd

26/11/2020



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APPENDIX 1 SUMMARY OF RELEVANT LEGISLATION

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EXECUTIVE SUMMARY

This report provides an archaeological baseline study for the client, Western Way Developments Ltd, to accompany an application for a Strategic Housing Development (SHD) a site at 36-40 Dominick Street Upper, Dublin 7. The development will comprise of a shared living scheme on a 0.32 hectare site, enclosed by Dominick Street Upper, Western Way and Palmerston Place.

The site is located adjacent to the former course of the Royal Canal and was the location of the 19th century Palmerston House. The site is occupied by Hendron's, a former showroom and workshop, the Hendrons Building (and western railings) and the boundary wall of the application site on Western Way are protected structures (RPS Nos. 8783 and 8483). The architectural heritage of the application site will be the subject of a separate report by Rob Goodbody (see Heritage Conservation Report).

There are no recorded archaeological sites within the site boundaries, and it lies outside of the Zone of Archaeological Potential for the City of Dublin (RMP no.: DU018-020).

The site functioned as agricultural land until c. 1840 and it is possible that cultivation ridges may survive as they have done at a nearby site on Granby Lane and Dominick Place. Palmerston House was constructed c. 1840, with associated geometric gardens. Cartographic evidence and adjacent houses on Dominick Street suggest there may have been a cellar. Evidence of this cellar, gardens and other structures within the application site may survive beneath the ground level, with the former site of the house now occupied by surfacing on the north and west of the site. The 1940's Hendron's building, however, may have truncated much of the surviving features on the southeast portion of the site.

An adjacent borehole was excavated approximately 6m from the site boundary, revealing possible natural subsoil at a depth of 1.2m (Licence no.: 11E0459; O'Donovan 2012). This depth may extend across the site, with the caveat that basement levels were dug into the subsoil.

It is recommended that archaeological monitoring of topsoil stripping be undertaken on the site in order identify and record subsurface remains of the 19th century Palmerston House and associated features, including basements, foundation levels and garden features.

1. INTRODUCTION

1.1. General

This report provides an archaeological baseline study for the client, Western Way Developments Ltd, to accompany an application for a Strategic Housing Development (SHD) for shared living scheme on a site at 36-40 Dominick Street Upper, Dublin 7. The development will comprise of a shared living scheme on a 0.3285 hectare site, enclosed by Dominick Street Upper, Western Way and Palmerston Place (Fig. 1).

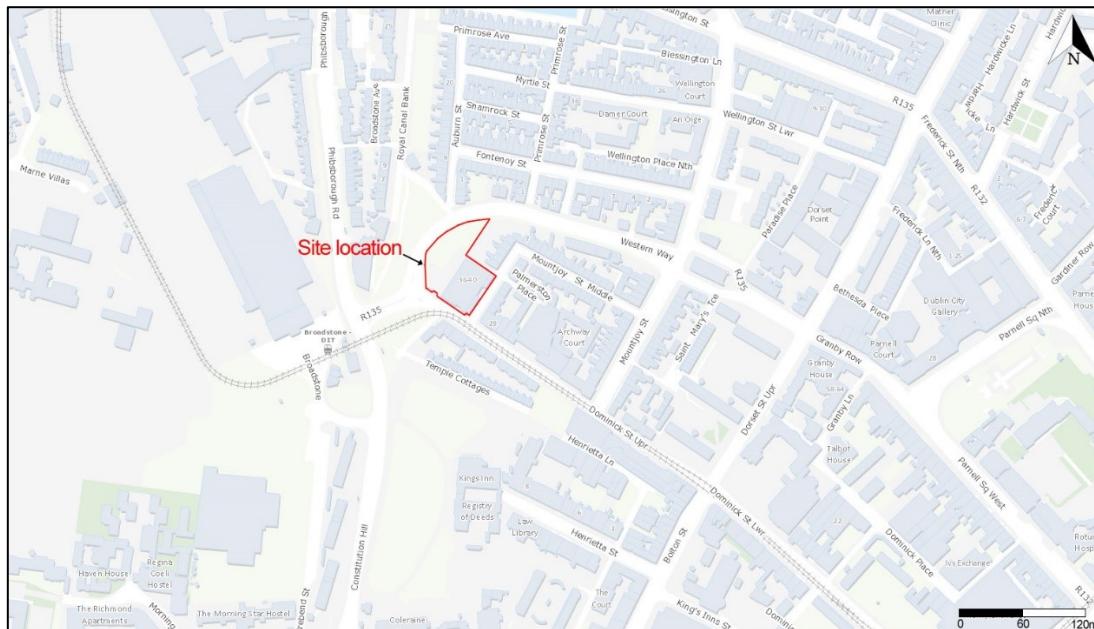


Figure 1 Site location

The site is located adjacent to the former course of the Royal Canal and was the location of the 19th century Palmerston House. The site is occupied by Hendron's, a former showroom and workshop which is recorded on the National Inventory of Architectural Heritage (NIAH survey no.: 50070389) and is enclosed on the north and west by a stone wall which is a protected structure (RPS no.: 8483; NIAH no.: 50070386). The architectural heritage of the application site will be the subject of a separate report by Rob Goodbody (see Heritage Conservation Report). The Hendron's building is located in the southeastern portion of the site, while the north and west are occupied by tarmacadam and concrete surfacing (Fig. 2).

There are no recorded archaeological sites within the proposed development site boundaries and it lies outside of the Zone of Archaeological Potential for the City of Dublin (RMP no.: DU018-020).



Figure 2 Google Earth Satellite image, 2018

1.2. Development description

The proposed development comprises demolition of the existing warehouse buildings and no. 36 Dominick Street Upper and retention of the Hendrons Building as part of an overall redevelopment of the site to accommodate a build-to-rent shared living scheme and publicly accessible neighbourhood uses (including café/shop, gym and yoga studios). The scheme will include; 280 no. shared living rooms (281. no bedspaces), internal and external amenity space over 5 no. blocks ranging in height from 5 no. storeys to 9 no. storeys, secure bicycle parking, site-wide landscaping, ESB substation and switch-room and site development works all on the 0.3285 hectare site. The site includes the Hendrons Building (and western railings) protected structure no. 8783 and the boundary wall of the application site on Western Way, protected structure no. 8483.

2. ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

2.1. Landscape

The application site is located within the Parish of St. George's, in the Barony of Dublin, but was historically part of the Barony of Coolock.

The area was drained by the Bradogue River, named after *Glas mo Canoc*, or Canoc's Stream, which is depicted on the Down Survey map of the Barony of Coolock (1655). Later maps are unclear as to the location of the river. It is depicted in the 1815 'Plan of the City of Dublin' (not shown) leading to the northwest corner of the Broadstone Harbour, and this is also shown on Duncan's map of 1821 (Fig. 6). It was culverted beneath the harbour as part of its development, but Duncan's map appears to show it re-emerging and flowing southwest of and parallel to Upper Dominick Street. Dublin City Council Drainage Drawings also suggest the culverted river is in that location (RPA 2013, 6).

