

CHAPTER 9 – BUILT HERITAGE AND URBAN DESIGN

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CHAPTER 9: BUILT HERITAGE AND URBAN DESIGN

AIM: To protect, conserve and enhance the built, natural and cultural environment through promoting awareness, utilising relevant heritage legislation and promoting good quality urban and rural design.

INTRODUCTION

9.1 The rich built, natural and cultural heritage of County Laois is a valuable resource for the county. In addition to its intrinsic value, our heritage contributes much to the social, cultural and economic development of the county, through its contribution to quality of life, aesthetic value, amenity, recreation and tourism.

OBJECTIVES

It is the objective of Laois County Council:

- To develop the cultural heritage of County Laois through the promotion of the Irish Language;
- To identify, conserve, protect and enhance the built heritage of County Laois,
- To encourage and facilitate the protection of flora and fauna, monuments, buildings, structures and sites which are identified as locally, nationally or internationally important
- To encourage awareness of Laois Built heritage by collecting and disseminating information;
- To encourage the identification, retention and development of traditionally skilled crafts and practitioners in the County;
- To ensure that all new development is of a high standard;
- To undertake urban design plans during the lifetime of the Development Plan for specific areas.

Existing Plans and Strategies

9.2 In implementing the County Development Plan, due regard will be had to all relevant local, regional and national plans and strategies.

Integration of Heritage Protection

9.3 Almost every aspect of the development of County Laois has a potential impact on the built or natural heritage. In preparation of this County Development Plan, the principles of Heritage Appraisal have been applied, and the draft County Development Plan was Heritage Appraised. Laois County Council will ensure that this integration is continued through the implementation of the County Development Plan.

BH1 Integration of Heritage Policy

It is the policy of the Council to:

- Ensure that consideration and conservation of heritage is an integral part of coherent policies of physical, economic and social development of the County and of urban and rural planning.

Sustainable Development

9.4 Sustainable development is about ensuring a better quality of life for everyone, today and for future generations. To achieve sustainability, it is essential to recognise that society, economy, environment are interdependent. Truly sustainable development will involve protecting and,

where possible, enhancing the environment, both for its own sake and also because a damaged environment will eventually inhibit economic development and impact on quality of life

- 9.5 Following the United Nations Conference on Environment and Development (The Rio Conference) in 1992, the Irish Government signed international agreements regarding sustainable development and biodiversity conservation, *Agenda 21* and *The Convention on Biological Diversity*,

BH2 Sustainable Development

It is the policy of the Council to:

- Ensure that the principles of sustainable development are integrated to all aspects of the operations of Laois County Council, and that the impacts of prospective plans and policies are audited and reviewed with a view to making them more sustainable.

ARCHAEOLOGY

- 9.6 Archaeological heritage is a unique and special resource. Prestigious monuments from Ireland's ancient past have survived on the landscape side by side with modern development. The role of Laois County Council is to protect the treasures of the past, while continuing to address the practical requirements of a modern society. It is possible to avoid conflict between the old and the new by being aware of both the ancient and the modern at the pre-planning stage of development.
- 9.7 The European Convention on the Protection of the Archaeological Heritage (Valetta, 1992) was ratified by Ireland in 1997. It requires that archaeological heritage is taken into account. This convention also includes the setting and context of archaeological sites as part of the archaeological heritage that requires protection. Ireland is a signatory of this convention and as such is legally bound by it.
- 9.8 Monuments recorded in County Laois are included in the Record of Monuments and Places (RMP), a statutory list published by the Department of Environment, Heritage and Local Government. Each monument is surrounded by a Zone of Archaeological Potential. The RMP for Laois, which lists over 2,000 Recorded Monuments, may be consulted at the Planning Office of Laois County Council. Any proposed works to a Recorded Monument must be notified to the Minister for the Environment, Heritage and Local Government at least two months before commencement of works.
- 9.9 Through this County Development Plan, the aims of Laois County Council with regard to archaeological heritage are to:
- Protect and enhance archaeological monuments and their settings, including town walls, town embankments and ditches, town gates, bastions or ancillary fortifications.
 - Facilitate appropriate guidance in relation to the protection of the archaeological heritage in the area covered in the Plan.
 - Provide guidance to developers and property owners regarding the archaeological implications of a proposed development.
 - Promote pre-planning consultations in relation to the archaeological heritage with the Planning Authority and with The Department of the Environment, Heritage and Local Government.

