
Appendix A20.2
Legislative Framework
Protecting the
Archaeological Resource

APPENDIX A20.2 – LEGISLATIVE FRAMEWORK 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 Environment, Heritage and Local Government) 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 the case of urgent necessity and with the consent of the Minister, commence the work until two months after the 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 permission.

Dublin City Development Plan 2016-2022

It is the policy of Dublin City Council

- **CHC9: To protect and preserve National Monuments.**
 1. To protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of the re-use of buildings, light buildings, foundation design or the omission of basements in the Zones of Archaeological Interest.
 2. That where preservation in situ is not feasible, sites of archaeological interest shall be subject to 'preservation by record' according to best practice in advance of re-development.
 3. That sites within Zones of Archaeological Interest will be subject to consultation with the City Archaeologist and archaeological assessment prior to a planning application being lodged.
 4. That the National Monuments Service will be consulted in assessing proposals for development which relate to Monuments and Zones of Archaeological Interest.
 5. To preserve known burial grounds and disused historic graveyards, where appropriate, to ensure that human remain are re-interred, except where otherwise agreed with the National Museum of Ireland.
 6. That in evaluating proposals for development in the vicinity of the surviving sections of the city wall that due recognition be given to their national significance and their special character.
 7. To have regard to the Shipwreck inventory maintained by the DAHG. Proposed developments that may have potential to impact on riverine, inter-tidal and sub-tidal environments shall be subject to an underwater archaeological assessment in advance of works.

8. To have regard to DAHG policy documents and guidelines relating to archaeology

It is an Objective of Dublin City Council:

- **CHCO10:**

1. To implement the archaeological actions of the Dublin City Heritage Plan 2002-6 in light of the Dublin City Heritage Plan Review 2012.
2. To prepare and implement conservation plans for National Monuments and Monuments in DCC care (City Walls, St Luke's Church, St James's Graveyard, St. Thomas's Abbey, St Canice's Graveyard etc).
3. To maintain, develop and promote the Dublin City Archaeological Archive (DCAA) at Pearse Street Library and Archives.
4. To ensure the public dissemination of the findings of licensed archaeological activity in Dublin through the Dublin County Archaeology GIS.
5. To develop a long-term management plan to promote the conservation, management and interpretation of archaeological sites and monuments and to identify areas for strategic research.
6. To have regard to the city's industrial heritage and Dublin City Industrial Heritage Record (DCIHR) in the preparation of Local Area Plans (LAPs) and the assessment of planning applications and to publish the DCIHR online. To review the DCIHR in accordance with Ministerial recommendations arising from the national Inventory of Architectural Heritage (NIAH) survey of Dublin City and in accordance with the Strategic Approach set out in Section 11.1.4 of this Chapter
7. To promote awareness of, and access to, the city's archaeological inheritance and foster high-quality public archaeology.
8. To promote archaeological best practice in Dublin city.
9. To promote the awareness of the international significance of Viking Dublin and to support post-excavation research into the Wood Quay excavations 1962-81.
10. To develop a strategy for the former Civic Museum collection and for other collections of civic interest and importance.
11. To investigate the potential for the erection of Columbarium Walls.
12. To support the implementation of the Kilmainham Mill Conservation Plan.
13. Dublin City Council will seek to work with Diageo to undertake a more comprehensive industrial heritage survey of the constituent historic buildings within the Guinness Brewery complex at Saint James's Gate.
14. To implement and promote The Dublin Principles (ICOMOS, 2011) as guiding principles to assist in the documentation, protection, conservation and appreciation of industrial heritage as part of the heritage of Dublin and Ireland.
15. To continue to implement actions of the Saint Luke's Conservation Plan on the basis of funds available to conserve the monument, recover the graveyard, provide visitor access, improve visual amenity and secure an appropriate new use.