Hachures on Duncan's map appear to suggest a valley associated with the river, with some of these hachures appearing within the application site. This would be supported by investigations in advance of the LUAS Cross City Development, which indicated a depth of over 9.3m of deposited material over the culverted river at Broadstone (Licence no.: 14E0018) and that it is contained within a red brick culvert 5m below current ground level under Constitution Hill (RPA 19). It appears, therefore, that the site occupied an elevated location, overlooking the Bradogue River and valley on the south. Even following the development of the area in the 18th and 19th centuries, contours on historical mapping (Figs. 9.,10, 12) illustrate that the application site was the highest point on Dominic Street, which would have made it a desirable location for the 19th century Palmerston House.

2.2. Prehistory

None of the nearby archaeological investigations have revealed evidence of prehistoric activity in the vicinity, nor are there any registered prehistoric monuments nearby. Rocque's map of 1756 (Fig. 5) shows an upright feature in an open field where King's Inns is now located and it has been speculated that this may have been a standing stone (Powell 2005, 5), although it may equally have been a later folly. Standing stones are often located at important points on routeways, such as approaches to fording points. Broadstone is named for the 'Broad Stone' which functioned as a man-made crossing point on the River Bradogue (RPA 2013), and it is possible that if it were a standing stone it may have been associated with a crossing point on the river.

2.3. Medieval Period

Constitution Hill, to the west of the application site, is thought to be a routeway of Early Medieval date and may have formed part of the *Slighe Midhluachra*, one of the five ancient roadways of Ireland, and it evidently crossed the River Bradogue at the 'Broad Stone'.

The application site is located approximately 700m west of the site of a potential Viking cemetery (RMP no.: DU018-020495). The site was recorded in an essay in the Dublin Magazine in June 1763 which referred to the discovery of human remains, spears, rivets and swords during the construction of the Rotunda Gardens, Cavendish Row and Granby Row, with further discoveries made on Parnell Square North (RPA

2014). Much of the activity related to the Battle of Clontarf in 1014 occurred inland at Clonliffe (Ball 1920, 153), and it is possible that this site represents a burial ground associated with the battle.

The lands north of the River Liffey would have been part of the lands of the medieval St. Mary's Abbey, but no features have been noted further north than Parnell Street where medieval cultivation ridges were identified at the junction of Moore Street and Parnell Street (Licence no.: 98E0357).

2.4. Post Medieval Period

Historical mapping (Section 4) indicates that the application site comprised of agricultural land until the 1830's. Dominick Street is named after Sir Christopher Dominick, who started building in the area in 1720. Construction began on the Dominick Street Lower portion after his death in 1743. Dominick Street Upper was developed from the 1820s, but remained largely undeveloped until the Broadstone railway terminus was built. It was quite an upmarket location, with much of it being part of the estate of Henry John Temple, third Viscount Palmerston and twice British Prime Minister. Palmerston House / Terrace, which occupied the application site, was one of his residences. He rarely visited Ireland, living principally in Brocket Hall in Hertfordshire and his London townhouse, Cambridge House, on Piccadilly in Mayfair. He also held an extensive estate in County Sligo. Palmerston House / Terrace was one of the first buildings constructed on the street, with further sites for villas and terraces offered in the 1860s.

Palmerston House was constructed between 1837 and 1843 on the highest point of Dominick Street and comprised of a long building with a south-westerly aspect (Figs. 8-12). It was accessed from Upper Dominick Street by a short series of steps, with another set of steps leading to the main entrance. The 1847 map (Fig. 9) shows ornate gardens to the front and rear, but these had been removed in favour of a simpler arrangement by 1864 (Fig. 10). Many of the houses on Dominick Street were designed with cellar / basement levels, and it is possible that Palmerston House would similarly have been constructed in this fashion, particularly given the presence of steps at the entranceway.

The Royal Canal Company was established to manage the construction of the Royal Canal north of the River Liffey. The main canal is located 950m to the north, with the Broadstone Branch extending southwards from the 5th lock at Cross Guns Bridge. The Broadstone Branch was completed in 1796, at which time construction of the harbour commenced. Height differences between Constitution Hill and the harbour at Broadstone required an aqueduct to be built, Foster Aqueduct, which carried the canal over the road to the harbour. The harbour opened in 1806, and canal was initially used for freight and passenger travel, with No. 1-2 Royal Canal Terrace functioned as a hotel for canal passengers and workers.

A Cholera epidemic affected Dublin in 1832, having spread from India through Russia and Europe from 1817. The garden of the Richmond Penitentiary at Grangegorman was reserved for use as an overflow cemetery in the event of an outbreak, and was consecrated when the epidemic struck. The neighbouring

Female Penitentiary was also used as a Cholera hospital at this time. Part of the cemetery was revealed in excavations in advance of the LUAS Cross City development (King-Moylan 1945, 57; Moraghan & Ruddy 206; O'Dowd & Moraghan 2017).

The Midland Great Western Railway (MGWR) developed a train station at Broadstone from 1841, and purchased the Royal Canal in 1845. The intention was to decommission the canal and use its bed for a new railway line, but they were required under the terms of the sale to maintain the canal and construct the railway lines parallel to the canal instead. Passenger access to the railway was provided over the canal by means of a floating pontoon bridge, constructed from 1846-1847. The canal eventually ceased trading in 1847, owing to the prohibitive cost of operation, allowing further development of the MGWR infrastructure. The MGWR terminus building was constructed in 1850, and a further expansion in 1870 involved the addition of a new boundary wall, railway sidings and an engine shed in land acquired from Grangegorman Prison. There are reports of the discovery of burials within these lands related to the 1932 Cholera epidemic, and excavation (O'Dowd & Moraghan 2017; Licence no.: 15E:0185) has shown that much of the cemetery was scarped back at this time, requiring the re-interment of the burials. In 1877, the MGWR was given permission to close 150 yards of the canal branch line and to construct a new forecourt for the train station by infilling the canal harbour. The remaining sections of the Broadstone Branch were infilled in 1927 (RPA 2013).

Western Way was created as a circulation route in 1878, linking Constitution Hill to the south-west with Mountjoy Street to the east. The new approach road was built over Foster aqueduct, which was no longer required after the decommissioning of the canal, with Saint Mary's Chapel of Ease, or the Black Church, as its eastern focal point. The road curves around the site of former Palmerston House at the north-west corner of Dominick Street Upper. The road is lined by fine cast-iron railings and granite gate piers (RPS no.: 8483; NIAH no.: 50070386), and initially functioned as a private, gated road. The aqueduct was demolished in 1951 (www.buildingofireland.ie; RPA 2013).

3. ARCHAEOLOGICAL SITES

3.1. RMP / SMR Sites

There are no registered monuments within the application site. The closest recorded monuments are a cluster of houses (RMP nos.: DU018-020516-8, DU018-020534) on Henrietta Street which date to the 18th century and are some of the earliest houses related to the expansion of the city into this area.

The application site lies outside of the Zone of Archaeological Potential for the City of Dublin (RMP no.: DU018-020) as the area was not developed until the 19th century, but parts of nearby Constitution Hill and Henrietta Street fall within this zone.

A possible Viking burial ground (RMP no.: DU018-020495) is located approximately 700m to the east in the vicinity of the Rotunda Gardens, Cavendish Row and Granby Row, but the exact location is unknown.

