

Rathcoole Courthouse  
Proposed Extension and Alterations  
to the former Court of Petty  
Sessions, Rathcoole, County Dublin

BARRY

06/04/2021

PART VIII APPLICATION



# archaeology plan

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## HERITAGE SOLUTIONS

### SITE NAME

Rathcoole Courthouse and former Court of Petty Sessions, Rathcoole, County Dublin

### CLIENT

South Dublin County Council

### RMP

N/a

### PLANNING

N/a

### LICENCE

NMS Registration W000412 - Ministerial Consent C001022

### PROJECT REF

AP2110

### REPORT AUTHOR

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6<sup>th</sup> April 2021

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# Section 1 Introduction

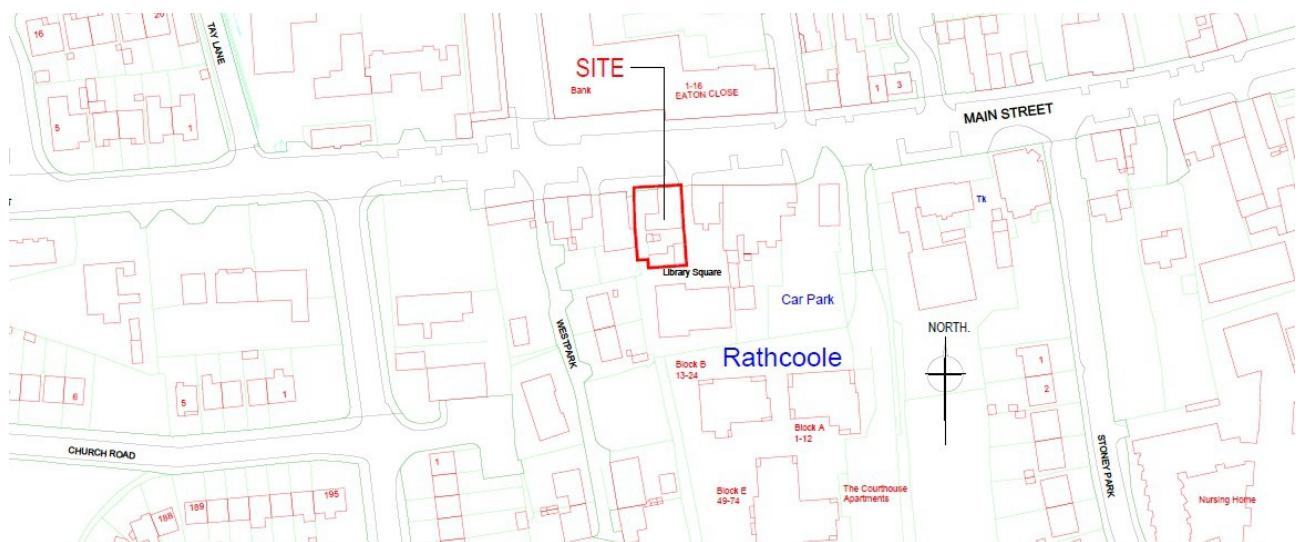
## Report summary

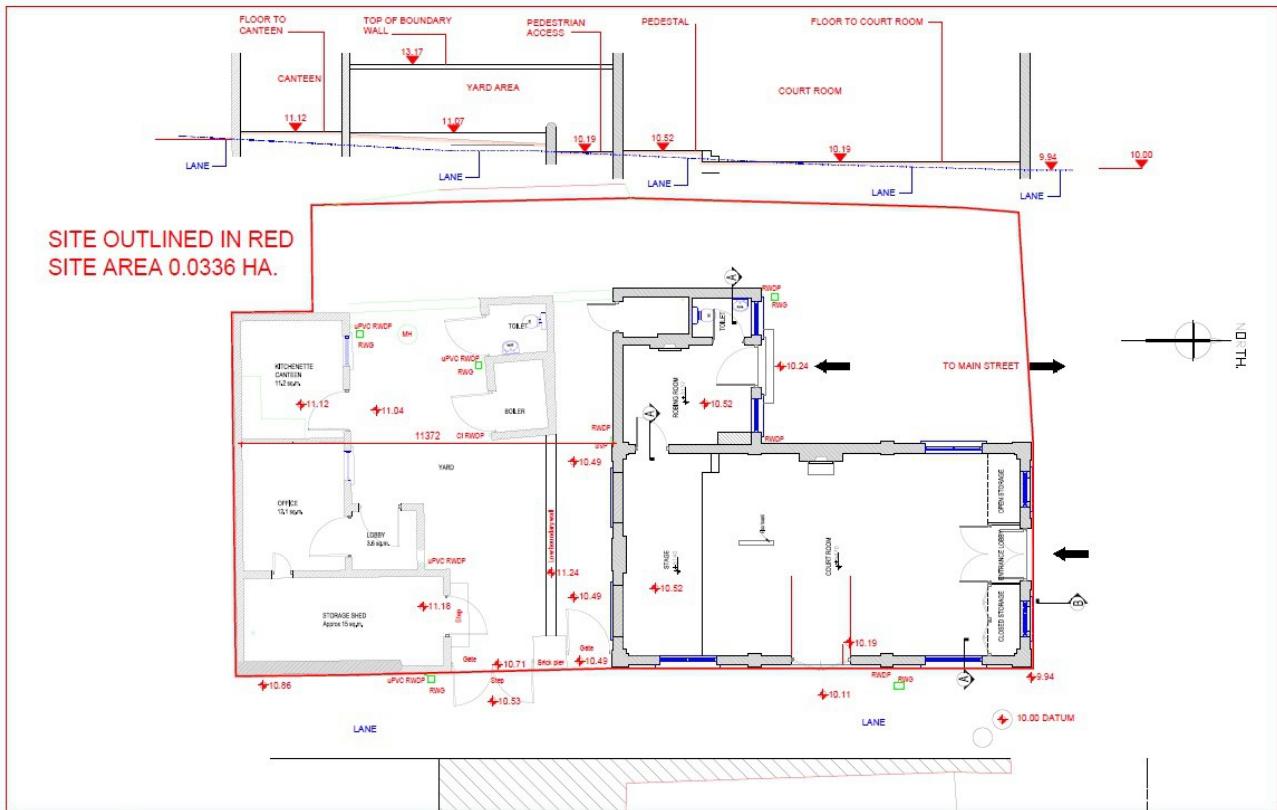
South Dublin County Council are proposing to extend and conserve the Court of Petty Sessions in Rathcoole, Co. Dublin. The former court and library has acted as a community centre but has fallen into disuse due to the lack of facilities and heating. The proposals are designed to increase accessibility and comfort in the building and should bring the courthouse back into sustained use.

This report assesses the archaeological and heritage impact of the proposed works on the building and the surrounding site, which includes a former laneway to the west; gas pipeline works on Main Street, the footpath and the laneway to the east and the courtyard to the rear. The work also proposes to partially demolish a rear wall of the Protected Structure. The site area is presently almost completely built over.

Cartographic, historical and archaeological assessments demonstrate that the site has a high potential for the presence of sixteenth and seventeenth century underground built heritage and artefacts, including the home and church of Fr James Harold, which was burned by the Yeomanry in 1798 and was later the site of the execution of Felix Rourke in 1803. Both of these men are commemorated in a 1998 memorial in front of the courthouse. Redeposited yellow clay found in 2013 may point to the presence of a demolished vernacular cabin, which could be related to Fr Harold's dwelling. As natural subsoil was not found at 0.6m in 2013, and the proposed works will include excavation to approximately 0.8m, it is possible that archaeological material may be reached during the works and archaeological supervision will be required throughout. Modern outbuildings and an 18th-19th century courtyard wall are to be demolished, the latter which should be recorded prior to demolition.

Site location, SDCC





Existing site plan with elevations as of Nov. 2020, SDCC

## Site location

Rathcoole Courthouse is a Protected Structure (SDCC ref. 319) on the south side of Main Street, Rathcoole, Co. Dublin; Rathcoole Townland and Parish, Newcastle Barony, OS Sheet Dublin 21 (NGR 701973/726733) and the map sheet number is 3388-18.

The area of the footprint of the courthouse building is 114m<sup>2</sup>. The area of the site of the courthouse, including the forecourt to the former judge's robing room, the yard to the rere and the outbuildings and offices arranged around the yard is 275m<sup>2</sup>, or 0.07 of an acre.

The courthouse is not in the Rathcoole village Architectural Conservation Area (A.C.A.) but is within the Zone of Archaeological Potential (Z.A.P.), R.M.P. Ref. No. DU021-030. The courthouse is in the National Inventory of Architectural Heritage (NIAH) survey of the south county Dublin, Registry Number 11213015, Regional Rating and of architectural, social and technical interest.

## Development Proposals

In summary, South Dublin County Council propose to demolish the existing modern out-buildings in the yard and the boundary walls around the yard and to excavate their foundations and sub-structures, grub up and make good. The existing cement paved yard will be excavated to a maximum depth of 800mm where new strip foundations will be poured, and average 600mm elsewhere. A trench will be excavated across the main road, public footpath and down the lane adjacent to the courthouse to provide a new mains gas connection, and further local excavations for other services, water, drainage and electrical will be carried out.

No works are proposed to the courthouse itself except to make an opening in its rear external wall to connect the new extension with the existing building, and to make good this junction. Conservation of the courthouse building will be part of a future phase of works.

# SDCC Development Plan

The relevant extracts from the South Dublin County Development Plan (2016–2022) are noted here.