Draft Dublin City Development Plan 2022-2028

It is the Policy of Dublin City Council:

- **BHA26 Archaeological Heritage**

1. To protect and preserve Sites and Zones of Archaeological interest which have been identified in the Record of Monuments and Places and the Historic Environment Viewer (www.archaeology.ie).
2. To protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of re-use of standing buildings, the construction of light buildings, low impact foundation design, or the omission of basements (except in exceptional circumstances) in the Zones of Archaeological Interest.
3. To seek the preservation in situ (or where this is not possible or appropriate, 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 Housing, Heritage and Local Government.

4. Development proposals within Sites and Zones of Archaeological Interest, of sites over 0.5 hectares size and of sites listed in the Dublin City Industrial Heritage Record, will be subject to consultation with the City Archaeologist and archaeological assessment prior to a planning application being lodged.
5. To preserve known burial grounds and disused historic graveyards. Where disturbance of ancient or historic human remains is unavoidable, they will be excavated according to best archaeological practice and reburied or permanently curated.
6. Preserve the character, setting and amenity of upstanding and below ground town wall defences
7. Development proposals in marine, lacustrine and riverine environments and areas of reclaimed land shall have regard to the Shipwreck Inventory maintained by the Department of Culture, Heritage and the Gaeltacht and be subject to an appropriate level of archaeological assessment.
8. To have regard to national policy documents and guidelines relating to archaeology and to best practice guidance published by the Heritage Council, the Institute of Archaeologists of Ireland and Transport Infrastructure Ireland.

It is an Objective of Dublin City Council:

- **BHAO10 Conservation Plans**
 - To prepare and implement conservation plans for National Monuments and Recorded Monuments in Dublin City Council ownership.
- **BHAO11 Dublin City Archaeological Archive**
 - To maintain, develop and promote the Dublin City Archaeological Archive (DCAA) at Pearse Street Library and Archives.
- **BHAO12 Findings of Licenced Archaeological Activity**
 - To ensure the public dissemination of the findings of licenced archaeological activity in Dublin through the Dublin County Archaeological GIS, publications and public lectures and to promote awareness of, and access to, the city's archaeological inheritance and foster high quality public archaeology.
- **BHAO13 Management Plan**
 - To develop a long-term management plan to promote the conservation, management and interpretation of archaeological sites and monuments and to identify areas for strategic research.
- **BHAO14 Viking Dublin**
 - To promote the awareness of the international significance of Viking Dublin. To support the Viking York Axis Project, the Destination Viking Network and the Dublin Festival of History Viking Seminar; to explore the feasibility of a research excavation in Viking Dublin; to support post-excavation research into the Wood Quay excavations 1962-81; to record and map the survival of water-logged Viking Age and medieval archaeological stratigraphy.
- **BHAO15 Civic Museum**
 - To develop a strategy for improving public access to the former Civic Museum collection and for curation of other collections of civic interest and importance.
- **BHAO16 City Wall and City Defences**
 - To continue to preserve, and enhance the surviving section of the City Wall and City Defences - a National Monument, according to the recommendations of the City Walls Conservation Plan (2005) - with reference to the National Policy on Town Defences (2008).

- **BHA017 Tourism**
 - Promote tourism in the medieval city drawing on its archaeological heritage to create a strong and authentic sense of place and to support educational and historical tours of sites in the city.
- **BHA018 OPW Heritage Sites and Assets**
 - Work proactively with the OPW to promote and improve the visitor experience and interpretation of their heritage sites and assets within Dublin City area.
- **BHA019 Built Heritage and Archaeology**
 - To provide for the protection, preservation and promotion of the built heritage, including architectural heritage and archaeological heritage and support the in situ presentation and interpretation of archaeological finds within new developments.