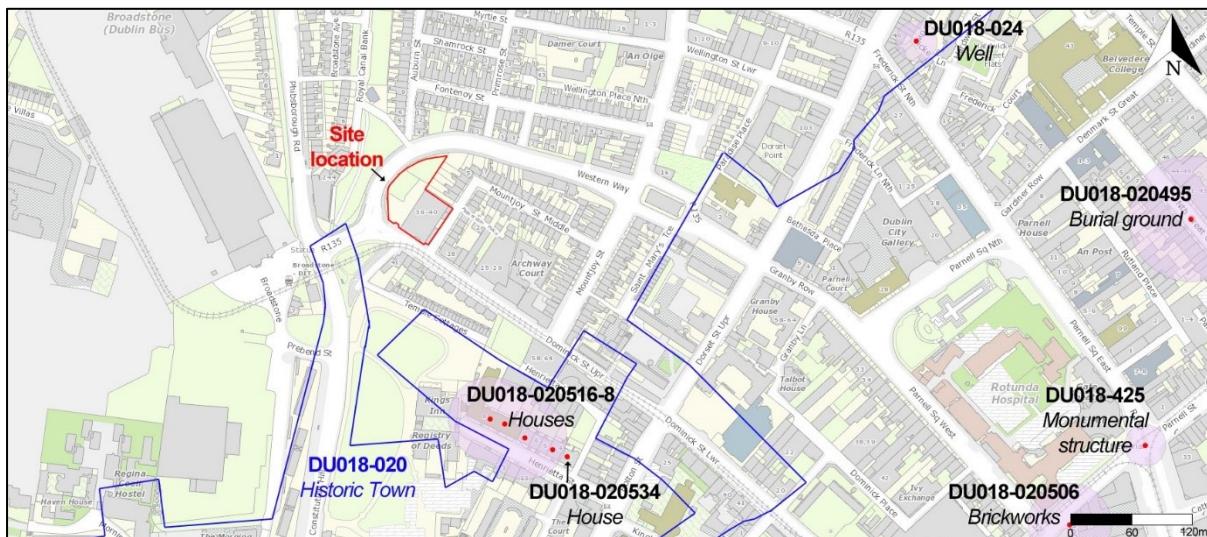


Figure 3 RMP / SMR sites

3.2. Archaeological Investigations

This area of Dublin City was undeveloped until the 18th century, and excavations in the vicinity have revealed features related to the Georgian streetscape and the industrialisation of the Broadstone area, including the remains of the Broadstone Branch of the Royal Canal and the subsequent development of the Midlands Great Western Railway. Excavation summaries are included in Appendix 2 of this report.

The development of the LUAS line adjacent to the application site involved considerable archaeological investigations, most notably at Broadstone (Licence nos.: 10E0090, 12E0310, 14E0018, 14E0410, 15E0185, 15E0271, 15E0337). The Broadstone Branch of the Royal Canal terminated in a harbour, which was completed in 1796. The walls of the canal and harbour were identified, as well as a jetty associated with a floating pontoon bridge which provided pedestrian access, and the remains of the Foster Aqueduct on Constitution Hill which carried the canal water to the harbour. The later railway infrastructure, following the infill of the harbour in 1877, was also identified. Features included railway lines and sleepers, railway buildings and brick piles. It was also determined that a depth of at least 9.3m of infill existed above the Bradogue River, which had been culverted in the 18th century development of the area.

Excavations at Grangegorman (Licence no.: 15E0185; Moraghan & Ruddy 2016) revealed part of the Cholera graveyard related to the 1832 epidemic. Twenty-seven grave cuts remained with thirty individuals, and disturbed remains were also discovered in charnel pits. Further excavations at Broadstone (O'Dowd & Moraghan 2017; Licence no. 15E0185) revealed that the Cholera cemetery extended into the lands acquired by MGWR in 1870 from the Richmond Penitentiary. The groundworks had significantly disturbed the burials and necessitated their re-interment. Extensive disturbed and disarticulated remains were found

within the MGWR grounds, and four in-situ burials and a charnel pit were also revealed. It appears that the lands acquired by MGWR from the Richmond Penitentiary were scarped down to geological strata and the material used elsewhere in the railway development.

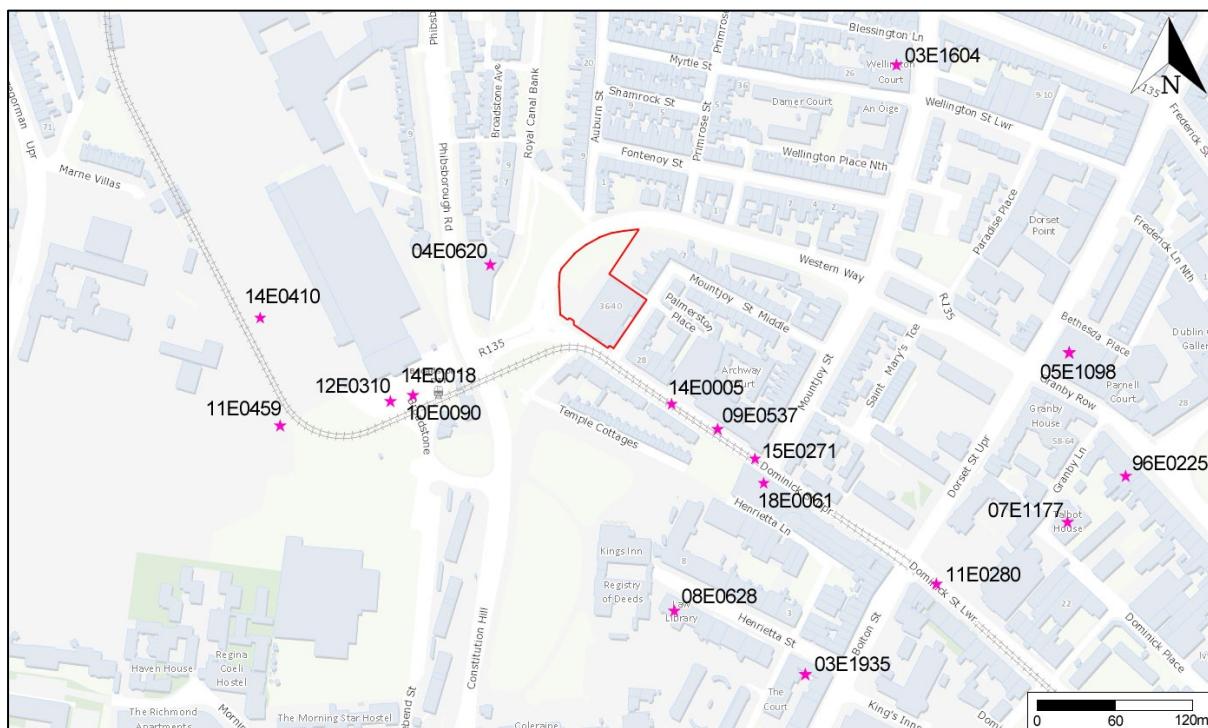


Figure 4 Archaeological investigations

Investigations along Dominick Street Lower and Dominick Street Upper undertaken as part of the LUAS Cross City development revealed a series of cellars which were part of the Georgian streetscape (Licence nos.: 09E0537, 14E0005, 15E0271). Culverts and features related to drainage were also revealed.