## Protected Structures

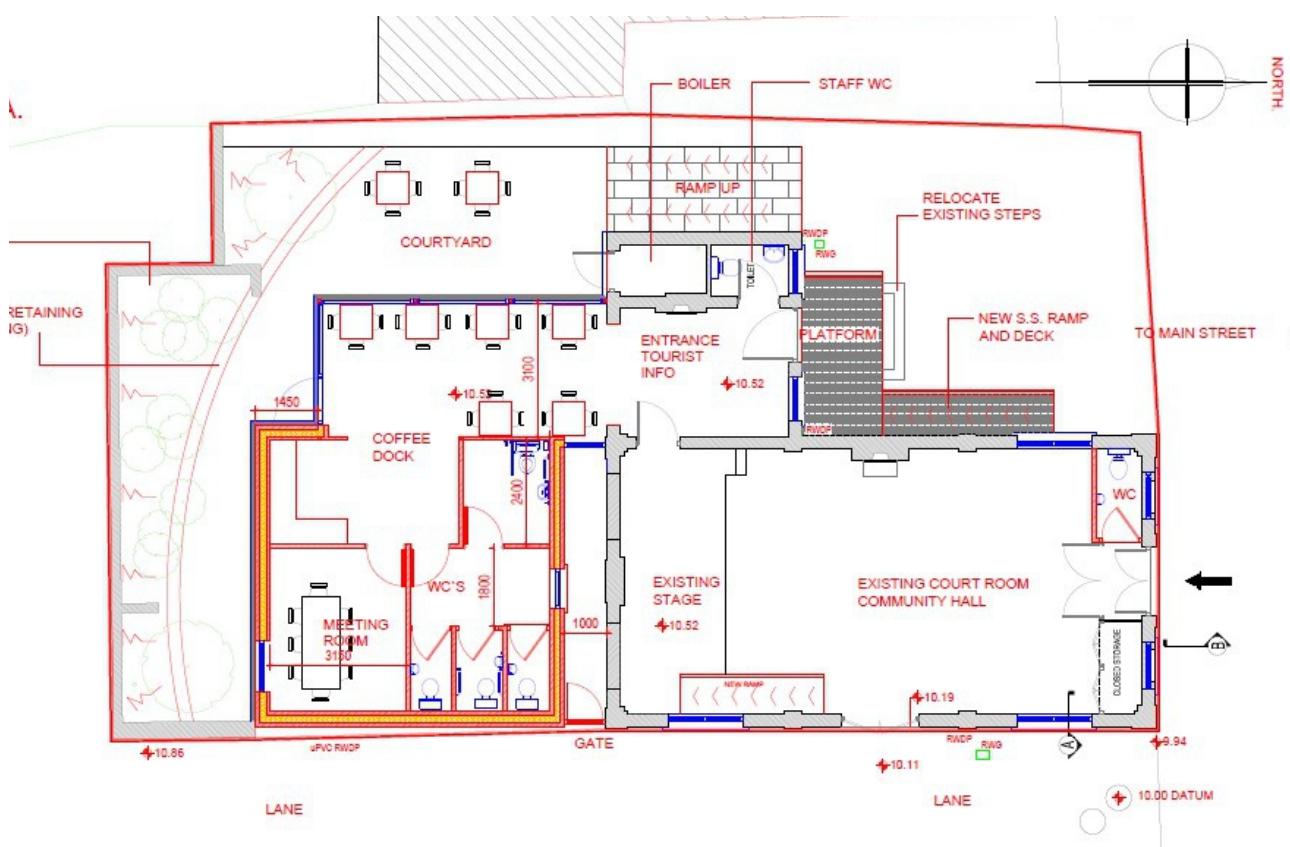
The Planning and Development Act 2000 (as amended) requires each Planning Authority to include a Record of Protected Structures (RPS) in the County Development Plan. The RPS for South Dublin County is listed in Schedule 2 of this Plan and all associated structures are identified on Development Plan maps. South Dublin County Council commissioned an independent review of the RPS, with a view to identifying structures that merit addition or deletion. The RPS Review is a separate document to be read in parallel with this plan. There are 494 structures listed on the RPS. This includes a total of 23 additions to the Record of Protected Structures and a total of 74 deletions from the previous Development Plan. Of the deletions, 68 related to structures that are now within Ar-

chitectural Conservation Areas. The statutory protection afforded by this designation is considered to offer a high level of protection to the exterior of these structures, which is the primary area of interest, while offering more flexibility to owners and occupiers, particularly in relation to the carrying out of works to the interior of the structures. Where a structure is protected under the RPS, the protection includes (unless otherwise stated) the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures.

## Heritage, Conservation and Landscapes (HCL) Policy 3 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including

Proposed new site plan, SDCC



its historic curtilage, both directly and indirectly.

HCL3 Objective 1: To ensure the protection of all structures (or parts of structures) and the immediate surroundings including the curtilage and attendant grounds of structures contained in the Record of Protected Structures.

HCL3 Objective 2: To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Guidelines for Planning Authorities, DAHG (2011) including the principles of conservation.

HCL3 Objective 3: To address dereliction and encourage the rehabilitation, renovation, appropriate use and re-use of Protected Structures.

HCL3 Objective 4: To prevent demolition and inappropriate alteration of Protected Structures.

### ***Urban Centres (UC) Policy 3 Village Centres***

It is the policy of the Council to strengthen the traditional villages of the County by improving the public realm, sustainable transport linkages, commercial viability and promoting tourism and heritage value.

UC3 Objective 1: To protect and conserve the special character of the historic core of the traditional villages and ensure that a full understanding of the archaeological, architectural, urban design and landscape heritage of the villages informs the design approach to new development and renewal, in particular in Architectural Conservation Areas (ACAs).

UC3 Objective 2: To promote design standards and densities in traditional village centres, that are informed by the surrounding village and historic context and enhance the specific characteristics of each town or village in terms of design, scale and external finishes.

UC3 Objective 3: To support and facilitate the future development of tourism related infra-

structure and promote events such as markets, festivals and concerts in the traditional villages of the County.

**ACTION:** To protect and enhance the amenities and character of village centres the Council will encourage the improvement and development of the commercial, service, social and cultural functions which town and village centres perform while ensuring the protection of the archaeological and architectural heritage and environmental quality (see also Chapter 9 Heritage, Conservation & Landscapes and Chapter 11 Implementation)."

### ***Heritage, Conservation and Landscapes (HCL) Policy 1 Overarching***

It is the policy of the Council to protect, conserve and enhance natural, built and cultural heritage features, and to support the objectives and actions of the County Heritage Plan.

HCL1 Objective 1: To protect, conserve and enhance natural, built and cultural heritage features and restrict development that would have a significant negative impact on these assets.

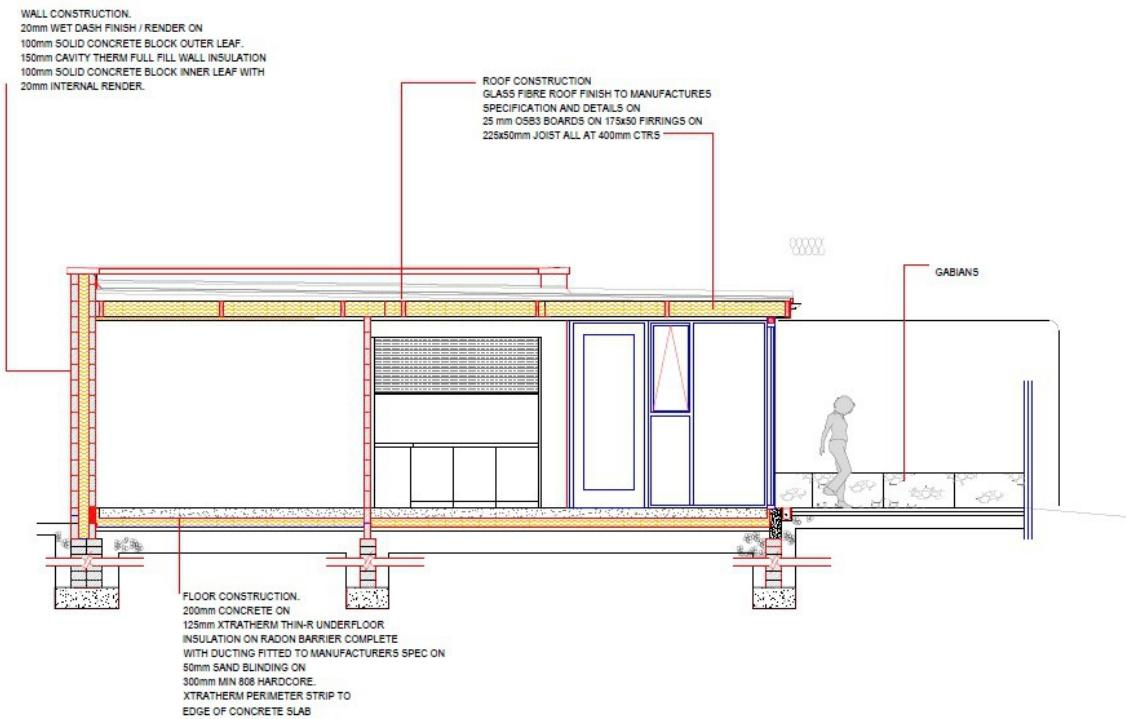
HCL1 Objective 2: To support the objectives and actions of the County Heritage Plan, including the preparation of a County Biodiversity Plan.

### ***Heritage, Conservation and Landscapes (HCL) Policy 2 Archaeological Heritage***

It is the policy of the Council to manage development in a manner that protects and conserves the Archaeological Heritage of the County and avoids adverse impacts on sites, monuments, features or objects of significant historical or archaeological interest.

HCL2 Objective 1: To favour the preservation in-situ of all sites, monuments and features of significant historical or archaeological interest in accordance with the recommendations of the Framework and Principles for the Protection of Archaeological Heritage, DAHGI (1999), or any superseding national policy document.

HCL2 Objective 2: To ensure that development is designed to avoid impacting on archaeological heritage that is of significant interest including previously unknown sites, features and objects.



Proposed section of site, facing west with stage level, new build, and gabion wall visible.

HCL2 Objective 3: To protect and enhance sites listed in the Record of Monuments and Places and ensure that development in the vicinity of a Recorded Monument or Area of Archaeological Potential does not detract from the setting of the site, monument, feature or object and is sited and designed appropriately.” (Page 153)

### *Heritage, Conservation and Landscapes (HCL) Policy 5 Older Buildings, Estates and Streetscapes*

It is the policy of the Council to encourage the preservation of older features, buildings, and groups of structures that are of historic character including 19th Century and early to mid 20th Century houses, housing estates and streetscapes. HCL5 Objective 1: To retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County. HCL5 Objective 2: To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including sur

rounding housing estates or streetscapes.

HCL5 Objective 3: To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

# Section 2 Archaeological Background

## Record of Monuments & Places

The Archaeological Constraint Maps, in conjunction with the County Record of Monuments and Places, provide an initial database for Planning Authorities, State Agencies and other bodies involved in environmental change. The Record of Monuments and Places comprise the following elements: (i) Letters indicating County (DU= Dublin); (ii) A three digit number indicating the relevant Ordnance Survey Sheet Number (e.g. 021); (iii) A three, four or five digit number indicating the dedicated number of the individual site or monument. The paper files of the RMP were unavailable for consultation at the time of compiling this report, and the information contained below was derived from the on-line records of the RMP ([www.archaeology.ie](http://www.archaeology.ie)). Supplementary published sources were also used where possible.