11.5.6 City Heritage Plan

Dublin City's heritage is part of our identity and contributes significantly to our wellbeing and our sense of place. It encompasses our built, archaeological, natural and cultural heritage (tangible and intangible). The City Heritage Plan provides strategic support to the City Council and other stakeholders by delivering or contributing to a wide range of initiatives aimed at improving the management, understanding and appreciation of our city's heritage. The preparation of a City Heritage Plan enables a collaborative approach to identifying projects and programmes to be implemented over a five-year time span. The City Heritage Plan identifies new ways to research, support and manage our heritage and identify opportunities to engage communities across the city and suburbs with our built environment, archaeological monuments and cultural heritage. It set out priorities to identify, enhance, and increase awareness of Dublin's heritage in the specific areas of the historic built environment.

It is the Policy of Dublin City Council:

- **BHA27 Dublin City Heritage Plan**
 - To implement the current Dublin City Heritage Plan and to support the preparation and implementation of the Dublin City Heritage Plan 2022-2026
- **BHA28 Historic Place and Street Names**
 - To preserve historic place and street names and ensure that new street names reflect appropriate local archaeological, historical or cultural associations.
- **BHA29 World Heritage Nomination**
 - To support and pursue a World Heritage nomination for the Historic City of Dublin, in partnership with the Department of Housing, Heritage and Local Government.
- **BHA30 Moore Street National Monument**
 - To co-operate with and facilitate the state in its presentation of the National Monument at 14-17 Moore Street on a joint venture basis and to support the retention and refurbishment of the cultural quarter associated with 1916 on Moore Street.
- **BHA31 St. Sepulchre's Palace Complex**
 - To work with all stakeholders and interested parties to develop a Conservation Plan to safeguard the future of St. Sepulchre's Palace complex (Kevin Street Garda Station), identify appropriate future use(s) that reflect its historic and architectural importance and unlock the cultural tourism potential of the site in the context of the cathedral quarter and the historic city.
- **BHA32 Water Related Heritage Strategies**
 - To support the creation and implementation of water related heritage strategies in partnership with restoration and enhancement of river and canal corridors within the city.

- **BHA33 Dublin Port Heritage Quarter**
 - To support the vision of the Dublin Port Company for the Flour Mill and surrounding heritage assets of the port to deliver a new cultural heritage quarter and maritime museum for the city, that documents Dublin's rich maritime history and the social history of the Dock workers.

Fingal County Development Plan 2017-2023

- **Objective CH01**
 - Support the implementation of the Fingal Heritage Plan in relation to the promotion and protection of Fingal's Cultural Heritage.
- **Objective CH02**
 - Favour the preservation in situ or at a minimum preservation by record, of archaeological sites, monuments, features or objects in their settings. In securing such preservation the Council will have regard to the advice and recommendations of the National Monuments Service of the Department of the Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
- **Objective CH03**
 - Protect all archaeological sites and monuments, underwater archaeology, and archaeological objects, which are listed in the Record of Monuments and Places and all sites and features of archaeological and historic interest discovered subsequent to the publication of the Record of Monuments and Places, and to seek their preservation in situ (or at a minimum, preservation by record) through the planning process.
- **Objective CH04**
 - Encourage and promote the appropriate management and maintenance of the County's archaeological heritage, including historical burial grounds, in accordance with conservation principles and best practice guidelines.

Development and the Archaeological Resource

Archaeology is a non-renewable resource in that once an archaeological feature or site is excavated or removed it is gone forever from the landscape. Therefore, any proposed development should consider the potential impact on archaeology in the very earliest stages and seek to avoid affecting archaeological features or sites and their setting. This includes development along or in Fingal's rivers, coastline and tidal estuaries. Currently 40% of the recorded archaeological sites within Fingal are sub-surface. Therefore any development has the potential to uncover previously unknown archaeological sites.

- **Objective CH05**
 - Ensure archaeological remains are identified and fully considered at the very earliest stages of the development process, that schemes are designed to avoid impacting on the archaeological heritage.
- **Objective CH06**
 - Require that proposals for linear development over one kilometre in length; proposals for development involving ground clearance of more than half a hectare; or developments in proximity to areas with a density of known archaeological monuments and history of discovery; to include an Archaeological Impact Assessment and refer such applications to the relevant Prescribed Bodies.
- **Objective CH07**
 - Ensure that development within the vicinity of a Recorded Monument or Zone of Archaeological Notification does not seriously detract from the setting of the feature, and is sited and designed appropriately.