The closest investigation was the archaeological monitoring of a series of geotechnical investigations along the course of the LUAS Cross City light rail which passes the southern extent of the site on Dominick Street Upper (Licence no.: 11E0459; O'Donovan 2012). Bore-hole MGI/BX/BH047 was excavated 6m from the site boundary. A wall or coal bunker was located on the eastern side of the pit, where the following soil profile was recorded:

0.00-0.09m	Tarmac
0.20-0.75m	Concrete
0.75-1.20m	Mixed grey brown gravelly clay and modern concrete inclusions
1.20-1.50m+	Sticky brown tan mottled clay (natural?), small limestone inclusions, could be a re-deposited clay

The hachures depicted on William Duncan's map of 1821 (Fig. 6) would suggest that the application site was located on an elevated location overlooking the River Bradogue, and it is likely this natural subsoil will be within this range within the application site. However, given the presence of cellars in other buildings on Dominick Street, there is a high likelihood of a cellar level related to the former Palmerston House being uncovered.

There is a small chance that agricultural features may exist beneath the surface, as a possible field drain was discovered on a nearby site on Granby Lane and Dominick Place (Licence no.: 07E1177) beneath the 19th and 20th century deposits. However, it is likely that subsequent development of this site will have eradicated such features.

4. CARTOGRAPHY

The earliest maps of Dublin did not extend as far as Dominick Street, as the area remained as agricultural land until the 18th century. The 1655 Down Survey map of the Barony of Coolock, for instance, depicts the area as featureless, while Charles Brooking's map of 1728 does not extend that far north. The earliest map of the area is John Rocque's map of the City of Dublin, dating to 1756 (Fig. 5).

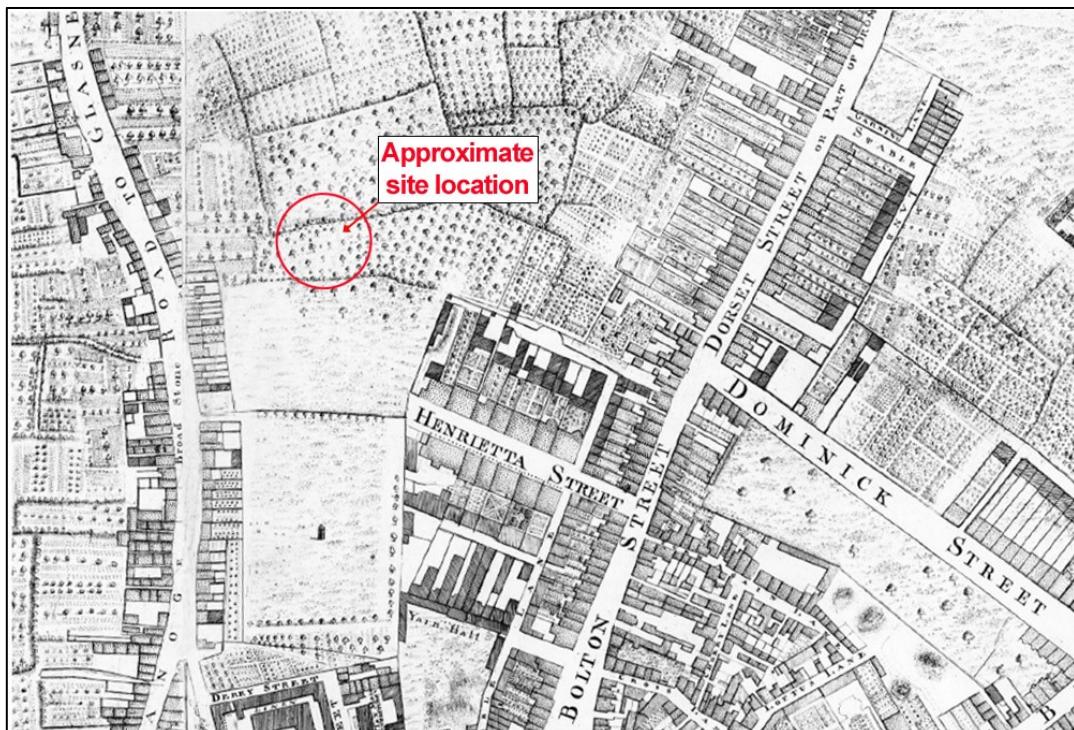


Figure 5 Extract from John Rocque's map of the City of Dublin, 1756

At the time of Rocque's map, Upper Dominick Street had not yet been developed, with Lower Dominick Street terminating at the junction of Bolton Street and Dorset Street. Terrace housing is depicted along these streets, Henrietta Street and the 'Road to Glasnevin' (Constitution Hill and the Phibsborough Road). The application site is depicted as a field system.

William Duncan's map of the County of Dublin dates to 1821 (Fig. 6). Upper Dominick Street and the Broadstone Branch of the Royal Canal and harbour are depicted, but the map does not include the detail of terrace housing along the emerging street pattern. Larger structures are depicted, however, including the Richmond Penitentiary, the Richmond Lunatic Asylum and the North Dublin Union Workhouse in Broadstone and Grangegorman. The site of the city boundary runs in a north-south direction to the east of the application site, and hachures demonstrate that the application site was on an elevated location overlooking the Bradogue River.