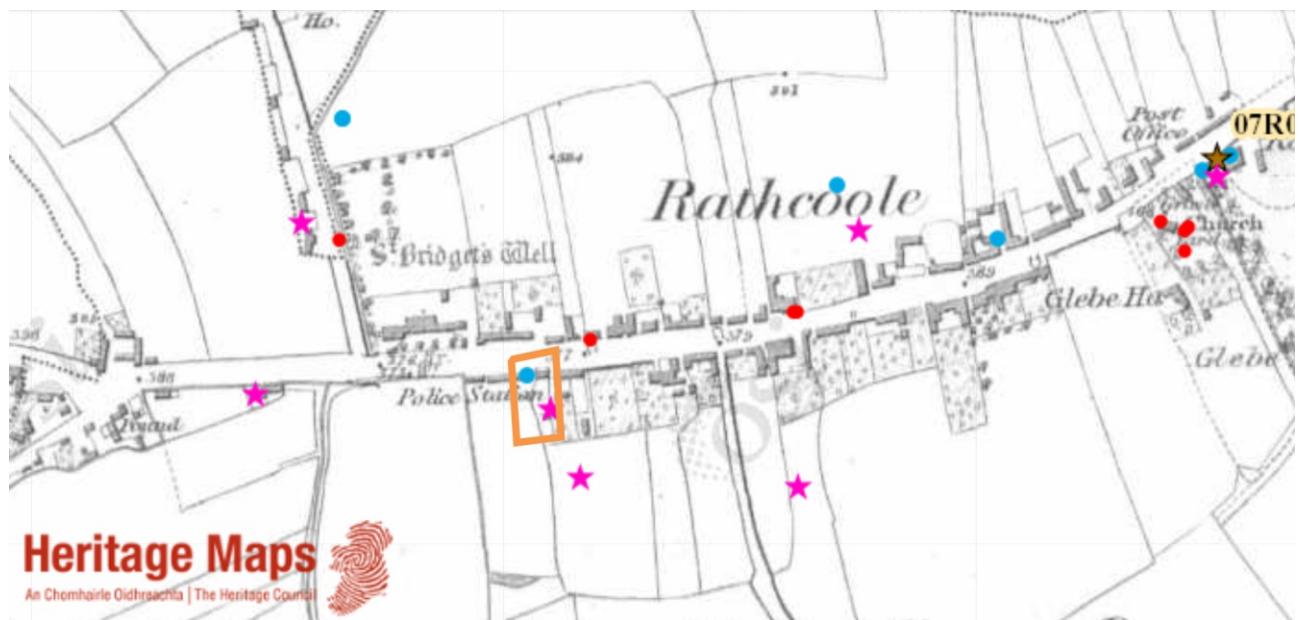
Eleven Recorded Monuments lie within 650m

of Rathcoole Courthouse, and a twelfth (a field system) has the potential to extend westwards to within 1km of the courthouse.

### **Burial DU021-028**

The burial (DU021-028) in Greenoge townland is situated in 'Scotts Field'. It refers to a possible cist discovered during ploughing in the 1940s, and may comprise a prehistoric grave (Topographical File, Report and Sketches by E. Prendergast 26/4/44). Prendergast reported that 'the two limestone capstones and the mall limestone which accompanied them had been removed by the ploughman who informed me that when found the capstones had slightly overlapped and third stone lay near their juncure. Soil had been filled into the depression left on the removal of the capstones, until it was same level as surrounding field. We removed this loose brown soil and uncovered flat limestones as in plan, c. 35cms down. Underneath these stones was further disturbed brown soil. There was a think layer of dense gray pasty soil

1837 OS map with site outline and overlay of NIAH Records (blue), Excavation Reports (Pink Stars); RMPS (Red dots) , and geophysical survey (gold star) from Heritage Maps.ie



under the disturbed pocket and on removing this we reached a grey rocky strata. There was no trace of bone or chemical in the fill of the disturbed area. The ploughman informed me that expecting the capstones and the third limestone nothing had been removed from the site, and he had not moved the flat limestones. We filled in the excavated area again to the level of the surrounding field. There were no traces of working on any of the stones' (Ellen Penderast. 26th April, 1944)

#### ***Ringfort DU021-029***

No visible trace remains of the ringfort (DU021-029) in Commons townland. The evidence for this site is an aerial photograph.

#### ***Rathcoole Village DU021-030 & -030008***

Recorded monument No. DU021-030 (& DU021-030008) relates to Rathcoole Village. The designated zone as marked on the outdated Archaeological Constraint Map is based on the estimated size of the medieval borough taking into account the possibility of an outer fosse (Undated, 288), and this includes the site of Rathcoole Courthouse. The Urban Archaeological Survey notes Rathcoole as a typical example of a small Medieval borough, one of many that surrounded Dublin (Undated, 287).

The site has been subject to continuous human activity since before the 12th century. Documentary sources relating to the town area are scarce consequently excavation is likely to be the principal means by which additional knowledge can be obtained (*ibid*). The survey goes on to note that much disturbance has occurred to archaeological deposits in the last thirty years as a result of housing and road development. Surviving deposits are under continual threat because of the settlements proximity to Dublin (*ibid*, 287; Harkness & O'Dowd 1981, 48).

#### ***Church & Graveyard DU021-030***

The present early 18th century Church of Ireland occupies the site of an older church (DU021-03001). The foundation date of the original church is unknown, but in the thirteenth century it was assigned to the Dean of St. Patrick's Cathedral and became a chapel subservient to his church at Clondalkin. Within the limits of the present parish there was also an-

other church, the site of which was discovered in 1837 by Mr. Eugene O'Curry, on the lands of Callighstown belonging to the Convent of St. Mary de Hoggess (Price 1940; Ball 1905, 125; Lord Walker Fitzgerald 1906, 8).

An inscription on the outside of the church reads 'This Burial place belongeth to In Lowe of the Earl of Meathe Lif and his posterity. Here lieth his son John who died July 22 1764 aged 10'.

The graveyard (DU021-030002) was described by Austin Cooper (ed L. Price 1942, 54) 'In the Chu[rch] Y[ar]d is a piece of a Stone Cross 2ft 8in high by 2 f. 2 ins., with some traces of Circles &c. on it, fixed now for a Head Stone. Near it is another Stone, with the Traces of a Cross thereon - both mountain kind. THere are no Old tomb Stones, but a very Old Yew tree entirely decayed, the stump is 7ft. 8ins. In Circumference. This Chu[rch] Is just like that of Kill. Here is an handsome Ho[us]e, on the Gates whereof is thus written "Mrs. Mercer's Alms House for poor Girls 1744"'

Two graveslabs are noted within the graveyard (DU02103003 & -03005). The first (-03003) is a former cross-inscribed graveslab re-worked to form a Latin Cross, currently situated southeast of the church. It is described as a 'Rude granite cross'. This slab is in the burial ground at Rathcoole' (Price 1942, 54; Fitzgerald 1906, 114); and 'It is obviously a slab which has been trimmed down at some time to form a free standing cross. It bears the remains of a Latin cross in low relief with round hollows in the angles, and a double raised ring' (Ó hÉailidhe 1973, 53, 54). Austin Cooper mentions a second cross inscribed graveslab (-03005) at Rathcool (ed. Price 1942, 54) not precisely located, and this appears to be gone now.

#### ***Holy Well DU021-030004***

St Bridget's Holy Well (DU021-030004) is described by Ó Danachair: 'The water is piped from the well into a little basin on the roadside, below road level; a flight of steps leads down to the basin. A niche holds a small statue of the saint and a board has the painted inscription "St. Brigid pray for us." Still visited. Prayers said and water drunk. Small religious objects left as offerings. (Ó Danachair 1958-1960, 82). It was

later inspected by Henry Wheeler in 1979 who noted that it was '...nearby dry and rather neglected. Flight of stone steps leads down to the basin. Basin looks like a stone mortar. Notice board ("St Bridgid pray for us") mentioned by C. Ó Danachair has gone. Niche with statue of saint is obscured by plants. No sign of offerings now.'

#### ***House Sites DU021-030006, -030007 & -078***

The file for House sites DU021-030006 and DU021-078 contains no further information, but the Urban Survey notes that two late medieval fortified houses are recorded by Ball (1902-20, iii, 123) but their locations in Rathcoole are unknown.

House site DU021-030007 refers to the 16th and 17th century houses of Rathcoole that are marked on the Down Survey compiled c. 1650 in the vicinity of Rathcoole Courthouse: 'In the mid-17th century Rathcoole is said to have contained many good houses' (Ball 1902-20, 2, 123). The Down Survey compiled c. 1650 shows dwellings at Rathcoole. The Poitín Stíl reputedly dated to 1649 and maybe one of these buildings. It is a two-storey, three bay building situated two-doors down from the Courthouse. The roof is hipped and recently thatched with rye.

#### ***Font DU021-031***

The font (DU021-031) is situated in a field known as Trough Field and is formed of a roughly hemispherical piece of granite beside a field fence with a hollow in its upper surface (600mm diam; 450mm long), there is no outlet

at the base, although it does narrow towards a point (Moore, M. NMS field notes 1986). The OPW field notes suggest that the stone is too large and regular to be a bullaun, it is more likely to be an unfinished font (Ua Broin, 1943 '79-97 & 85; Healy, 1974, 1-26, see 24). It was present during testing conducted by Donald Murphy under licence 03E0765 (Stoney Road, Rathcoole) in June 2003. Murphy recommended its removal to a safe location.

#### ***Field System DU021-032***

The field system (DU021-032) was revealed in an aerial photograph (FSI 285/6 C(B) Roll: 88 Print 9 Mag: 13) taken in 1971 that shows conjoined irregular fields defined by low earthworks. This area has since been landscaped for the creation of a golf course. No visible surface traces. In late 2001, there was a 'Report on Illegal/Unauthorized works at RMP DU021:032 Field systems' The site was being developed and 'Clearly the development received permission, and although a condition for assessment was included in the grant, it was ignored and no assessment has been undertaken' (Reid, M. NMS Files).

#### ***Ringfort DU021-033***

The ringfort or enclosure DU021-033 was identified during the Ordnance Survey of 1837 (vol 1927, page 90a (55): 'I took a turn through the village of Rathcoole and its immediate vicinity on Saturday. I think I have found the situation of the ancient Rath of Cumhal in a little field called now, the Raheen Field. The remains of those two are three very large circles of earth, great part of which has been destroyed.

#### **Recorded monuments in vicinity of Study Area**

<b>Monument</b>	<b>Address</b>	<b>Type</b>	<b>Distance from site</b>
DU021-028	Greenoge	Burial, possible	650m
DU021-029	Commons	Ringfort Site	300m
DU021-030	Rathcoole	Village	0m
DU021-03001	Main Street	Church Site	425m
DU021-03002	Main Street	Graveyard	425m
DU021-03003	Main Street	Grave slab	425m
DU021-03004	Main Street	Holy Well	425m
DU021-03005	Main Street	Grave slab, possible	425m
DU021-03006	Main Street	Dwelling, possible	Uncertain
DU021-03007	Main Street	Dwelling	Uncertain
DU021-031	Rathcoole	Font, possible	300m
DU021-032	Rathcoole	Field System	1,500m
DU021-033	Rathcoole	Ringfort Site, possible	550m

However the parts remaining are very distinct', and is also recorded by Ua Broin, 79-97, 82) and the Urban Survey ( 24).

### ***Mill DU021-079***

The Urban Archaeological Survey for Rathcoole also records a mill (DU021-079) mentioned in 1326 (McNeill 1950, 184) and again in 1547 (D'Alton 1838, 366). The site of the mill(s) is unknown (Ua Broin 1943, 89).

### ***Ringforts DU015-003***

Located in Grange townland, a short distance to the southeast of DU012-033, two further enclosures (classed as ringforts in the RMP) were identified as cropmarks on an aerial photograph taken in 1966. One of the ringforts (015-003002) is depicted on the 1837 Ordnance Survey 6inch map as a tree-lined oval. These ringforts, along with probable associated field systems are also visible on the current aerial image at [www.bing.com/maps](http://www.bing.com/maps) (see Section 3.7). Local folklore identifies these as the stronghold of Hamund MacTorcaill, brother of the last Norse Earl or king of Dublin (Kennedy 1984, 55).

### ***Ringfort DU015-004***

Located in Grange townland, this is depicted on the 1837 Ordnance Survey 6-inch map as a circular enclosure with a central rectangular feature, and marked 'fort'. No aboveground trace of the ringfort remained when it was visited in 1993 (Stout 2011, [www.archaeology.ie](http://www.archaeology.ie)), but the site was noted as being located on a 'low ridge in low-lying arable land' (ibid.).