- **Objective CH08**
 - Develop a policy in relation to the treatment of archaeological monuments within open space of developments. A different designation from that of open space will be applied where subsurface archaeological remains are incorporated to differentiate the area.
- **Objective CH09**
 - Recognise the importance of archaeology or historic landscapes and the connectivity between sites, where it exists, in order to safeguard them from developments that would unduly sever or disrupt the relationship and/or inter-visibility between sites.
- **Objective CH10**
 - Co-operate with other agencies in the assessment of the potential for climate change to impact on coastal, riverine, inter-tidal and sub-tidal sites and their environments including shipwreck sites.
- **Objective CH11**
 - Encourage reference to or incorporation of significant archaeological finds into development schemes, where appropriate and sensitively designed, through layout, displays, signage, plaques, information panels and by using historic place names and the Irish language where appropriate.

Awareness and the Archaeological Resource

There are currently 1015 known archaeological sites and monuments in Fingal. These vary from the familiar-churches, graveyards, castles, windmills and holy wells to sites that survive only beneath the surface-settlements, burials, ditches and pits. All of these sites contain unique information about our past and the people who lived in Fingal before us. They also form a resource for education, for communities and for tourism. The Council owns or is responsible for almost 20% of all the archaeological sites within Fingal.

- **Objective CH12**
 - Promote best practice for archaeological excavation by ensuring that they are undertaken according to best practice as outlined by the National Monuments Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, The National Museum and the Institute of Archaeologists of Ireland.
- **Objective CH13**
 - Actively support the dissemination of the findings of archaeological investigations and excavations through the publication of excavation reports thereby promoting public awareness and appreciation of the value of archaeological resources.
- **Objective CH14**
 - Identify Zones of Archaeological Notification that contain clusters of Recorded Monuments or have a significant history of the discovery of archaeological sites, features and objects in order to allow for their designation, protection of their setting and environs.
- **Objective CH15**
 - Raise public awareness of the cultural heritage and improve legibility by providing appropriate signage or interpretation in areas, sites, villages, and buildings of archaeological and historic significance.
- **Objective CH16**
 - Develop and implement the findings of the Community Archaeology Strategy for Fingal.

- **Objective CH17**
 - Support the growth of cultural tourism in the County, including the potential for niche heritage based tourism products by facilitating the development of heritage events, infrastructure such as heritage trails, walkways and cycleways etc. and activities such as community excavation.
- **Objective CH18**
 - Manage the archaeological sites and monuments that Fingal County Council owns or is responsible for according to best practice and according to Conservation Plans where they exist.

Meath County Development Plan 2021-2027

It is the policy of the Council:

- **Heritage Policy 1**
 - To protect sites, monuments, places, areas or objects of the following categories:
 - Sites and monuments included in the Sites and Monuments Record as maintained by the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht;
 - Monuments and places included in the Record of Monuments and Places as established under the National Monuments Acts.
 - Historic monuments and archaeological areas included in the Register of Historic Monuments as established under the National Monuments Acts.
 - National monuments subject to Preservation Orders under the National Monuments Acts and national monuments which are in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority.
 - Archaeological objects within the meaning of the National Monuments Acts; and Wrecks protected under the National Monuments Acts or otherwise included in the Shipwreck Inventory maintained by the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht.
- **Heritage Policy 2**
 - To protect all sites and features of archaeological interest discovered subsequent to the publication of the Record of Monument and Places, in situ (or at a minimum preservation by record) having regard to the advice and recommendations of the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht and The Framework and Principles for the Protection of the Archaeological Heritage (1999).
- **Heritage Policy 3**
 - To require, as part of the development management process, archaeological impact assessments, geophysical survey, test excavations or monitoring as appropriate, for development in the vicinity of monuments or in areas of archaeological potential. Where there are upstanding remains, a visual impact assessment may be required.
- **Heritage Policy 4**
 - To require, as part of the development management process, archaeological impact assessments, geophysical survey, test excavations or monitoring as appropriate, where development proposals involve ground clearance of more than half a hectare or for linear developments over one kilometre in length; or developments in proximity to areas with a density of known archaeological monuments and history of discovery as identified by a suitably qualified archaeologist.
- **Heritage Policy 5**
 - To seek guidance from the National Museum of Ireland where an unrecorded archaeological object is discovered, or the National Monuments Service in the case of an unrecorded archaeological site.