- Endeavour to ensure the dissemination of the results of archaeological excavation in a timely manner.
- Have regard to the recommendations of the Department of the Environment, Heritage and Local Government, and other prescribed bodies as appropriate, both in respect of whether or not to grant planning permission and in respect of the conditions to which permission, if granted, should be granted. In addition, regard will be had to the DoEHLG publication "Framework and Principles for the Protection of the Archaeological Heritage".

BH3 Archaeology

It is the policy of the Council to:

- Ensure the preservation (either preservation in-situ or, exceptionally, preservation by record) of all archaeological monuments included in the Record of Monuments and Places as established under Section 12 of the National Monuments (Amendment) Act, 1994, and of sites, features and objects of archaeological interest generally.
- Ensure the protection and conservation of heritage objects and their setting where settings are appropriate.

Zones of Archaeological Potential

- 9.10 Historic towns and defences have been identified by the Department of the Environment, Heritage and Local Government through the Urban Archaeological Survey of Co. Laois. These historic towns include
- Ballinakill MAP 1.9.1
 - Castletown MAP 1.9.2
 - Dunamaise MAP 1.9.3
 - Killabban MAP 1.9.4
 - Portarlinton MAP 1.9.5
 - Portlaoise MAP 1.9.6
- 9.11 The guideline historic boundaries for these towns are illustrated on the maps as outlined above. The areas within the historic boundaries are known as Zones of Archaeological Potential, and are areas rich in archaeological remains.
- 9.12 Some of historic villages and towns comprise streets bounded by town walls, embankments and ditches with town gates marking the entrance to and exit from the urban area. The town defences are amongst the most important monuments in any medieval town. These fortifications marked out the jurisdiction of the town's authority. In some examples additional protective features, like bastions and star-shaped fortifications were built alongside or outside the original town bulwarks. In most examples, lengths of town wall, gateways and in some cases town banks and ditches lie within or under the modern urban fabric. The survival of these town defences can vary. Some are relatively intact, although pierced through by modern roads and bridges, others lie buried beneath a palimpsest of later building. Protection of the town's heritage includes the retention of existing street layout, historic building lines and traditional plot widths where these derive from medieval or earlier origins.

BH4 Zones of Archaeological Potential.

It is the policy of Laois County Council to:

- Ensure protection of Zones of Archaeological Potential, as identified in the Record of Monuments and Places;
- Regard to archaeological heritage when considering proposed infrastructure developments (including transport, telecommunications, sewerage and water) located in close proximity to Recorded Monuments or Zones of Archaeological Potential, and
- All archaeological excavations are undertaken to the highest standard and the resultant information made publicly available. Developers will be required to have regard for Archaeology & Development: Guidelines for Good Practice for Developers (ICOMOS, 2000) in planning and executing development in sensitive areas.

Specific Objectives

The following are the specific objectives in relation to Archaeology, to:

- Secure the preservation (*in-situ* or by record) of all sites and features of historical and archaeological interest.
- Secure the preservation (*in situ*) of town walls, embankments, town gates, bastions or ancillary fortifications or portions thereof.
- Preserve the integrity of existing archaeological monuments in their settings including the integrity of town defences.
- Ensure that development in the vicinity of a site of archaeological interest shall not be detrimental to the character of the archaeological site or its setting by reason of its location, scale, bulk or detailing.
- Achieve a satisfactory buffer area between the development and the town defences in order to ensure the preservation and enhancement of the amenity associated with the presence of town defences within the historic urban pattern.
- Have regard to the preservation and enhancement of the line of the town defences when considering development proposed in their vicinity. Disturbance, removal and alteration of the line of town defences shall not be considered appropriate within the historic cores of Ballinakill, Castletown, Dunamaise, Killabban, Portarlinton and Portlaoise.
- Retain the existing street layout, historic building lines and traditional plot widths where these derive from medieval or earlier origins.
- Require the preparation and submission of an archaeological assessment detailing the potential impact of any development on both upstanding monuments, and buried structures and deposits. The report will also include a visual impact assessment to ensure adequate consideration of any potential visual impact the proposed development may have on any upstanding remains, and
- Secure the protection of Dunrally Viking port.