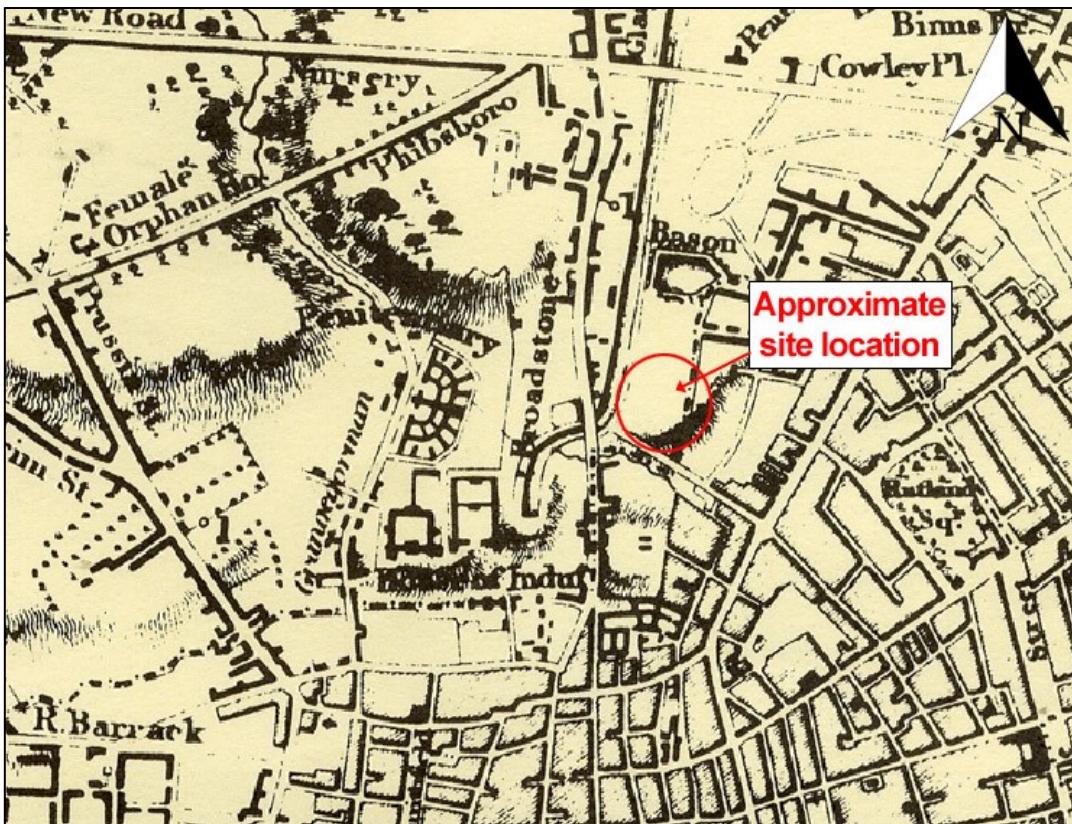


Figure 6 Extract from William Duncan's Map of the County of Dublin, 1821

There are two versions of the 'First' Edition Ordnance Survey map of the area. The first (Fig. 7), dated 1837 shows an empty plot at the application site. The Broadstone Branch of the Royal Canal is clearly depicted to the west, and it crosses the Foster Aqueduct on the approach to the harbour. The King's Inns (Queen's Inns) are shown to the south. However, the publication of the First Edition series was six years later in 1843, by which time updates to the survey were required (Fig. 8). Palmerston House is shown with the application site, labelled as 'Palmerston Terrace'. It is shown on the west side of the site with an associated outbuilding to the rear, modest gardens to the front and rear, and an open yard area to the southeast. Terrace housing is evident on the southeasterly extent of Dominick Street Upper, but fewer structures appear on the northwest end, and are only on the north side of the road. To the north, two large fields are all that remains of the former agricultural landscape.

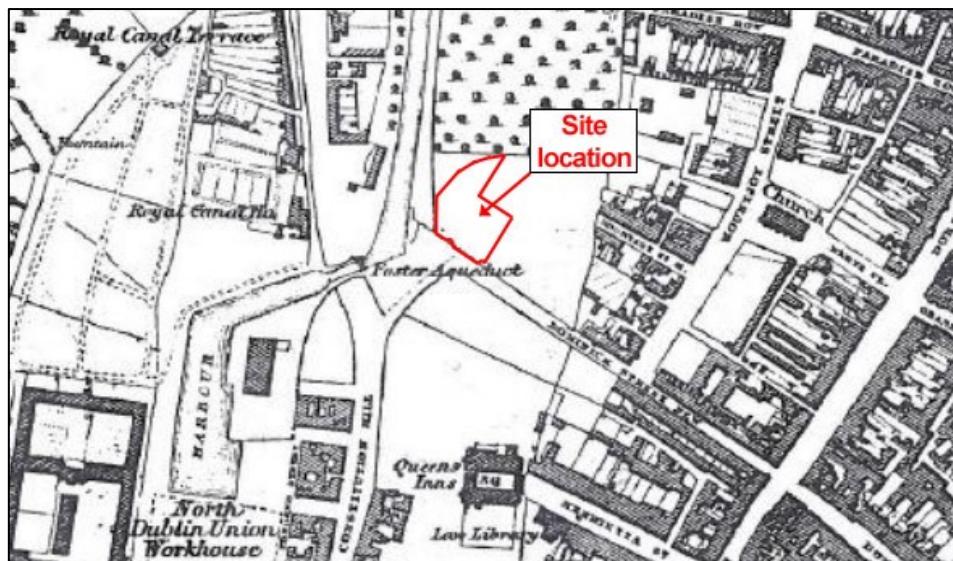


Figure 7 First Edition 6-Inch Ordnance Survey Map, 1837

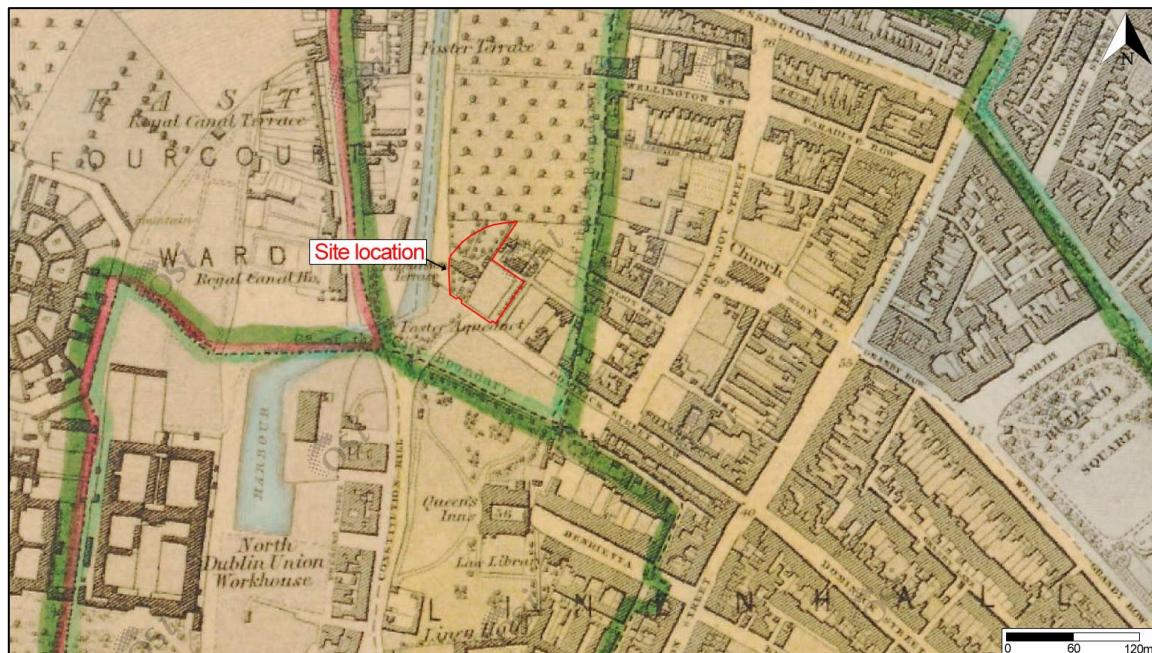


Figure 8 Published 6-Inch Ordnance Survey Map, 1847

An Ordnance Survey planning map from 1847 shows the ornate geometric gardens to the front and rear of Palmerston House / Terrace and two structures are shown in the yard area to the southeast of the site (Fig. 9). Steps are shown to the front of the house, suggesting the house is on a slight rise and this may indicate the presence of a cellar or basement level, which would be consistent with the tendency for the terrace housing on Dominick Street to have cellars. To the west (not shown), the Midland Great Western Railway Terminus building was under construction, and the scale of the map allowed greater detail to be shown of the Draw Bridge, Floating Bridge and the Foster Aqueduct associated with the canal and harbour approach.