It is the objective of the Council:

- **Heritage Objective 1**
 - To implement in partnership with the County Meath Heritage Forum, relevant stakeholders and the community the County Meath Heritage Plan and any revisions thereof.
- **Heritage Objective 2**
 - To ensure that development in the vicinity of a Recorded Monument or Zone of Archaeological Potential is sited and designed in a sensitive manner with a view to minimal detracting from the monument or its setting.
- **Heritage Objective 3**
 - To protect important archaeological landscapes from inappropriate development.
- **Heritage Objective 4**
 - To encourage the management and maintenance of the County's archaeological heritage, including historic burial grounds, in accordance with best conservation practice that considers the impact of climate change,
- **Heritage Objective 5**
 - To promote awareness of, and encourage the provision of access to, the archaeological resources of the county.
- **Heritage Objective 6**
 - To work in partnership with key stakeholders to promote County Meath as a centre for cultural heritage education and learning through activities such as community excavation and field/summer schools.

8.6.1 UNESCO World Heritage Site - Brú na Bóinne

The World Heritage Site of the Archaeological Ensemble of the Bend of the Boyne is commonly known as Brú na Bóinne. It refers to the area within the bend of the River Boyne around Newgrange, Knowth and Dowth, and is one of the world's most important archaeological complexes. Brú na Bóinne contains many outstanding archaeological features, including the largest assemblage of megalithic art in Europe, large and varied grouping of monuments, and evidence of continuous settlement and activity in the area for some 7,000 years. The international significance of Brú na Bóinne has gradually been revealed through an ongoing process of discovery and research which began 300 years ago. In December 1993 the United Nations Educational, Scientific and Cultural Organisation (UNESCO) inscribed Brú na Bóinne as a World Heritage Site. This inscription recognises the universal importance of this landscape to the whole of humanity and requires the State to protect the Outstanding Universal Value (OUV) of the area of the World Heritage Site to the highest international standards.

One of the best known features of Brú na Bóinne is the mid-winter solstice phenomenon, when the sun, rising over the ridge of Red Mountain, shines through the roof box above the entrance to the tomb at Newgrange to light the chamber within.

Brú na Bóinne is one of the foremost and popular heritage site visitor attractions in the Country and as such, is a very important Local, Regional and National tourism asset with 261,340 visitors recorded in 2018.

8.6.2 Sustaining the Outstanding Universal Value

The first management plan for the site was published in 2002 by the Department of Environment, Community and Local Government. The management plan was included in the 2013-2019 County Development Plan. Under the Operational Guidelines for the Implementation of the World Heritage Convention (July 2019), every site contained on the World Heritage list must have a management plan which explains how the Outstanding Universal Value is to be maintained. The replacement for this 2002 management plan was sent to UNESCO

in January 2017 by the Department of Heritage, Culture and the Gaeltacht. The Management Plan is not a statutory planning document.

Planning Guidance, additional information on UNESCO World Heritage and the Statement of Outstanding Universal Value for Brú na Bóinne and Brú and Bóinne World Heritage Site Management Plan are contained in Appendix 8 of the County Development Plan.