National Monuments and Preservation Orders

- 9.13 National Monuments are those considered to be of National Importance, (see Table 16). Where there is a clear risk or danger to a monument, the Minister may place a Preservation Order on the site (see Table 17)

Table 16: National Monuments in State Care in Laois

<i>Monument No</i>	<i>Monument Name</i>	<i>Townland</i>	<i>SMR</i>	<i>Grid reference</i>
113	Church and Cross	Errill	LA027-02	222140 178020
114	Church	(1)Fossey Lower.	LA018-03	253580 190210
114	Round Tower, Church	(2) Timahoe	LA018-03	253580 190210
115	Church	Killeshin	LA032-02	267320 177810
116	Church and Crosses	Sleaty	LA032-01	271320 179050
540	Ringfort	Aghnahilly	LA013-06	253330 197500
567	Ringfort	Coorlaghan	LA037-00	266700 176720
615	Castle	Dunamase	LA013-05	253000 198180

Table 17: Monuments protected by Preservation Orders in County Laois

<i>Preservation Order No</i>	<i>Monument Name</i>	<i>Townland</i>	<i>Effective Date</i>
197	Lamberton Fort	Lamberton Demesne	1957
190	Motte	Ballyroan	1952
9/77	Ringfort	Garryduff	1977
4/81	Motte & Bailey	Ballinclogh	1981
3/95	Clogrenan	Clogrenan	1995

INDUSTRIAL ARCHAEOLOGY

9.14 The industrial archaeology of Laois was the subject of a major survey by the Laois Heritage Forum in 2003. The results of this survey and future field surveys will be used to inform the implementation of the County Development plan and the formulation of future policies. Laois County Council will afford appropriate protection to such industrial archaeological sites as may come to light following future surveys. In considering the protection of the industrial heritage of the county ancillary heritage e.g. millraces will also be protected.

Rock of Dunamaise

9.15 The Rock of Dunamaise is a site of particular historical, archaeological and cultural importance in County Laois. As such, it is appropriate that the County Development Plan sets out special measures to conserve and enhance this site, and to make it more accessible to the public. This area is a Special Area of Development Control as defined on Map No.1.8.4 and explained in para 8.26. The Council is committed to the conservation of the Rock of Dunamaise and will work closely with DoEHLG to ensure its protection for future generations.

BH5 Rock of Dunamaise

It is the policy of Laois County Council to:

- Continue to develop the Council's educational role with regard to the built heritage and to promote awareness and understanding of the built heritage.

Specific Objectives

It is an objective of Laois County Council to:

- Prepare a visual impact statement of the area around the Rock to be undertaken, to detail the potential impacts of development in the area.
- Promote the importance of the Rock of Dunamaise as a cultural and tourism resource will be strengthened and developed

ARCHITECTURE

Protected Structures

- 9.16 Protected Structures, formerly known as listed buildings, are listed in the Record of Protected Structures (RPS). This Plan establishes the Record of Protected Structures for County Laois. The Record of Protected Structures forms the Appendix A of the Plan. The Council will seek to protect structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in County Laois.
- 9.17 The record will be periodically reviewed and updated as new information becomes available. This will include information gathered through the implementation of Laois Heritage Plan 2002 – 2006, for example on the industrial archaeology (mills etc) of the County.

Criteria for inclusion

- 9.18 The existing Record of Protected Structures has been updated to incorporate the recommendations of the Minister for the Environment, Heritage and Local Government in relation to the Architectural Inventories of County Laois and Portlaoise Town (NIAH). Additional requests for the listing of specific buildings have also been considered.

Alterations to Protected Structures

- 9.19 The inclusion of a structure in the Record of Protected Structures (RPS) does not preclude appropriate use or development. However, no works which would affect the character of the structure, or any element of it which contributes to its special interest, may be carried out to a Protected Structure without prior consultation with the Planning Authority. In addition to the exterior of the building, the interior and any structures lying within the curtilage¹ of the structure are also protected.