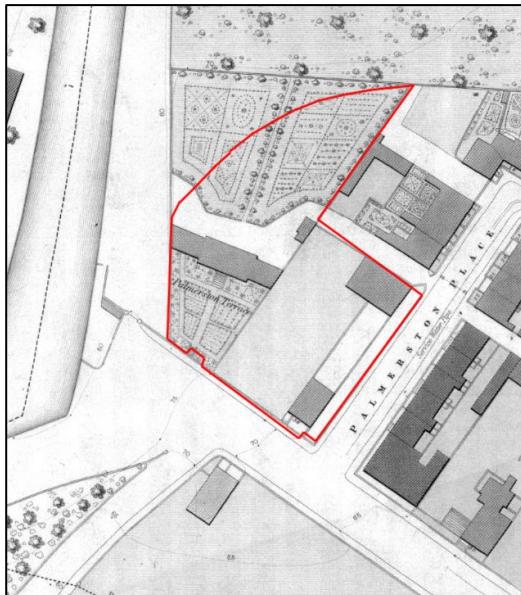


Figure 9 Ordnance Survey planning map, 1847



Figure 10 Ordnance Survey planning map, 1864

The 1864 planning map shows the geometric gardens had been removed in favour of a simpler ‘naturalised’ parkland and trees (Figs. 10). The yard area to the southeast of the site had been subdivided into two long plots, and several structures had been added. The MGWR terminus building (not shown) was complete by this time.

The Second Edition 6-inch Ordnance Survey map of 1876 shows the emerging street pattern to the north, including Fontenoy Street, with further terraced housing (Fig. 11). The canal had been decommissioned by this time, and the Midland Great Western Railway and associated railway terminus had been installed at the Broadstone site.

The 1886 Ordnance Survey planning map shows the ‘New Road’, or the Western Way, had been constructed circling the northern and western extent of the application site (Fig. 12). The rear garden had been subdivided with a possible boundary and the addition of paths. East of the house there are several structures which has infilled the area accessible from Palmerstown Place. The harbour (not shown) was by this time infilled for the railway development. The ‘Temple Buildings’ terrace is now shown on Dominick Street, across the road from the application site.

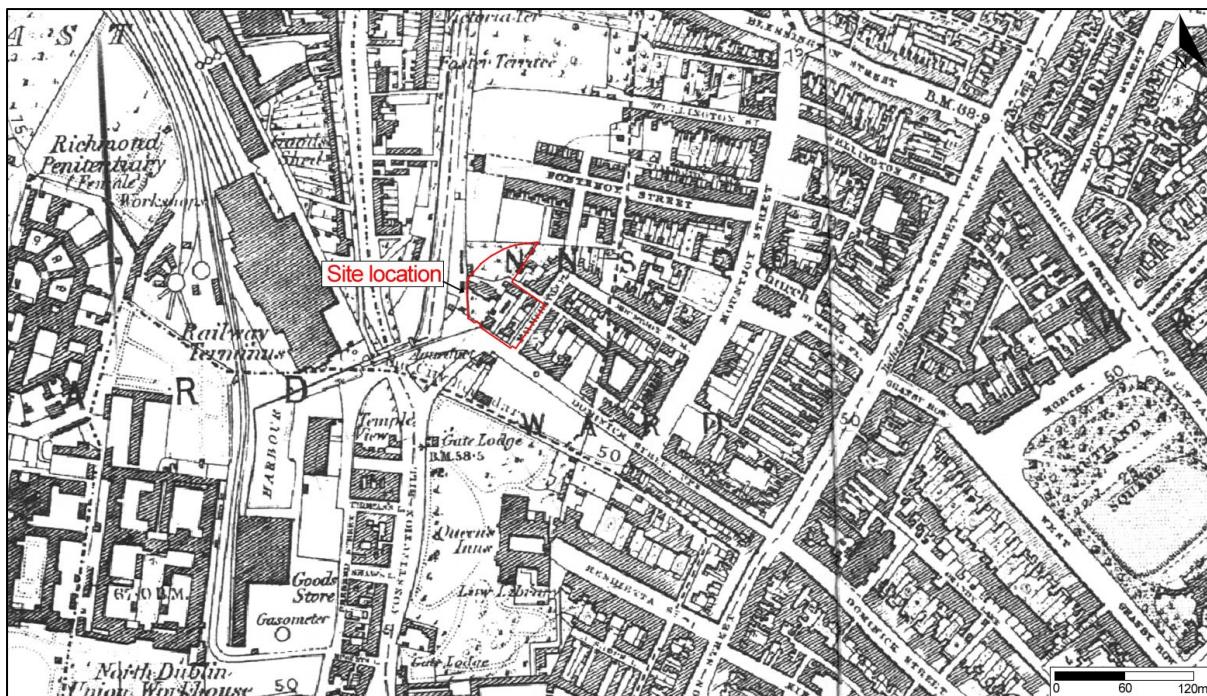


Figure 11 Second Edition 6-Inch Ordnance Survey Map, 1876



Figure 12 Ordnance Survey planning map, 1886

The 1906 edition of the 25-inch Ordnance Survey map and the 1935 revised edition of the 6-inch Ordnance Survey map were also examined, showing no significant changes from 1886, but the house would have been demolished shortly after 1935 as construction of Hendron's commenced in 1945.

5. CONCLUSION AND RECOMMENDATIONS

5.1. Archaeological Potential

There are no registered monuments within the application site and the site lies outside of the Zone of Archaeological Potential of the City of Dublin (RMP no.: DU018-020). The site functioned as agricultural land until c. 1840, and while it is possible that agricultural features survive (such as plough furrows etc.), as they have done at a nearby site on Granby Lane and Dominick Place (Licence no.: 07E1177), it is likely that 19th and 20th century activity will have destroyed such features. The archaeological potential of the site is considered to be negligible.

Palmerston House was constructed c. 1840, with associated geometric gardens. Cartographic evidence and adjacent houses on Dominick Street suggest there may have been a cellar. Evidence of this cellar, gardens and other structures within the application site may survive beneath the ground level, with the former site of the house now occupied by surfacing on the north and west of the site.

An adjacent borehole was excavated approximately 6m from the site boundary, revealing possible natural subsoil at a depth of 1.2m (Licence no.: 11E0459; O'Donovan 2012). This depth may extend across the site, with the caveat that the basement levels were dug into the subsoil.

There are two architectural features of note within the application site. The earliest, an enclosing wall and protected structure, dates to c. 1880 and lined the originally private Western Way (RPS no.: 8483; NIAH no.: 50070386). The second is Hendron's, a former showroom and workshop which is recorded on the NIAH survey (NIAH no.: 50070389). The architectural heritage of the site and appropriate recommendations will be assessed in a separate report by Rob Goodbody (see Heritage Conservation Report).

5.2. Mitigation Recommendations

Given the urban nature of the site with existing surfaces and buildings, geophysical survey is not suitable for this site. It is recommended that archaeological monitoring of earthmoving works be undertaken on the site in order identify and record subsurface remains of the 19th century Palmerston House and associated features, including basements, foundation levels and garden features. A photographic record of features that might be uncovered is recommended.

In the event that further archaeological features predating the 19th century residence are detected, the National Monuments Service of the DCHG and the National Museum of Ireland will be informed, construction works will cease in the immediate vicinity of the remains and the area fenced off until a licensed archaeologist has resolved the archaeological issues in consultation with the authorities, who will advise on the most appropriate remedial action (e.g. preservation by record through excavation or preservation in-situ through redesign).