8.6.3 Statement of Policy

Meath County Council is committed to the protection and conservation of the UNESCO World Heritage Site of Brú na Bóinne. The Council acknowledges the need for additional bed spaces and other tourist facilities to enable the local community to benefit from the area's World Heritage Site status. The refurbishment of existing building stock will be supported and encouraged in this regard. The World Heritage site is a key component of Ireland's Ancient East and its potential to generate additional tourist activity in the wider Boyne Valley region as a generator of local employment is acknowledged. The Council welcomes the support of key national stakeholders in developing appropriate policies to ensure the area benefits from its unique International heritage standing.

It is the policy of the Council:

- **Heritage Policy 6**
 - To protect the Outstanding Universal Value of the UNESCO World Heritage Site of Brú na Bóinne in accordance with the relevant guidelines and national legislation, so that its integrity, authenticity and significance are not adversely affected by inappropriate development or change.
- **Heritage Policy 7**
 - To encourage the retention, conservation, and appropriate re-use of traditional buildings within the UNESCO World Heritage Site of Brú na Bóinne in preference to either their replacement, or the construction of new buildings on green field sites.
- **Heritage Policy 8**
 - To ensure that development within the UNESCO World Heritage Site of Brú na Bóinne shall be subject to the Development Assessment Criteria set out in Appendix 8 and the Development Management Guidelines in Chapter 11.
- **Heritage Policy 9**
 - To consider individual housing within the UNESCO World Heritage Site of Brú na Bóinne, as shown on Map 8.1 - UNESCO World Heritage Site - Brú na Bóinne, only for those involved locally in full time agriculture and who do not own land outside of the UNESCO World Heritage Site of Brú na Bóinne and subject to compliance with all other relevant provisions contained in this Development Plan.
- **Heritage Policy 10**
 - To ensure that residential extensions within the UNESCO World Heritage Site of Brú na Bóinne respect the scale, design and character of the original building.
- **Heritage Policy 11**
 - To support the Department of Culture, Heritage and the Gaeltacht and all stakeholders in the implementation of the Brú na Bóinne Management Plan, 2017.

It is the objective of the Council:

- **Heritage Objective 7**
 - To work in partnership with the community and all other relevant stakeholders to promote, understand, conserve and sustainably manage the UNESCO World Heritage Site of Brú na Bóinne.

- **Heritage Objective 8**
 - To encourage and facilitate pre-application discussions, in conjunction with the Department of Culture, Heritage and the Gaeltacht, regarding the siting and design of developments affecting the UNESCO World Heritage Site of Brú na Bóinne and the scope of any necessary impact assessments.
- **Heritage Objective 9**
 - To refer all planning applications within the UNESCO World Heritage Site of Brú na Bóinne to the Department of Culture, Heritage and the Gaeltacht for comment. These comments will be considered in the assessment of all such planning applications.
- **Heritage Objective 10**
 - To actively support and encourage the re-use of vacant and derelict dwellings within the Core and Buffer Zone of the World Heritage Site of Brú na Bóinne by providing assistance and professional advice to owners seeking to re-develop such sites.
- **Heritage Objective 11**
 - To protect the ridgelines which frame views within and from the UNESCO World Heritage Site of Brú na Bóinne from inappropriate or visually intrusive development.
- **Heritage Objective 12**
 - To prepare and implement a Business Plan for the World Heritage Site in conjunction with relevant stakeholders, subject to funding.

8.6.4 World Heritage Tentative List

The protection of the world's cultural and natural heritage is of importance for present and future generations and to this end the State is committed to the identification, protection, conservation, presentation and promotion of the World Heritage Site in accordance with Article 4 of the World Heritage Convention.

A Tentative List is an inventory of those properties which a country intends to consider for nomination to the World Heritage List. The current Tentative List was approved by the Minister for Arts, Heritage and the Gaeltacht and submitted to UNESCO in March 2010. The nomination of any property from the Tentative List for inscription on the World Heritage List will only take place after consultation with local communities and other relevant stakeholders. Two sites in the County have been included on the Tentative List as part of larger assemblies of sites:

The Tara Complex as part of The Royal Sites of Ireland (Cashel, Dún Ailinne, Hill of Uisneach, Rathcroghan Complex and Tara Complex).