### ***Ringfort DU015-005***

Although described in the RMP notes as located in 'lowlying pasture', the available RMP maps show this to be currently located within a farm-yard setting. Described in 1975 as a platform ringfort comprising a circular raised area (40m in diameter) with slight traces of an enclosing bank and external fosse, and with an entrance in the southeast (Healy, cited in Stout 2011, [www.archaeology.ie](http://www.archaeology.ie)).

### ***Church and Graveyard DU012-031***

This comprises the remains of the late medieval Malahide Abbey and associated features, located within Malahide Demesne, a short distance to

the east of the castle. Of limestone construct, the church (DU012-031001) now consists of a nave, chancel and sacristy and features a 'fine triple light, ogee-headed west window of 15th century date and two doublelight, tracery windows in the east end' (Stout 2011, [www.archaeology.ie](http://www.archaeology.ie)). Two incomplete sheela-naggs have been incorporated into the building (DU012-031002; DU012-031003), although in both cases this was not their original setting. Both are of sandstone and show evidence of having been cut to fit their present location (Stout & O'Brien 2011, ibid.). A carving of a 'mitred head' (DU012031004) is also evident at the apex of the southern door of the church. Both the interior and the surrounds of the church have been used for burial, the graveyard (DU012031006) being surrounded by a 'battlement wall'(ibid.). Visible headstones date to the nineteenth and twentieth centuries. A fifteenth century tomb with an effigy of a female figure in late medieval attire (DU012-031005) is located in the interior of the church and is dedicated to Maud Plunkett, wife of Richard Talbot, who died in the later fifteenth century.

### ***Castle – Tower House DU012-030***

The present remains of Malahide Castle, the seat of the Talbot family from medieval times until the 1970s, consist of a large eighteenth century enlargement with some nineteenth century renovations. Parts of the medieval castle survive in the core of the building: particularly notable is a vaulted undercroft in the Oak Room, which also contains original 'corbel heads of Edward IV' (Stout 2011, [www.archaeology.ie](http://www.archaeology.ie)).

### ***Earthwork DU012-029***

This is located within Malahide Demesne and was described by Westropp in 1915 as comprising an earthen platform (c.17m in diameter), enclosed by a fosse, a bank and an outer fosse. At that time the central part was being quarried (cited in Stout 2011; [www.archaeology.ie](http://www.archaeology.ie)).

## Previous excavations in vicinity of Study Area

Ref.	License	Location	Findings	Excavator
2000:339	00E0825	Saggart-Rathcoole-Newcastle Drainage Scheme Pipeline	No significance	Elliott
2002:649	02E1565	Rathcoole Inn, Main Street, Rathcoole	No significance	Channing
2002:650	02E1651	26 Beechwood Lawns, Rathcoole	No significance	Stafford
2002:651	02E0081	Main Street, Rathcoole	No significance	O'Carroll
2002:652	02E0090	St Jude's, Main Street, Rathcoole	No significance	Ó Riordáin
N/a	02E1314	Tay Lane, Rathcoole	No significance	Kavanagh
N/a	03E0195	Stoney Lane, Rathcoole	No significance	Walsh
N/a	03E0765	Stoney Lane, DU021-031 Font	No significance	Murphy
N/a	03E0846	Main Street Rathcoole	No significance	Keeley
2007:536	07E1080	Rathcoole House, Rathcoole	Urban post-medieval	Gilligan
2013:056	13E0442	Rathcoole Courthouse	No significance	Giacometti
2015:386	14E0457	Rathcoole House, Rathcoole	Medieval	Tierney
2015:450	15E0570	Scoil Cronáin National School	No significance	Byrne

## NMI Topographical Files

The files held in the National Museum of Ireland were consulted in 2013. Due to the Covid-19 Pandemic, it has not been possible to consult the files in 2021 but this will be done as soon as possible. The Topographical Files provide information on artefacts, their find spots, and any field monuments that have been notified to the National Museum.

The Topographical Files contain references to no artefacts of archaeological significance recovered in the vicinity of Rathcoole, and the closest records to Rathcoole Courthouse refer to three stone artefacts associated with the investigations in church at Saggart. The departmental file concerning Recorded Monument DU021-041, a monastic site at Coolmine, refers to museum correspondence concerning the site in 1944 (NMI correspondence, 26/4/44). The topographical files do not record this information.

## Archaeological investigations

Summaries of all licensed archaeological the Republic of Ireland are published in the annual Excavations Bulletin (Isabel Bennett, ed.), available on-line at [www.excavations.ie](http://www.excavations.ie). Excavation summaries for the years 1970-2009 were consulted for the present report. Monitoring took

place within the study area in 2013, undertaken by Antoine Giacometti (13E0442). A number of investigations have been carried out in the wider area: these are listed below, along with summary discussions of the more relevant investigations.

### *2013 Monitoring programme at courthouse*

This was carried out during the construction of a ramp along the western wall of the main courthouse. Sub-surface groundworks, for the laying of a small electrical duct in this area, comprised a narrow (500mm) N-S running trench 600mm deep along the edge of the building foundations on the west side of the building street frontage, within a flowerbed. The natural subsoil was not reached.

The upper 350mm of material comprised modern compost. Below this was a sterile redeposited yellow clay with frequent large stones, cut by ceramic waste-water pipes running N-W diagonally across the yard. The foundations of the Protected Structure were exposed at 300mm below the surface. These comprised unrendered masonry blocks peared to end at 550mm below the surface. All the material in the trench dated to the 20th century or later. No archaeological features or artefacts were encountered. A shallow excavation further west for the repaving of the pavement similarly revealed neither pre-20th century nor archaeological material.

The cartographic and archaeological assessments demonstrated that the site has a high potential for the presence of sixteenth and seventeenth century underground built heritage and artefacts. The redeposited yellow clay, a material that is known to have been used in vernacular structures, may indicate the possibility of a demolished vernacular cabin. Giacometti recommended that any future development works at the site, involving sub-surface groundworks, should be archaeologically monitored.

### *Other archaeological investigations*

In January 2005 monitoring for archaeological remains took place in Rathcoole in advance of construction of an access road connected to the Johnstown interchange as part of the N7 Naas road widening scheme. Nothing of archaeological significance was found ([www.celorjv.com/monthly\\_update.htm](http://www.celorjv.com/monthly_update.htm)).

In 2003 a programme of test trenching and geophysical testing was carried out prior to the widening of the N7 through Rathcoole. Nothing of archaeological significance was found. ([www.nra.ie/Archaeology/Archaeologyon-RoadSchemes/file,810,en.PDF](http://www.nra.ie/Archaeology/Archaeologyon-RoadSchemes/file,810,en.PDF))

In 2003, Valerie J Keeley monitored the works related to the residential and commercial development to the south of the Court of Petty Sessions. It had previously been tested by Channing. No material of archaeological significance was found in either case.

A number of archaeological sites were excavated during the construction of the Saggart-Rathcoole-Newcastle Drainage Scheme Pipeline. Following a programme of archaeological monitoring (Elliott 2000:339; 00E0825) three sites were uncovered. None of the sites were located in the vicinity of Rathcoole Courthouse.

A number of archaeological investigations associated with development on Main Street and outside Rathcoole during 2002 (Channing 2002:649; 02E1565; Stafford 2002:650; 02E1651; O'Carroll 2002:651; 02E0081; Ó Ríordáin 2002:652; 02E0090). The sites were considered not to be of archaeological significance, only one investigation (02E0081) yielding



Extent of 2013 monitoring, Giacometti 13E0442

finds, which consisted only of postmedieval pottery from a disturbed context (Bennett 2002, 183).

Archaeological investigations (geophysical survey and test-trenching) at Rathcoole House (d. 1830s) off Rathcoole Main Street in 2007 identified the remnants of an earlier plot, structure, laneway and boundary wall next to the church (Gilligan 2007:536; 07E1080). In 2014, under licence 14E0457, two medieval pits were recorded to the west of the house. The largest of the pits, C.5, measured 2m by 1.2m by 0.8m in depth. It was stone-lined and contained 4 fills. A total of 3 sherds of Dublin-type ware were recovered from the fills. The second pit was more shallow (1m x 2.1m x 0.35m) and only partially stone-lined. 2 sherds of Dublin-type ware and 3 sherds of Leinster Cooking ware and a ceramic crucible were recovered from the fills. The pottery was dated by Claire McCutcheon to the 13th century with 2 jugs and a cooking jar represented. The suggests that the area originally formed part of an Anglo-Norman burgage plot.

## Built Heritage

Rathcoole Courthouse is protected under the Planning and Development Acts. The 'Library Building, Rathcoole' is protected under the Planning and Development Acts; it is referred to in the Council's Record of Protected Structures (RPS, Map Ref. No. 319) under the County Development Plan 2010 - 2016 - Schedule 2, Record of Protected Structures, referred to as a 'Court of Petty Sessions'.

The courthouse is identified in the National Inventory of Architectural Heritage (NIAH) survey of the South Dublin County Area, under Registry Number 11213015. The NIAH rates the structure as being of Regional rating, and

being of architectural, social and technical interest.

A Conservation Architects Report has been drafted (April 2021) and concludes that the proposed works will have a minimal impact on the buildings on site.



# Section 3 History and Cartography

## Place names

Rathcoole has been translated as the rath of 'Coole' or 'Cumhall' (Ball 1905, 118), possibly in reference to the father of Fionn Mac Cumhall. Another interpretation is that the 'coole' in Rathcoole may derive from the Irish word for forest, 'coill', translating as 'fort of the wood' (Moloney 1998, 2). The area would have once been covered by woodland. According to Moloney the area was deforested in 1229, and

tradition has it that the wood was used to provide funds for the building of St. Patricks cathedral (ibid, 18). Lewis notes that the town was anciently called 'Radcull' (1836, 492).

A rath which may be referred to in the place-name (Recorded Monument No. DU021-033) is situated to the east of the proposed development site in an area to the south of the village church once known as 'Broadmore Commons' (Ua Broin 1943, 81). The area is surrounded by

### Down Survey, Barony of Coolock, Co. Dublin, c. 1656

The Down Survey maps depict the outlines of baronies and parishes, and the territorial boundaries of individual landowners in the mid-seventeenth century. The Down Survey names the 'Parrish of Racoole', and 'The tonneland of Racoole' is marked by a series of buildings including the 'Old church'. The other four to five structures marked in the village to the east of the church are not distinguished but were interpreted by Ball (1902-20, 2, 123) as mid-17th century houses, and are now considered to be a Recorded Monument (RMP DU021030007). The accompanying text to the Down Survey notes that 'at Rathcoole there stands two old Castles and many good habitable houses and Cabbins with the ruins of a Chapple'. The Poitín Stíl, a thatched building two doors down from the Rathcoole Courthouse, reputedly dates to 1649 and may be one of these buildings. The site of Rathcoole Courthouse is located on the south side of the main road approximately half-way between the river and the road leading to Saggart, which places the site on the location of one of the buildings on the Down Survey map.