Section 57 Declarations under the Planning and Development Act 2000

- 9.20 An owner or occupier of a Protected Structure may make a written request to the Planning Authority to issue a Declaration as to the type of works which it considers would or would not materially affect the character of the structure or any element of the structure that contributes to its special interest.

Specific Objectives

It is an objective of the Council to:

- Facilitate owners of Protected Structures in obtaining Declarations and encourage planning best practice in all work to be undertaken.

BH6 Protected Structures

It is the policy of the Council to:

- Refuse permission for the demolition of a Protected Structure, except in exceptional circumstances, generally only those in which it can be shown that a greater public interest will

¹ Curtilage is not defined in the Planning and Development Act, but is generally taken to mean the area of land around and directly related to the building. For example, a range of farm buildings could be considered within the curtilage of a protected farmhouse, as could be a lodge or gate house if the principal house is protected. Boundary walls or fencing may also be considered as part of the curtilage of a building.

be served through the demolition of the building, outweighing the loss to the architectural heritage. In situations where permission is granted to alter or demolish, either partially or totally, a Protected Structure, a full record of the Structure and its significant elements will be required, to best conservation practice.

- Look favourably on proposals for change of use of a Protected Structure where this would secure the future conservation of the building and where proposals are in keeping with the character of the building.
- Ensure that any interventions to Protected Structures are undertaken in accordance with best conservation practice and using sustainable and appropriate materials;
- It is the policy of the Council to ensure the protection, conservation and where necessary restoration of the Architectural Heritage of the County for future generations, and
- It is the policy of Laois County Council to protect structures in the Record of Protected Structures (RPS).

Architectural Conservation Areas

- 9.21 An Architectural Conservation Area (ACA) is a place, area, group of structures or townscape, which is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or contributes to the appreciation of a protected structure. An Architectural Conservation Area may or may not include Protected Structures. Planning permission must be obtained before significant works can be carried out to the exterior of a structure in an ACA, which might alter the character of the structure, or the ACA. This designation allows the evolution and development of an area, while maintaining its essential character and distinctiveness.

BH7 Architectural Conservation Areas

It is policy of Laois County Council to:

- Identify and establish Architectural Conservation Areas through Local Area Plans and establish special planning controls for these areas;
- Once designated, management plans for these ACAs will be formulated, in order to protect and enhance their character. Such plans will include details of criteria for designation, boundaries, statement of character, issues and development control policies to;
- Ensure the protection, and appropriate revitalisation of the vernacular heritage of the County, and raise awareness of the importance of vernacular buildings, and in particular thatched buildings;
- Utilise the provisions of the Planning and Development Act 2000 and other relevant legislation in relation to Protected Structures and Architectural Conservation Areas;
- Protect and conserve examples of the vernacular architecture of the county. This policy will be informed by the vernacular Architecture Survey of the County, and
- Prepare an ACA for the town of Durrow as a pilot scheme, for this conservation tool, subject to resources being available to do so.

Vernacular Architecture

- 9.22 It is an objective of Laois County Council to carry out surveys of vernacular architecture to ensure identification and adequate protection of buildings, particularly vernacular buildings and thatched houses, which are currently under-represented in the Record of Protected Structures.

Consultation & Advice

- 9.23 Laois County Council will consult with appropriate prescribed bodies, including the Department of Environment, Heritage and Local Government, when assessing applications for planning in or impacting on Protected Structures
- 9.24 Laois County Council will have due regard to the recommendations of the appropriate prescribed bodies when making decisions regarding planning in these situations, both in deciding whether to grant planning permission, and in respect of the condition to which planning permission, if granted, should be attached.
- 9.25 The Council will have regard to architectural heritage when considering proposed infrastructure developments (including transport, telecommunications, sewerage and water) located in close proximity to Protected Structures or Architectural Conservation Areas.

BH8 Consultation and Advice

The Council will have regard to:

- The "Architectural Heritage Protection: Guidelines for Planning Authorities", published by the Department of Arts Heritage, Gaeltacht and the Islands 2001 and subsequent updates to be published by the DoEHLG.