Kells, as part of the Early Medieval Monastic Sites (Clonmacnoise, Durrow, Glendalough, Inis Cealtra, Kells and Monasterboice).

In January 2019, the Minister for Culture, Heritage and the Gaeltacht invited applications for Ireland's Tentative List of properties for potential future nomination to the World Heritage List 2020-2030.

It is the policy of the Council:

- **Heritage Policy 12**
 - To recognise and respect potential World Heritage Sites in Meath on the UNESCO Tentative List – Ireland.

It is the objective of the Council:

- **Heritage Objective 13**
 - To support the State in the nomination process of Tara and Kells to World Heritage status as part of an assemblage of Royal and Monastic Sites in co-operation with the relevant Local Authorities.

8.6.5 Walled Towns

Navan, Trim, Kells and Athboy are medieval walled towns. Of these, only Trim has substantial lengths of town wall remaining upstanding. While the others have some fragmentary upstanding remains, parts of the walls have been shown to survive below ground. Town defences include walls, gates, bastions, banks, ditches, outworks and other features. Each walled town is considered as a single recorded monument and the line of the town walls and defences are classed as National Monuments under the National Policy on Town Defences 2008.

It is the policy of the Council:

- **Heritage Objective 13**
 - To protect and preserve in situ all surviving elements of medieval town defences.

It is the objective of the Council:

- **Heritage Objective 14**
 - To retain the surviving medieval street pattern, building lines and burgage plot widths in historic walled towns.

Kildare County Development Plan 2017-2023

It is the policy of the Council to:

- **AH 1**
 - Manage development in a manner that protects and conserves the archaeological heritage of the county, avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest and secures the preservation in-situ or by record of all sites and features of historical and archaeological interest. The Council will favour preservation in – situ in accordance with the recommendation of the Framework and Principals for the Protection of Archaeological Heritage (1999) or any superseding national policy.
- **AH 2**
 - Have regard to the Record of Monuments and Places (RMP), the Urban Archaeological Survey and archaeological sites identified subsequent to the publication of the RMP when assessing planning applications for development. No development shall be permitted in the vicinity of a recorded feature, where it detracts from the setting of the feature or which is injurious to its cultural or educational value.
- **AH 3**
 - Secure the preservation (in-situ or by record) of all sites, monuments and features of significant historical or archaeological interest, included in the Record of Monuments and Places and their settings, in accordance with the recommendations of the Framework and Principles for the Protection of Archaeological Heritage, DAHG (1999), or any superseding national policy document.
- **AH 4**
 - Ensure that development in the vicinity of a site of archaeological interest is not detrimental to the character of the archaeological site or its setting by reason of its location, scale, bulk or detailing and to ensure that such proposed developments are subject to an archaeological

assessment. Such an assessment will seek to ensure that the development can be sited and designed in such a way as to avoid impacting on archaeological heritage that is of significant interest including previously unknown sites, features and objects.

- **AH 5**
 - Contribute towards the protection and preservation of the archaeological value of underwater or archaeological sites associated with rivers and associated features.
- **AH 6**
 - Contribute towards the protection of historic burial grounds within the county and encourage their maintenance in accordance with conservation principles in co-operation with the Historic Monuments Advisory Committee and National Monuments Section of Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA).
- **AH 7**
 - Promote and support in partnership with the National Monuments Section of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (DAHRRGA), the concept of Archaeological Landscapes where areas contain several Recorded Monuments.
- **AH 8**
 - Encourage, where practicable, the provision of public access to sites identified in the Record of Monuments and Places under the direct ownership, guardianship or control of the Council and/or the State.
- **AH 9**
 - Encourage the provision of signage to publicly accessible recorded monuments.