### John Rocque map of Dublin 1760

Rocque's map presents a more detailed view of Rathcoole in the mid-eighteenth century. Rocque's map marks Rathcoole village and names the church at the eastern end of Main Street and the Commons and the Charter school towards the centre. Numerous buildings are marked along the line of Main Street and to the south between Main Street and the proposed development area. The majority of the low lying areas are enclosed. The site of the courthouse is about halfway between the watercourse running north to south and the curving road (Stoneylane).

streams and the name Broadmore is probably derived from 'Brághaid' meaning 'watercourse' (ibid).

## Prehistoric

The low hills to the southwest of the courthouse including Saggart Hill, Lugg Hill and Verschoyles Hill provide a perfect landscape for prehistoric remains. In the townlands of Crockaunadreenagh and Slievethoul on the slopes of Saggart Hill to the south of the courthouse there are cairns called 'Knockaniller' or the 'Mount of the Eagle' and 'Knockandinny', the Mount of the Man' and a further example on Lugg Hill (RMP No. DU021-049) in the townland of Crooksling. There is also a sepulchral mound known as 'Hill of the Herd Boy' (Ball 1905, 118). In addition, a possible burial site in the townland of Greenoge (RMP No. DU021-028) to the north of Rathcoole vil-

lage is of possible Neolithic or Early Bronze Age date. The site lies on flat land in 'Scot's Field' and consists of two limestone capstones with a third not in situ on top of flat limestones. Excavation at the site revealed no bone or charcoal, there were no traces of working on any of the stones (OPW Field Notes 1944). These sites were probably constructed between 4000 and 2000BC (Waddell 2000, 57).

## Early Medieval and Norse

During the Early Medieval Period, the area around Rathcoole was controlled by a series of rival Irish clans such as the O'Tooles and the O'Byrnes. Such instability meant the need for defensive, protective structures. The landscape is dotted with ringforts representing such defended farmsteads. Their prominence in the area is illustrated by the high occurrence of placenames containing 'rath' eg. Raheen Park to

the north of Rathcoole village and Rathcreedan to the north-west.

The townland of Callaighstown meaning 'Town of the Nuns' once belonged to the Convent of St. Mary de Hogges (Ball 1905, 118), who also owned land in Rathgar and Rathcreedan. They are also thought to have had their nunnery on these lands. Little is known of their history. The lands were dissolved and retained by the crown during the dissolution of the Catholic church in the early 16th century (Ball 1905, 120). Callaighstown was called Nunscot in the mid-16th century (ibid). A survey of lands of the manor of Rathcoole in 1326 records this nunnery. In spite of the dissolution of the foundation, Callaighstown however remained a district parish up until the census of 1831 (Moloney 1998, 17).

## Anglo-Norman and Medieval

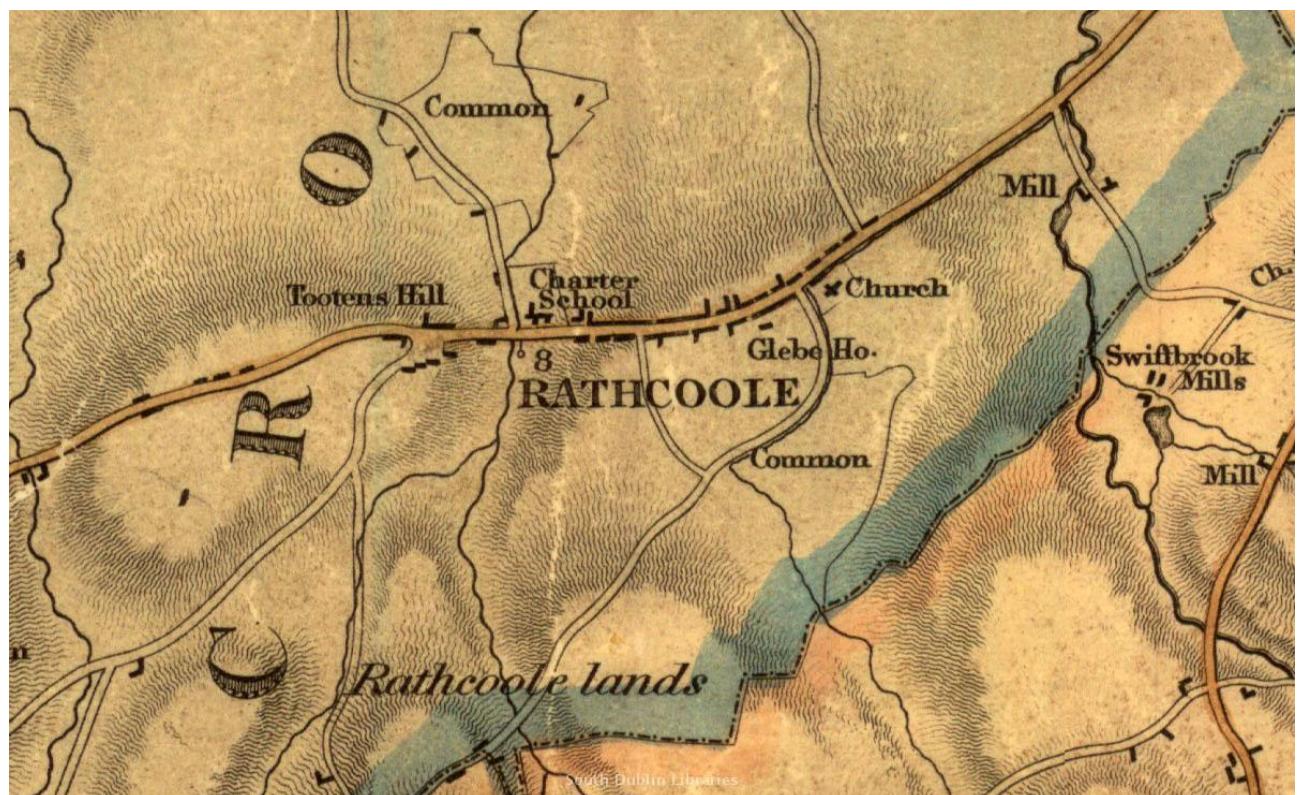
After the Norman settlement, the native agricultural population continued as before giving the same service to the Norman lords as was given to the Irish chieftains

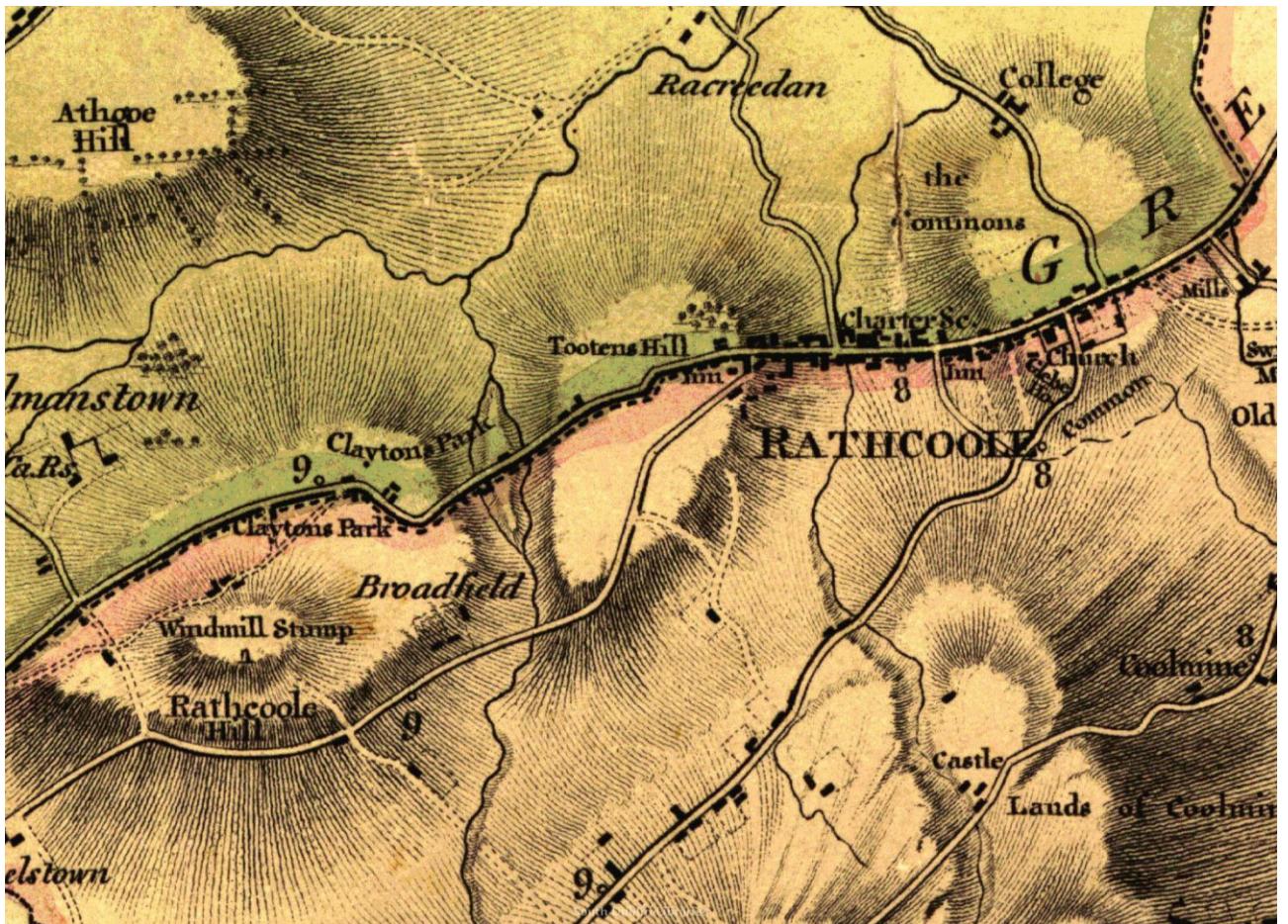
(Moloney 1998, 19). In 1184, Price John granted Rathcoole to the See of Dublin (D'Alton 1838, 728) resulting in the Dean of St. Patricks holding the great tithes of Rathcreedan and Windmill and the small tithes of the whole parish (ibid, 729). By the end of the century, Rathcoole formed one of the smaller Manors of the Archbishop of Dublin.

The charter granting borough status to the village of Rathcoole dates to 1228-55, and was granted by Archbishop Luke who assigned 4 acres of land to each burgage and common land on the mountain of Slestell (ibid, 728). The village was ruled by a Porteeve or a Provost.

The Normans under Strongbow helped the King of Leinster, Diarmaid Mac Murrough to recover his kingdom from Rory O'Connor. The daughter of Mac Murrough married Strongbow. At this time the Irish clans of the O'Tooles and O'Byrnes were removed from their lands bordering the Pale in the Rathcoole/Saggart district. The O'Tooles and O'Brynes were to remain a continuous threat throughout the medieval period; consequently various measures

Duncan's Map, 1821





#### The Environs of Dublin by John Taylor, 1816

Taylor's map, although of small scale, provides a useful depiction of the area prior to the Ordnance Survey at the beginning of the nineteenth century. John Taylor names the Charter Sc., the church and Glebe House and two inns. The site of Rathcoole Courthouse is just north of the '8' label, which denotes eight miles from Dublin.

were undertaken to keep them out of lands under English control.