URBAN DESIGN

- 9.26 Urban design considers the relationships between buildings and the spaces around them. This section aims at identifying principles which should give understanding as to how successful spaces work. This section provides the basis for assessing all planning applications on urban design grounds and is based on international best practice.
- 9.27 In order to achieve sustainable communities and a high quality built environment, which is one of the over riding goals of the County Development Plan, a number of principles must be established and applied to all development proposals in the County.
- 9.28 The following principles have been identified as being important to successful build environments
- Local Setting and Context
 - Building Layout
 - Ease of physical and social integration
 - Identity and Legibility
 - Vitality (Use Content)
 - Visual Quality

Local Setting and Context

- 9.29 Local Setting and Context is important in the development of all places and spaces and will vary from place to place. This is particularly true of a county like Laois where there is a range of different built environments from the local neighbourhood centre to the rural cluster-like settlement. It is important to identify the established pattern of development within the location in order to successfully address the character, scale, height, proportion and detail of adjoining and adjacent buildings. Each town and area will have their own distinctive form and character. New developments should respect this and reflect it, to some degree in their proposals, taking into account the natural heritage of the area also.

- 9.30 There are a number of key views and prospects, local landmark buildings around the County that will be protected. Very often a number of strategic views are not identified until a development proposal is pending.

Building Layout

- 9.31 New development proposals should arrange buildings so that they provide continuity and enclosure onto the public realm, creating a coherent urban fabric that encourages security and vitality. New developments should also be designed to create active frontages that contribute towards the creation of streets. This should include the creation of mixed use areas which provide a range of different uses such as shops and homes which present a vibrant landscape. Design should seek to minimise the risks of anti-social behaviour through appropriate layout, boundary features and means of enclosure.

Ease of Physical and Social Integration

- 9.32 Streets provide the network for people to move within urban areas, public spaces fronted onto by buildings and also the arena for public activities. Streets should generally link with other streets at both ends and routes should be as short and direct as possible to encourage people to walk to their destinations easily. The character of any proposal should be based around the creation of positive public spaces with roads incorporated and not generated by the road design requirements.

Identity and Legibility

- 9.33 New developments can be designed to reinforce the character and identity of existing places or to create a strong identity in new areas. The creation of new identities for urban areas is dependent on its urban form. Urban form includes such factors as size and heights of buildings, the urban grain, building lines, the use functions of an area, the identity of the Community, the areas history and the areas historic buildings. These factors suggest a particular identity for an area which should be respected by new developments.
- 9.34 Legibility means that development is structured in a way that creates distinctive places and spaces that may be easily read and that are easy to move around. A legible layout is based on designing at a human scale in response to the positive features of a site and how it relates to the wider area, rather than technical demands. Such a layout will avoid the creation of homogenous characterless areas resulting from the use of identical buildings which produce feelings of disorientation and monotony. A differentiation of building form in a layout such as noticeable increase in density in a particular direction may indicate the presence of a main road or the direction of an urban centre. Landmark buildings can provide more legible layouts if used in an appropriate context.

Design Mix

- 9.35 The success of good urban design proposals lies in use content of a scheme. Mixed use areas have a variety of benefits, serving to contribute to all aspects of the sustainable social, economic and environmental development of an area. Combining a mixture of uses improves the quality of life for residents and visitors, reduces the need to travel and allows for a local centre focus which in turn contributes to the development of a community structure.
- 9.36 A mixture of dwelling types and sizes is encouraged to ensure that different housing demands are catered for including apartments, duplexes, townhouses, semi-detached and detached

houses with greater internal floor areas and private amenity spaces. This encourages social inclusion.

Visual Quality

- 9.37 Good quality building design is vital in creating a visual and cultural identity of an area. The primary objective is to create buildings that are high visual quality, capable of long life and adaptability to other uses. The Council aims to promote the use of high quality contemporary and innovative design that respects the context and sense of place. The Council also promotes the use of local building traditions which can be used to compliment new exciting design. A variety of heights is encouraged in appropriate locations in order to establish landmarks and address creating sense of place.

BH9 Townscape

It is the policy of the Council to:

- Protect, conserve and where necessary resort or enhance the quality, character and distinctiveness of the townscapes of the county. The use of Village Design Statements will be encouraged to integrate new development with the existing built fabric.