The developer will make provision to allow for and fund whatever archaeological work may be required at the site and the post excavation requirements in accordance with the National Monuments Legislation (as amended; Appendix 1).

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APPENDIX 1 SUMMARY OF RELEVANT LEGISLATION

National Monuments Legislation

The National Monument Act, 1930 (as amended) provides the formal legal mechanism to protect monuments in Ireland. Protection of a monument is provided via:

- Record of Monuments and Places (RMP);
- National Monument in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural & Gaeltacht Affairs or a Local Authority;
- National Monument subject to a Preservation Order (or temporary Preservation Order);
- Register of Historic Monuments (RHM).

The definition of a monument is specified as:

any artificial or partly artificial building, structure or erection or group of such buildings, structures or erections;

any artificial cave, stone or natural product, whether forming part of the ground, that has been artificially carved, sculptured or worked upon or which (where it does not form part of the place where it is) appears to have been purposely put or arranged in position;

any, or any part of any, prehistoric or ancient tomb, grave or burial deposit, or (ii) ritual, industrial or habitation site; and

any place comprising the remains or traces of any such building, structure or erection, any cave, stone or natural product or any such tomb, grave, burial deposit or ritual, industrial or habitation site.

Under Section 14 of the Principal Act (1930):

It shall be unlawful...

to demolish or remove wholly or in part or to disfigure, deface, alter, or in any manner injure or interfere with any such national monument without or otherwise than in accordance with the consent hereinafter mentioned (a licence issued by the Office of Public Works National Monuments Branch),

or

to excavate, dig, plough or otherwise disturb the ground within, around, or in the proximity to any such national monument without or otherwise than in accordance...

Under Amendment to Section 23 of the Principal Act (1930):

A person who finds an archaeological object shall, within four days after the finding, make a report of it to a member of the Garda Síochána...or the Director of the National Museum...

The latter is of relevance to any finds made during a watching brief.

In the 1994 Amendment of Section 12 of the Principal Act (1930), all the sites and 'places' recorded by the Sites and Monuments Record of the Office of Public Works are provided with a new status in law. This new

status provides a level of protection to the listed sites that is equivalent to that accorded to ‘registered’ sites [Section 8(1), National Monuments Amendment Act 1954] as follows:

The Commissioners shall establish and maintain a record of monuments and places where they believe there are monuments and the record shall be comprised of a list of monuments and such places and a map or maps showing each monument and such place in respect of each county in the State.

The Commissioners shall cause to be exhibited in a prescribed manner in each county the list and map or maps of the county drawn up and publish in a prescribed manner information about when and where the lists and maps may be consulted.

In addition, when the owner or occupier (not being the Commissioners) of a monument or place which has been recorded, or any person proposes to carry out, or to cause or permit the carrying out of, any work at or in relation to such monument or place, he shall give notice in writing of his proposal to carry out the work to the Commissioners and shall not, except in the case of urgent necessity and with the consent of the Commissioners, commence the work for a period of two months after having given the notice.

The National Monuments Amendment Act enacted in 2004 provides clarification in relation to the division of responsibilities between the Minister of Environment, Heritage and Local Government, Finance and Arts, Sports and Tourism together with the Commissioners of Public Works. The Minister of Environment, Heritage and Local Government will issue directions relating to archaeological works and will be advised by the National Monuments Section and the National Museum of Ireland. The Act gives discretion to the Minister of Environment, Heritage and Local Government to grant consent or issue directions in relation to road developments (Section 49 and 51) approved by An Bord Pleanála and/or in relation to the discovery of National Monuments.

14A. (1) The consent of the Minister under section 14 of this Act and any further consent or licence under any other provision of the National Monuments Acts 1930 to 2004 shall not be required where the works involved are connected with an approved road development.

14A. (2) Any works of an archaeological nature that are carried out in respect of an approved road development shall be carried out in accordance with the directions of the Minister, which directions shall be issued following consultation by the minister with the Director of the National Museum of Ireland.

Subsection 14A (4) Where a national monument has been discovered to which subsection (3) of this section relates, then the road authority carrying out the road development shall report the discovery to the Minister subject to subsection (7) of this section, and pending any directions by the Minister under paragraph (d) of this subsection, no works which would interfere with the monument shall be carried out, except works urgently required to secure its preservation carried out in accordance with such measures as may be specified by the Minister.

The Minister will consult with the Director of the National Museum of Ireland for a period not longer than 14 days before issuing further directions in relation to the national monument.

The Minister will not be restricted to archaeological considerations alone, but will also consider the wider public interest.

Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act, 1999

This Act provides for the establishment of a national inventory of architectural heritage and historic monuments.

Section 1 of the act defines “architectural heritage” as:

- (a) all structures and buildings together with their settings and attendant grounds, fixtures and fittings,
- (b) groups of such structures and buildings, and,
- (c) sites

which are of architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

Section 2 of the Act states that the Minister (for Arts, Heritage, Gaeltacht and the Islands) shall establish the NIAH, determining its form and content, defining the categories of architectural heritage, and specifying to which category each entry belongs. The information contained within the inventory will be made available to planning authorities, having regard to the security and privacy of both property and persons involved.

Section 3 of the Act states that the Minister may appoint officers, who may in turn request access to premises listed in the inventory from the occupiers of these buildings. The officer is required to inform the occupier of the building why entry is necessary, and in the event of a refusal, can apply for a warrant to enter the premises.

Section 4 of the Act states that obstruction of an officer or a refusal to comply with requirements of entry will result in the owner or occupier being guilty of an offence.

Section 5 of the Act states that sanitary authorities who carry out works on a monument covered by this Act will as far as possible preserve the monument with the proviso that its condition is not a danger to any person or property, and that the sanitation authority will inform the Minister that the works have been carried out.

The provisions in the Act are in addition to and not a substitution for provisions of the National Monument Act (1930–94), and the protection of monuments in the National Monuments Act is extended to the monuments covered by the Architectural Heritage (National Inventory) and Historic Monuments (Miscellaneous Provisions) Act (1999).