#### Late Medieval & Post-Medieval

Rathcoole was positioned close to the edge of the Pale, a defensive ditch marking the boundary of English lands which was authorised by a law of 1494 (Goodbody 1993, 25). Lands existing along the borders of the Pale such as Rathcoole were vulnerable to attack from marauding Irish tribes. In 1326, a considerable amount of land was noted as being worthless due to its proximity to Irish lands (Ball 1905, 119). Two castles mentioned in the Down Survey 1654 were probably built around this time in order to protect the village. The location of these castles within the village is not known.

The village however does appear to be quite prosperous during this period of uncertainty, the watermill, markets and senschal's court all returned as sources of profit at this time (ibid).

During the 16th century, hearth money returns suggest that Rathcoole was the most important village in the area. Legal records substantiate this idea suggesting that the village was prominent enough to host legal proceedings. Documents dating to 1510 and 1558, probably administered by a travelling legal official reflect this importance as does a Regal visitation of 1615 that states that the church was in good repair, but the chancel in ruins the dean being bound to mend it (D'Alton 1838, 730).

In 1580, Rathcoole was burned by the Irish un-

der Feagh M'Hugh at the same time as Saggart and Coolmine (ibid, 120). In 1596, the town suffered further attack. Christopher Peyton auditor of Ireland who at the time owned the village said 'his poor town lay waste and unmanned, being pillaged by the rebels and burnt by the soldiers' (ibid, 121).

By 1641, Rathcoole had become a stronghold of the Irish according to an account of the then Portreeve Richard Crofts. Irish supporters included the Scurlock family, for example Patrick Scurlock who was MP for Newcastle. The first reference to a family named Scurlock is made in 1470 when a Thomas Scurlock is mentioned as a resident of Rathcreedan where he was to build a castle (Moloney 1998, 26). The family also owned lands in Castleknock. The Scurlocks were to become increasingly prominent throughout this period.

The following year, Sir Thomas Armstrong, intent on bringing Rathcoole back under English control, encountered 2000 Irish in the village. Overwhelmed, he retreated to the open highway

on the Dublin side but were there attacked by the Irish. Three months later the Irish led by the Scurlocks and the Hetheringtons attacked again half a mile to the Dublin side of Rathcoole. The Earl of Ormonde set out a troop to avenge the attack under Sir Arthur Loftus, Governor of Naas. The inhabitants of Rathcoole fled to a nearby hill and hid in furze. They were burnt out with much loss of life (Ball 1905, 122). The Ordnance Survey Letters make reference to Coolmine Hill as having previously been called 'Knock Loisge'. This translates as 'Hill of Burning' or 'where burning was done' (O'Donovan 1927, 45) and is likely to be the site of the attack.

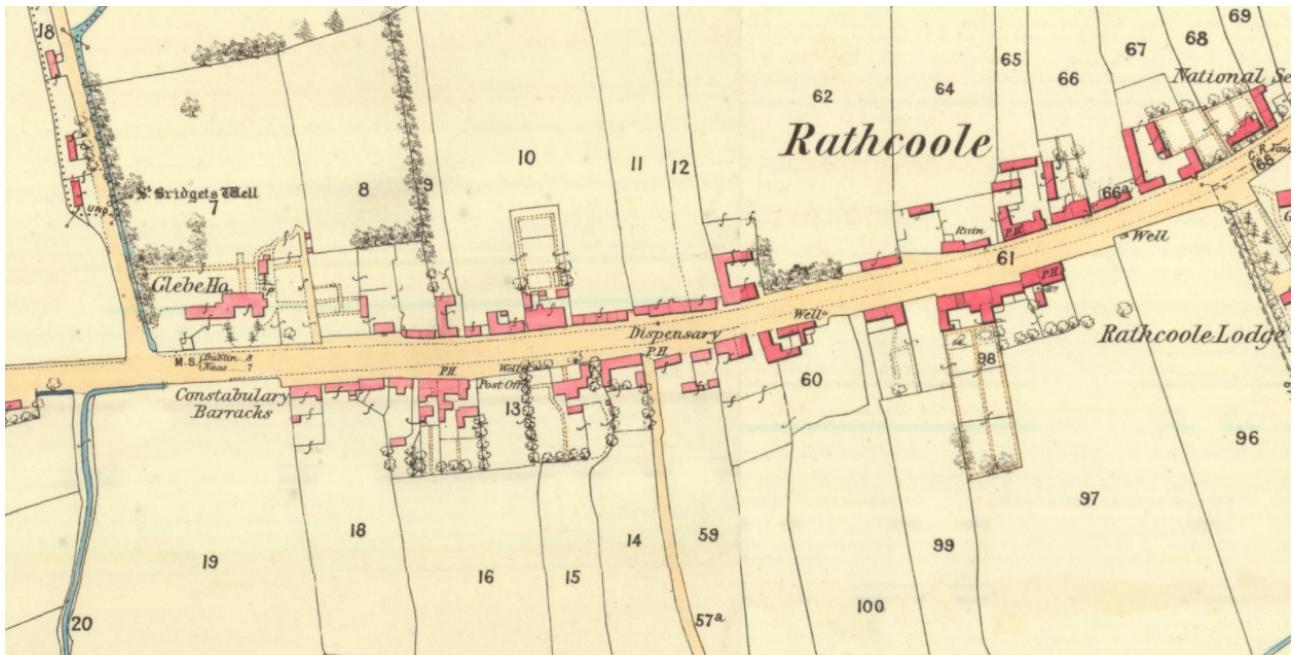
Around this time, the Earl of Ormonde's attention was drawn to the protection afforded to the rebels by the Scurlock's castle at Rathcreedan and the mill close to it to the north-east of the proposed development area. To improve defence, the government placed a garrison at Rathcoole. The village thrived under the soldiers protection (Ball 1905, 123).

At the time of the Civil Survey in 1654, Rath-

#### First Edition Ordnance Survey Map 1837 (DN021, 6-Inch Series)

The first Ordnance Survey, carried out in the 1830s and 1840s provided a much more detailed and accurate representation of the country than had been previously available. The village of Rathcoole has grown somewhat in size by this date incorporating a police station, post office, church, Glebe lands, a pound and Rathcoole House. St Bridget's Well is also marked. The site of the courthouse (not yet built) is taken up by a square building on the south side of the main road, in the west side of town. Unusually the building appears to protrude onto the roadway. A Police Station is labelled nearby, but the exact building referred to is uncertain. A long building directly east may be An Poitin Still. The horseshoe symbol denotes a smithy across the road, with a second smithy further east.





Mid-late 19th century OS map showing detail of Rathcoole village

coole village is recorded as containing a good many houses and cabins and two old castles and the ruins of an old chapel (Moloney 1998, 42; Fig. 3; refer paragraph 5.2.). Scurlock's castle at Rathcreedan had been demolished, the mill and chapel remaining. The nunnery at Callaighstown is not marked.

## 18<sup>th</sup> and 19<sup>th</sup> Centuries

The present village church was built around 1714 and has few features of architectural interest. It is suggested that it does however occupy the site of an earlier foundation about which nothing is known (Ball 1905, 125). The site of one other church found on the lands of Callaighstown is noted by Eugene O'Curry while preparing notes associated with the First Ordnance Survey in the 1830's. At the beginning of the seventeenth century Rathcoole and Callaighstown counted as separate parishes.

In his report on the demolition of a mud-walled cottage north of Athgoe junction, McCabe refers to Campbell's "Philosophical Survey of the South of Ireland" dating to 1777 (McCabe 2006, 167; Campbell 1777, 63–63). Campbell describes Rathcoole somewhat unflatteringly in his letter:

"The first village I passed through, about seven miles from Dublin, Rathcool I think they call it, was mostly composed of clay huts, which are sometimes, you know, both warm and neat; but these were so awkwardly built, and so irregularly arranged, that even Wales would have been ashamed of them. It hurt me to see them so near the capital, where the landskip was so prettily chequered by abundance of little white villas, spangling the country all around, and rendering it upon the whole very delightful."

In his investigation into the origins of the demolished cabin, McCabe learned that in 1828, there were approximately 65 labourers living between Rathcoole and Callaighstown, 35 of whom were constantly employed. The average acreable rent in the area was £3, but a cabin "generally built of mountain Greystone, and some entirely of yellow clay" occasioned a rent of 10 pence per week (McCabe 2006, 167 from D'Alton's "A History of the County of Dublin" (1792–1867)).

By the mid-18th century the town had expanded to include a school, founded by the Mercer family and used as a rectory at the turn of the century (Ball 1905, 124) and an inn owned by a Mr Leedon in 1789. A post office was estab-

lished in 1784 (Moloney 1998, 52).

By the 19th century the village was of considerable size having a population of 1489 in 1831, less than 40 being protestants (D'Alton 1838, 727). Around this time, D'Alton describes the town as one long street with some good dwellings linked by cabins with a plain unornamented church and glebe house comprising 15 acres. The parish comprised 4705 acres in 14 townlands. The importance of the village was increased as it was the first stage on the old coach road to the south of Ireland, it also lies in one of the most important hunting districts in the country. In 1898 a traveller named John Loveday passed through the village observing a fine road with only one turnpike between Dublin and Naas. He also spoke of the great poverty of the inhabitants, wretched cabins being made of mud and thatched with straw. A similar situation was noted by Philip Luckombe in 1779 (Ball 1905, 124), a century earlier.

## Rathcoole Courthouse

Rathcoole Courthouse was built in 1914 (although some earlier sources including McNally set the year at 1911 - the Conservation Architect's Report details of the sale of the property). McNally suggests that the house of the Catholic Priest, Father James Harold, previously stood on the site with his church next door. Rocque's map shows the Anglican Church to the west but also the trace of an enclosure in the road layout, which survives now as Stoney Lane.

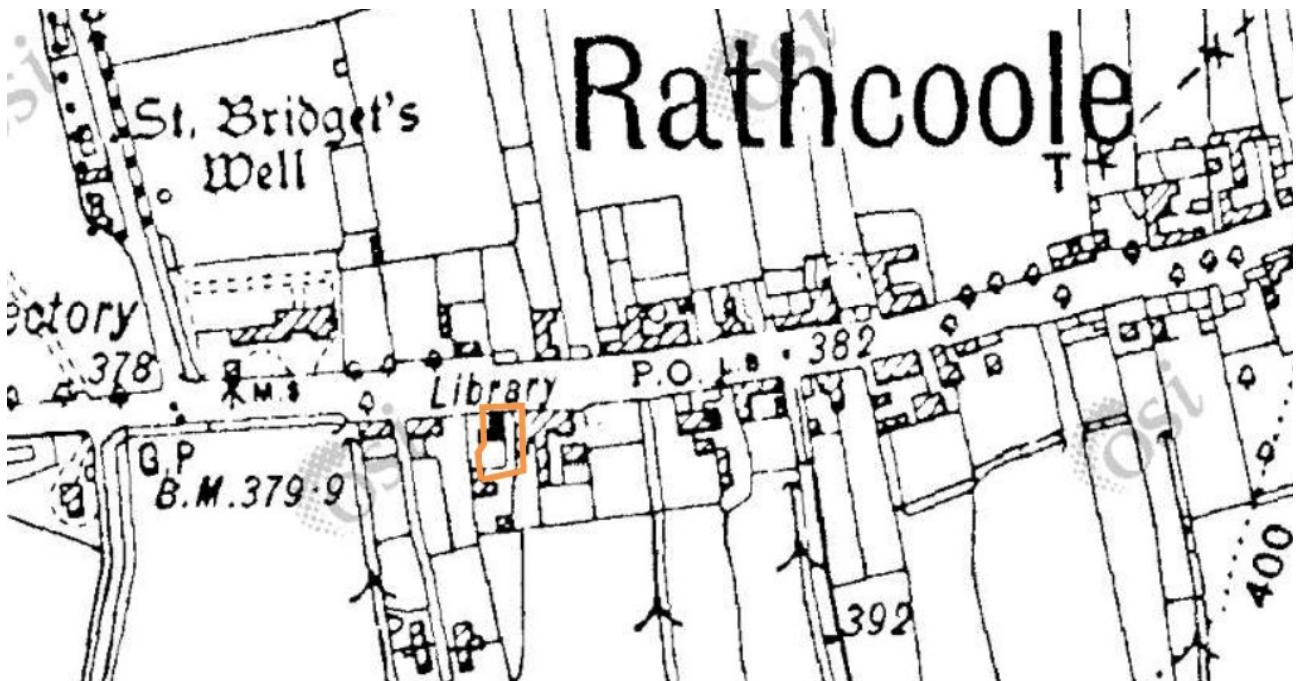
The presence of a church or house is not recorded here in 1760, but it may have been erected prior to its destruction in 1798. The Fr Harold was hidden in the Priest's Hole in Rathcoole House (then owned by the Cinch family) but he was discovered and shipped to Australia, while John Cinch (youngest son) was hung outside the room where Lord Edward Fitzgerald lay dying (McNally 1999, 93; 115).

Felix Rourke was apparently hung from the rafters of the burnt out priests house in 1803, his experience being commemorated, along with

### Ordnance Survey of Ireland, 1888, 25-Inch series

The courthouse site is at No. 379 on Main Street. Note that walls are present but it does not appear to be rooved.





**Ordnance Survey of Ireland, Co. Dublin c. 1910 (1:2500 Series)**

Rathcoole Village is again limited to buildings along the line of Main Street, a Constabulary barracks, St. Bridget's Well, dispensary, National school, Church, pound, Rathcoole House and Glebe House are marked. A couthouse is depicted in the centre of the town, however this is not the site of the modern Rathcoole Courthouse building. The site of the courthouse is shown as unshaded, denoting either an empty plot, or a ruined/unbuilt building; in any case the plot is quite different to its depiction on the earlier 1830s map. The range building to the east shown on the earlier OS map is now replaced by three smaller buildings, one of which is labelled as a Post Office.

that of the Cinches and Fr Harold in 1998 in the memorial at the front of the courthouse (History of Rathcoole Courthouse (<http://source.southdublinlibraries.ie/handle/10599/10706>).

Harold's house was said to hold pikes in the rafters when searched by the yeomanry (SDLM 1998, 17).

The following are from the Freeman's Journal dated June 2 1798 and 13 September 1803 (<http://holyfamilynsrathcoole.scoilnet.ie/1798.htm>):

"A young man named Clinch, the son of a respectable farmer who lived at Rathcoole, has been apprehended and yesterday was in the guard house in the Castle. He stands charged with being an officer in the rebel army. He ... was a member of the Rathcoole yeomanry."

"A Roman Catholic clergyman [Harold] was on Thursday brought up to town from the neighbourhood of Rathcoole, a prisoner, who is accused of being an abettor to the rebels in that part of the country."

"The town of Rathcoole at the time of execution of Felix Rourke on Saturday last seemed to be deserted of all its inhabitants, not one in coloured clothes was to be seen."

There is as yet no indication of the nature of the church or house, nor if there are burials associated with it. Although we do know that it had rafters.

The 1st edition OS map shows the plot occupied by a rectangular building, the north of which may have railings or is partially enclosed. The laneway is present leading to a small struc-

ture to the rear. An OS map between that edition and the 2nd, shows an addition has been made to the rear of the property and a larger structure at the rear. This may be the house built by the Seniors (McNally 1999, 115). The 3rd edition shows the walls of the structures property but they appear to no longer be roofed.

The courthouse was built in 1914 by a John Cromer, who "could not build a chimney which drew" (McNally 1999, 115). Despite attempts to relieve the ventilation issues, the courthouse was out of use by 1918, becoming a library by 1925 (*ibid*, 117). An exterior garden wall was removed in 1998.

## Folklore

The archives of the Department of Folklore, University College Dublin, were consulted in order to determine whether any folklore survived which might provide information on identified or unidentified archaeological monu-

ments or sites. The Schools Manuscripts collated in the 1930s do not contain information from any schools in Rathcoole village, there are however various references to townlands in the parish of Saggart (Schools Manuscripts Vols. 793 and 794) that are presented below.

Legend has it that during the rebellion of 1641, Maguire, the leader of the County Dublin rebels on hearing the approach of English troops buried treasures half way between Rathcoole and Newcastle. Ever since on the 23rd October, a body of ghosts is said to come from the direction of Newcastle and start digging for the treasure (Schools Manuscripts Vol. 794, 370).

The schools manuscripts also refer to a murder in the village of Rathcoole for which a man named Patrick Sheil was convicted. He was hung at a scaffold on Windmillhill. His body was taken down and hung on a gibbet at a crossroads in the locality (Schools Manuscripts Vol. 794).

Circa 1900: Fyan's pub in right foreground, Stoney Lane in right centre-ground and Jacob's Shop, where the Court of Azzises and Magistrates Court was originally held prior to the construction of the Court of Petty Sessions. From SDC, 2006, 20. The Anglican Church can be seen in left background.



## Section 4 Site inspection

The site was visited on Monday 29th March 2021. The courthouse is currently not in use so the archaeologist had the keys to the doors and padlocks on the site.

### Judge's robing room

The courthouse was accessed from the judge's robing room on the western side of the main building. One passes up two granite steps, through a wooden door which swings inwards to the left. There is a rectangular overlight over the door. There was a musty smell on the entering the building which was present throughout the internal rooms. On the immediate righthand side (west), there is another door to access the WC; directly ahead of the entrance on the western wall of the judge's robing room is a fireplace; on the immediate left hand side, is a sash window with 1 over 1 panes - the frame with decorative pulley attachment appears original, but the lower pane is replaced. The rere/southern wall is plain apart from three wooden planks which may have provided support for shelves and a possibly original light switch now occluded by a collection of loose wires. The eastern wall of the judge's robing room is again plain apart from the electricity supply box, which is modern and a wooden door into the main courthouse. The floor of the robing room appears to be a modern replacement and does not entirely meet the rear wall and there is evidence of damp along the base of the wall, particularly in the southwest corner. A large MDF reception desk occupies 25% of the floor space. The walls are painted grey on the lower 5/12th and white on the upper level and ceiling.

### Main courtroom

The main courtroom is a long north to south orientated room with double doors on the



Detail of window frame in Judge's Robing Room

northern and eastern faces and a fireplace on the western wall. The connection to the judge's robing room is on the western wall close to the southwest corner of the courtroom on the stage. The a wooden cover/roof has been added to the stage and the walls there appear to be lined with MDF. There are two high, sidehung one-over-two timber casement windows in the northern wall; a two-over-eight window in the western wall which is matched on the eastern



Location of proposed WC in Courtroom (orange box)



Front of Robing Room, facing south with granite steps.  
Approximate outline of ramps to be installed shown by rods

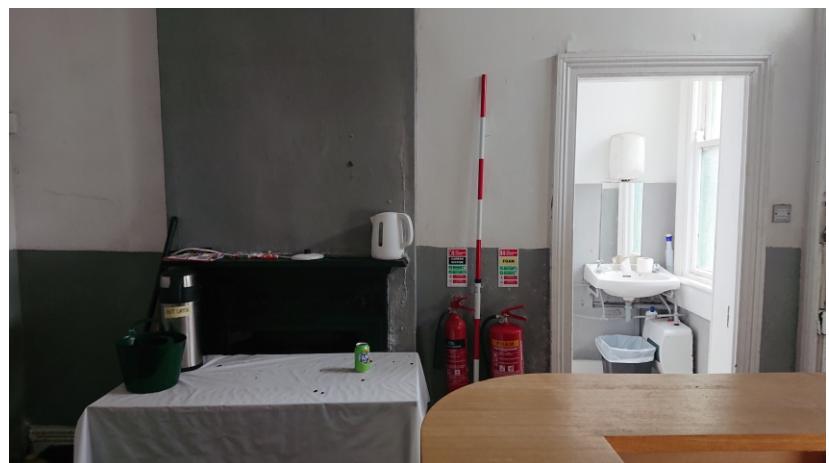


View from doorway of Robing Room facing south -  
approximate size of demolition of southern wall

wall. There are a further two two-over-two sash windows above the eastern door and a two-over-eight timber casement window at the stage. There is a fireplace opposite the eastern door which appears to be damp close to the ceiling. Vents are visible in the brick piers between the segments containing windows and doors. In the plasterboard ceiling, there are pipes running east to west and four pendant lights. The courtroom appears to be used for storage of desks and chairs, particularly along the northern and eastern walls though chairs are set out facing the stage, which has mostly been kept clear. Alcoves either side of the porched northern door contain office equipment and are shelved with MDF on the western side and enclosed with cupboards on the eastern side, for this purpose.



Northern wall Judges Robing Room



Western wall of Judges Robing Room

## WC in robing room

The WC to the west of the judges' robing room is accessed via a wooden door, which appears original, though the handle has been replaced. The sash window is on the northern wall of the room and occupies the majority of same, apart from the water-boiler. Its frame does not have the thread pulley attachment seen in the main robing room. The western wall holds the sink (possibly original), mirror and paper dispenser, while the southern wall holds the cistern and toilet and pipes. Evidence of an earlier raised cistern is visible. The eastern wall of the room contains the door with evidence of a former toilet paper holder. The floor



Courtyard wall with possible render, to be demolished, showing also rere of Robing Room onto which extension will be built. Wall should be recorded before demolition

is tiled with modern ceramic floor tiles and is very damp. A rough skirting board surrounds the floor and a dado-rail is placed midway



Footpath at rere of courthouse showing break with ceramic pipes and outbuilding to be demolished at right

Eastern side of courtyard wall, lined in brick and extended with concrete blocks; showing also boiler house on right and outbuildings on left



where the grey paint ends and the white paint begins.

## Front paved area & west area

Outside the judge's robing room are 2/3 granite steps leading to a paved yard and the public footpath. To the western side of the building is a rectangular piece of land containing the roots of a tree. The land is enclosed to the west, south and east by stone and concrete walls. The northern and western walls are boundary walls dividing the courthouse from other properties but the eastern wall creates a courtyard within the property lines. This wall has at least two phases, a limestone wall and an upward extension in concrete blocks. Part of the wall appears to have been rendered -this may indicate that a structure abutted the wall previously and it may have a footing under the grass.