APPENDIX 2 ARCHAEOLOGICAL INVESTIGATIONS

Table 1 Summary of archaeological investigations

Licence no / 'Excavations' ref.	Address / Distance	Excavation summary
96E0225 / 1996:108	29 Parnell Square / 395m	An archaeological test trench was excavated to a depth of 0.7m revealing natural boulder clay. No archaeological features were identified.
03E1935 / 2003:500 & 2004:0516	43-45 Bolton Street, 17 & 17a Henrietta Street, 10 Henrietta Place / 275m	Archaeological testing was undertaken in advance of a development on a site formerly occupied by terraced housing of 18 th / 19 th century date and which were demolished in the first half of the 20 th century. Structural fabric and the remains of infilled cellars were identified. Archaeological monitoring of groundworks followed the demolition of the existing buildings (03E1935ext). Backfilled cellars and a stone-lined well were discovered, with a depth of up to 3m of loose grey silty clay containing brick, stone and mortar.
03E1604 / N/A	63A/65 Mountjoy Street / 220m	Archaeological testing was undertaken at a site on the corner of Mountjoy Street and Blessington Lane. No archaeological features were identified.
05E1098 / 2005:435, 2006:612, 2007:473	Dorset Street & Granby Row / 320m	A test excavation was carried out following the demolition of the Wax Museum building, which stood on a site formerly occupied by the late 18 th century Bethesda Chapel. The results indicated that substantial remains associated with the substructure of the Bethesda Chapel were present as well as vestigial remains of a Georgian terrace pre-dating it, some of which was incorporated into the substructure of the chapel.
04E0620 / 2004:0585	1-3 Royal Canal Bank / 55m	Archaeological monitoring of a site which included part of the bank of the former Broadstone Branch of the Royal Canal. All archaeological deposits were associated with the construction of the canal at the beginning of the 19 th century, indicating that the bank was constructed from material obtained from the canal cutting. House nos. 2 and 3 were built on top of the canal bank and appear to have been related to the operation of the canal.
07E1177 / 2007:477	Granby Lane & Dominick Place / 365m	Four test trenches were excavated at the site formerly occupied by Matt Talbot Hall. 19 th and 20 th century deposits of garden soil and builders rubble were revealed as well as masonry walls, a brick drain and a latrine structure. A small N-S ditch cut into boulder clay probably functioned as an agricultural drain or field boundary prior to the late 18 th century development of the area.
08E0628 / 2008:415	King's Inns, Henrietta Street / 210m	Archaeological monitoring was undertaken of topsoil stripping at the site of a proposed carpark at the rear of the King's Inn Library. No archaeological features were identified.
09E0537 / 2009:279	Dominick Street Upper / 70m	Archaeological monitoring was undertaken of the excavation of geotechnical trial pits and bore-holes in advance of the Metro North and LUAS Cross City. An underground basement was discovered at a depth of 0.95m on Dominick Street Upper (BXD BH 002). It appeared to be a barrel vault associated with one of the original Georgian houses that lined the street. A sherd of post-medieval pottery was also recovered at the site of the proposed Broadstone station.
10E0090 / N/A	Former Royal Canal, Harbour, Broadstone, Constitution Hill / 110m	Archaeological testing was undertaken in advance of the preparation of an archaeological impact assessment report in order to inform the design of the LUAS development at Broadstone. The testing uncovered two portions of a wall defining the width of the Broadstone Branch of the Royal Canal and the remains of a possible jetty associated with a floating pontoon bridge.
11E0459 / 2012:199	LUAS Broombridge / 6m	Archaeological monitoring was undertaken of 44 geotechnical slit trenches, bore-holes and test pits along the course of the LUAS Cross City tram line, with the closest one (BH047) located on Dominick Street Upper approximately 6m from the site boundary. It recorded tarmac, concrete and mixed gravelly clay with concrete inclusions to a depth of 1.20m. A possible natural subsoil of sticky brown tan mottled clay was recorded from 1.20-1.50m, but it could be redeposited clay. Structural remains of the Midland Great Western Railway were also examined at Broadstone and Grangegorman.

Licence no / 'Excavations' ref.	Address / Distance	Excavation summary
11E0280 / 2011:191	Dominick Street Upper / 150m	Archaeological monitoring of utility slit trenches were undertaken along the route of the LUAS Cross City between Fassaugh Road and St. Stephen's Green North. No archaeological features were identified in proximity to the application site.
12E0310 / 2012:202	Broadstone MGWR Railway Terminus, Broadstone, Constitution Hill / 90m	Archaeological monitoring was undertaken of the excavation of 7 slit trenches within the forecourt of the old Broadstone Midland Great Western Railway terminus building along the course of the LUAS Broombridge line. The purpose was to determine the location and nature of the canal / harbour walls and any associated structures. The uncovered remains suggested that substantial portions of the original canal walls remained in-situ to the east of the main building.
14E0005 / 2015:323	Dominick Street Upper / 7m	Archaeological monitoring and excavation were undertaken on Dominick Street Lower, Dominick Street Upper and Constitution Hill in advance of the LUAS Cross City light rail. Features relating to cellars and insulating passages were discovered along the length of Dominick Street. Many were associated with buildings which had been demolished. Culverts and features associated with drainage were also identified. The western pedestrian walkway of the Foster Aqueduct was uncovered on Constitution Hill.
14E0018 / 2014:521	Former Royal Canal, Harbour, Broadstone, Constitution Hill / 110m	Archaeological testing was undertaken in advance of the LUAS Cross City development works. Eight conjoined test trenches were excavated in order to establish the survival of features related to the Broadstone Branch of the Royal Canal. A 5m.sq. shaft was also excavated to a depth of 9.3m to locate the course of the Bradogue River, which was culverted under the site prior to the development of the harbour. Features related to the canal were identified, including the southern wall and associated timber base plate, masonry buttresses and the primary fills of the canal. The post-1877 infill was also identified, as well as a 'ye-by' which provided access to the terminus of the Midland & Great Western Railway over a floating bridge. The river course was not identified, but the shaft confirmed that at least 9.3m of material was deposited prior to the construction of the harbour and canal.
14E0410 / 2014:109	Broadstone Bus Depot / 130m	Archaeological monitoring of works associated with the construction of a boundary wall between the Broadstone Bus Depot and the Broadstone LUAS stop. Material uncovered in Area 1B included two subterranean structures, the foundations of a 19 th century railway building and disturbed railway sleepers and rails. A single disarticulated human bone was also recovered. Area 4 consisted of a partially disturbed polygonal-sectioned brick pile, and Area 5 included parts of a probable coping wall of the Royal Canal and infill deposits related to the later decommissioning of the Broadstone Branch of the canal.
15E0185 / N/A	Broadstone, Dublin 7 / 100m	Archaeological monitoring and excavations were undertaken along the course of the LUAS Cross City between Broadstone and Broombridge. Structural remains related to the MGWR were revealed as well as human remains related to the Cholera epidemic of 1832. Excavation revealed that the Cholera cemetery located in the gardens of the Grangegorman prison was impacted during the expansion of the railway in the 1870s. The lands appear to have been scarped down, requiring the re-interment of most of the original cemetery. Within the Grangegorman area, full excavation was undertaken of the surviving Cholera graveyard and charnel pits. Twenty-seven grave containing 30 individuals were excavated.
15E0271 / 2017:413	Dominick Street Upper / 7m	Archaeological monitoring and excavations were undertaken along the course of the LUAS Cross City from O'Connell Bridge to Constitution Hill in association with the main infrastructure civil and track works. Notable discoveries included early cellars on Dominick Street Lower and remains relating to the Foster Aqueduct on Constitution Hill.
15E0337 / N/A	Broadstone, Dublin 7 / 90m	Archaeological monitoring and excavation were undertaken at Broadstone as part of the LUAS Cross City development. Part of the Broadstone Branch of the Royal Canal and its harbour were excavated, as well as associated infrastructure and remnants of the 18 th century landscape, including at least one road.

Licence no / 'Excavations' ref.	Address / Distance	Excavation summary
18E0061 / 2018:230	58-64 Dominick Street Upper / 140m	Archaeological monitoring was undertaken of groundworks in advance of the redevelopment of 58-64 Dominick Street Upper. Monitoring revealed a heavily disturbed black deposit which contained post-medieval ceramics. No archaeological features were identified.

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