## Rear courtyard & east laneway

To the eastern side of the Courthouse is a laneway extending southwards. The eastern side of the building has four windows and two double doors, with cast iron rain water goods and drainage channels. The rear of the Courthouse is within a courtyard on two levels. The lower level is a footpath adjacent to the building permitting access from the laneway via a small (now corrugated iron) gate to the boiler room. A brick wall or pillar is visible at this level close to the boiler room door on the western wall. A break in the concrete slabbed footpath shows drainage and clay pipes. A small number of squared rectangular blocks are visible, which may have been the original surface of the footpath.

The upper level of the courtyard is up to 0.93m higher than the footpath. There is retaining limestone wall (0.75m high) with rounded concrete capping but no steps to the upper level which is covered in concrete. The upper level is enclosed by a rendered wall to the west, a gate with gate piers to the east and sheds to the south and north. The structures are built up to the boundary wall on the north.

No access was possible to the shed on the southwest corner of the site but it appears to be concrete with a corrugated iron roof. The longer L-Shaped structure along the southern boundary was accessed. The fabric is concrete blocks with a shallow roof extending over the boundary wall. It is home to the Rathcoole Men's Shed. It appears in relatively good repair with PVC windows and rainwater goods. There are recessed cupboards on the southern wall suggesting space between the internal wall and the boundary wall. The shorter room perpendicular to the main structure is used as storage and has a second door. The wooden beam structure is visible here.

Opposite the Men's Shed are two small structures. The larger was not accessed but has an outward-swinging wooden door and a corrug-

ated iron roof with rounded concrete hips and black cast-iron downpipe which drains down the west to east slope of the courtyard. A small tap is close to the western end of the building and excess water was drained into a cavity provided in the concrete skim. The smaller structure is a WC that appears to have been inserted between the larger structure and the western courtyard wall. It has a flat, corrugated iron roof and an inward-swinging wooden door. Its fascia rests on the courtyard wall with PVC guttering extending across the later structure to the castiron pipe and PVC downpipe that drains into the concrete recess intended for the tap.

There is manhole set into the concrete between the Men's shed and the WC along the western edge of the courtyard.

The blind segmental-headed arches rear of the courthouse building contain two recesses with granite sills, suggesting that windows may also have been in place here. A previous trial render removal shows that the recesses are filled with concrete, surrounded by the yellow common canal brick construction of the courthouse building (which is fully lime roughcast-rendered). Above the windows on the gable wall, beneath the eastern barge board is a small, green wooden door, providing access to the attic space. The wall in which an insertion is proposed is mostly occluded by the shed.



Internal view facing south of largest outbuilding which was at some point in use as the Rathcoole Men's Shed

Rere of courthouse showing boundary wall (yellow) to be maintained.



# Section 3 Impact Assessment

## Archaeological potential

The cartographic and archaeological assessments have demonstrated that the site has a high potential for the presence of sixteenth and seventeenth century underground built heritage and artefacts.

The redeposited yellow clay identified below the site in 2013 is a material that is known to have been used in vernacular structures, may indicate the possibility of a demolished vernacular cabin.

Historical evidence suggests that the site was the location of the home and church of Fr James Harold and that the site became part of the story of the 1798 rebellion and later was used in an execution in 1803. Should remains of the house and church survive, they would also be part of the history of the Penal Laws and provide an insight into the circumstance of the Catholic Priesthood at the time.

While the site appears to be green fields in Rocque's map of 1760, it is possible that the ecclesiastical structures appears between 1760 and 1798. The proximity to the main street, the circular enclosure to the west and the water course to the east suggests that the site may have had an earlier occupation. As natural subsoil was not reached in 2013, the depth of archaeological material on site is unknown.

## Archaeological impact

The works proposed could impact sub-surface archaeology. As the area is almost completely built or paved over, it is not possible to see potential anomalies nor is geophysical survey a realistic option. The foundation strips for the new structure will be dug to a depth of 800mm. The works monitored in 2013 did not reach natural subsoil at 600mm. A redeposited yellow

clay was reached at 350mm and the foundations for the courthouse (at the western side) started at 300mm and extended to 550mm below the surface. As ground level reduction is proposed across the rere courtyard and the western area and a trench is proposed across the main street, footpath and laneway, the possibility of encountering archaeological material is high.

### *1. Construction of coffee dock, meeting room and WCs (Possible Archaeological Impact)*

The new structure in the rear courtyard of the courthouse will provide a coffee dock, meeting room and WCs. It will also facilitate wheelchair access to an accessible toilet, through its connection to the Protected Structure via the south wall of the judge's robing room. The existing footpath to the rear of the courthouse will be largely maintained, allowing the former window recesses to be viewed. The low flat roof of the new structure will permit the upper half of the courthouse with the attic access door to still be visible.

The new structure will be of rendered concrete blocks, with a floor constructed of concrete over 'xtratherm', radon barrier, sand banding over 300mm hardcore and three E-W, 600–800mm deep, concrete foundations and three N-S concrete foundations. Most of the western wall of the new structure will be glass.

The existing ground level of concrete in the current courtyard is 11.04m, this is envisaged to be reduced to 10.52m, the same as the current floor level in the robing room and the stage. The breaking of the concrete slab, ground reduction, the excavations for services and foundation trenches should be monitored by an archaeologist.

### *2. Demolition of outbuildings in courtyard and paved surfaces (Possible Archaeological Impact)*

All of the structures in the courtyard will be demolished. They appear to date to the 1980's (Draft Conservation Architect Report, April 2021). No buildings appear in the 6" Cassini map dating up to the 1930s. The three outbuildings are: an office (12sq.m.), a kitchen and dining room (11 sq.m.) and a storage shed (15 sq.m.). They are described more fully below.

Northward-projecting elements of the walls of the southern structures will show the footprint of those buildings and support the remaining boundary wall. The above ground demolition of the sheds should not have an archaeological or protected structure impact but when the ground slab is broken and the foundations are dug out, that ground reduction which may be up to 0.75m (and 0.8m for foundations) should be monitored archaeologically.

### ***3. Demolition of courtyard wall (Possible Archaeological Impact)***

The courtyard wall will be demolished to allow access from the western ramp to the new structures and the courtyard. The wall is not part of the boundary wall of the courthouse and is not shown on the 25" OS Map when the plot was larger, but does appear on the 6" Cassini map. The area west of the courthouse appears to act as a possible laneway to a dwelling southwest of the courthouse boundary, which has since been demolished. The angled boundary wall to the west is visible in the 6" map but does not appear in the 1760 Rocque map when that location appears unoccupied. This suggests that the boundary dates from between 1760 to 1830. Any excavation for the removal of the foundation of the wall should be monitored by the archaeologist.

### ***4. Excavation of trench across the main road, public footpath and down the lane adjacent to the courthouse to provide a new mains gas connection***

The insertion of a trench for the provision of the mains gas connection will be archaeologically monitored. The site and the laneway appear as fields in Roque's map but the layout of the laneway does appear in the earliest 1830s OS map. The early road surfaces of both the Main street and the lane way may be uncovered as well as any potentially earlier occupation.

### ***5. Insertion of stainless steel ramps to northern paved area (Possible Archaeological Impact)***

Stainless steel ramps will be provided to allow greater access to the building. The ramp will run along the outside of the western wall of the main courthouse and turning to run across the northern wall of the judge's robing room. This area was tested in 2013- the depth of the ramp supports (not yet fully designed) are likely to have minimal archaeological impact.

### ***6. Insertion of paved ramp to western piece of land (Possible Archaeological Impact)***

A paved ramp starting from the northwest corner line of the judge's robing room will run southwards towards the rear of the property to the paved Courtyard, stopping at the line of the rear of the building. This will involve levelling of the existing material and removal of tree root boles in the centre of the plot, both activities require archaeological monitoring.

### ***7. Construction of perimeter courtyard wall/ seating (Possible Archaeological Impact)***

A gabion semi-circular wall will extend around the courtyard, providing seating, separating the landscaped area and helping to retain the boundary wall. The gabion will not require a concrete foundation. Should any excavation take place for the wall, it should be monitored by an archaeologist.

### ***8. Landscaping (Possible Archaeological Impact)***

The landscaping proposal should be assessed by an archaeologist, particularly if archaeological material comes to light during any of the groundworks excavations. This is to mitigate against any unforeseen archaeological impacts due to the planting of trees.

### ***9. Partial demolition of southern wall of judge's robing room (Protected Structure)***

A large portion of the southern wall of the judge's robing room will be demolished to allow access from the robing room to the coffee dock, meeting rooms and WCs. In particular, this will make those rooms accessible to wheelchair users.

The wall does not have any distinguishing features internally or externally, apart from possible electrical remains and the three slats of wood which may have supported shelves. The external aspect of this wall faces directly onto the rear of the shed on the raised level. It is likely constructed of brick.

The photos taken during the site survey, assumed a 0.4m margin of wall remaining at either side. This work is part of the changes to the Protected Structure and should not have an archaeological impact – unless the ground is broken or the foundation is removed.

#### ***10. Insertion of WC within main courtroom (Protected Structure)***

A WC is proposed to be inserted in the recess to the west of the main doorway. Three shelves have been inserted into this area and it is used as storage. The WC would not extend passed the current area of the recess into the courtroom, however it would entail a modification to the door case. This may have an impact on the Protected Structure but it is not an archaeological impact.

#### ***11. Provision of new ramp access to stage in main courtroom (Protected Structure)***

The provision of a new ramp to the stage in the main courtroom is a reversible measure that should not materially alter the structure but will provide greater access for all users. It does not involve opening up works to the floor of the courthouse and should not require archaeological supervision.

## **Recommendations**

It is recommended that a suitably qualified archaeologist be present for the breaking of the ground slab and any opening up works, partially the reduction to the ground level in the rere courtyard. There is potential for archaeological material to be reached during any groundworks and an archaeologist should monitor any such activity.

The work may benefit from a small test trench inserted east to west across the upper level of the rere courtyard, avoiding the manhole at the

eastern limit between the Men's Shed and the smaller northern outbuildings. This would provide a depth of the concrete, may identify unknown services and most importantly identify the level of disturbance or made up ground or the presence of archaeology under the upper level of courtyard. A test trench could inform a method statement as part of the archaeological licencing system. That said, the area of undisturbed ground to the rear is possibly very small.

The following types of work should be monitored by a suitably qualified archaeologist:

- the excavation of the strip foundation for the new structure
- the excavation of the gas connection on the main road, footpath and laneway
- the excavation of any other services
- the demolition of the backwall and excavation of its foundation
- the removal of the granite steps in front of the judge's robing room
- the excavation of the foundations of the sheds to be demolished
- the breaking of the concrete surfaces to the rere of the courthouse and any excavation thereunder
- the removal of the tree stumps in advance of the paved ramp to the west of the building

Should archaeological remains be encountered the work would be halted and the NMS service consulted.

A photographic survey should be made of the western courtyard wall prior to its demolition. Following this the excavation for the removal of the foundation of the wall should be monitored by the archaeologist.

Should any archaeological remains arise during the monitoring of groundworks, the works should halt to allow notification to and consultation with the National Monuments Service and the National Museum of Ireland as this will likely necessitate a change to the agreed method statement that will be submitted as part of a monitoring licence application.

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