



10 September 2024

Forward Planning Section,
Louth County Council,
Town Hall,
Crowe Street,
Dundalk,
Co Louth,
A91 W20C

Dear Sir/Madam

Re: Draft Dundalk Local Area Plan 2024-2030

The Heritage Council was established as a statutory body under the Heritage Act 1995 with a Council (the Board of the body) appointed by the Minister. The Heritage Council is a prescribed body under the provisions of the Planning and Development Acts 2000-2010 and S.I. No. 600/2001 of the Planning and Development Regulations, section 28 inter alia, in accordance with its functions under Section 6 of the Heritage Act, 1995.

We seek to provide submissions on forward planning, development control and strategic infrastructure developments as they relate to Ireland's heritage, namely built, cultural and natural heritage. We welcome the opportunity to comment on the *Draft Dundalk Local Area Plan 2024-2030*.

Ireland's national heritage is defined in the Heritage Act, 1995 as including: 'monuments, archaeological objects, heritage objects, architectural heritage, flora, fauna, wildlife habitats, landscapes, seascapes, wrecks, geology, heritage gardens, and parks and inland waterways'.

National and Local Policy Context

It is important to state from the outset that the **National Planning Framework – Project Ireland 2040**, identifies "*Enhanced Amenities and Heritage*" as one of our national strategic outcomes. Within this, the NPF correctly notes that built, cultural and natural heritage has intrinsic value in defining the character of urban and rural areas, adding to their attractiveness and sense of place. National policy objectives 16, 17 and 52 in the NPF give further support to this ambition and there is a need to reflect this in LAPs.

Development Plans – Guidelines for Local Planning Authorities was prepared for county and city councils in June 2022. Within these guidelines, there are detailed requirements for local forward planning objectives. Features of special architectural, historical, or natural value are our heritage assets, and mandatory objectives under the themes of 'heritage and landscape' have been identified throughout these guidelines. There is an obligation on local authorities to ensure the inclusion of such objectives in their statutory plans.

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The 4th edition of Ireland's **National Biodiversity Action Plan (NBAP) 2023 – 2030** was published in January 2024. The NBAP states that “local authorities play a key role in biodiversity conservation through the planning system”. There are several targets identified under Outcome 2A (*The protection of existing designated areas and protected species is strengthened and conservation and restoration within the existing protected area network are enhanced, regarding designated areas and protected species*) that are relevant for local authorities in their plan making functions. However, of key importance is Outcome 3C (*Planning and development will facilitate and secure biodiversity's contributions to People*). Action Numbers 3C2 and 3C3 are especially important, whereby the objectives of the NBAP are to be aligned and integrated within the statutory land use plans. In addition, actions 1B9, 1C5 should also be key considerations for all plans.

Heritage Ireland 2030 was published in February 2022 and details a number of action points relevant for local authorities and these should be included in forward plans. Most importantly are Action 22 - *Introduce policies on supports for urban biodiversity and tree planting*; Action 26 - *Support nature-based solutions for land-use management*; and Action 37 - *Integrate heritage considerations into urban and rural regeneration to ensure that built and natural heritage objectives underpin the planning and development process and inform the 'Town Centres First' policy approach*.

The **Guidelines for Planning Authorities on Architectural Heritage Protection** were developed in 2004 and give expression to the provisions of the Planning and Development Act 2000, with regards to built heritage. Chapter 2 and 3 give detailed guidance on the role of statutory county level plans with regards to the Record of Protected Structures and Architectural Conservation Areas. The Office of the Planning Regulator has also provided guidance on **Archaeology in the Planning Process** through **Planning Leaflet 13**.

The Eastern & Midland Regional Assembly's **Regional Spatial & Economic Strategy 2019-2031** is the current regional plan for counties Louth. Whilst the RSES primarily deals with spatial planning matters at the regional level, there are several sections within the RSES that are relevant for LAPs. We would bring particular attention to Objective RPO 7.21, which aims to ensure that local authorities promote an ecosystem services approach to statutory land use plans, while Objective RPO 9.30 supports the sensitive reuse of protected structures.

The **Louth County Development Plan 2021-2027** has comprehensive sections on both cultural and natural heritage. Policy NBG2 of the Louth County Development Plan 2021-2027 seeks to promote and implement the objectives of the Local Biodiversity Action Plan for County Louth.

These pertinent national and local policies are emphasised to provide context to our comments. Additional guidelines and policies are identified for specific sections of the draft LAP in the following paragraphs.

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Specific comments on the Draft LAP

1.0 Introduction

1.9 Vision

The vision and the strategic objectives capture well the need to follow a sustainable and compact growth strategy, and there is good provision for built, cultural and natural heritage through strategic objectives SO5 and SO6. We would recommend the following amendment to Strategic Objective S06 as green infrastructure does not necessarily always have ecological potential.

*To protect, conserve, enhance and sustain the natural environment of Dundalk while promoting climate adaptation and enhancing biodiversity through the protection and promotion of green infrastructure, **as well as designated and non-designated important biodiversity sites** for future generations.*

2.0 Development Strategy

2.2 Context

The alignment with the national strategic outcomes from the NPF is welcomed. Although noting compliance with national policy should relate more to policy provision in the plan, rather than a description of the existing baseline. Therefore, in the “Enhanced Amenities and Heritage” section, there is need to identify how the ecological assets e.g. Dundalk Bay SAC and SPA will be protected, while it should also be possible to note the number of architectural conservation areas, and protected structures in the town and environs, and where in the plan policy is provided for them.

2.4 Development Strategy for Dundalk

The Heritage Council also supports Policy Objective DS4, and the associated features in this plan for consolidation and compact growth. At the level of first principles negative impacts on natural and cultural heritage are the result of poor and inefficient land use planning. Achieving more consolidated growth will reduce greenhouse gas emissions from the built environment, but it will also ensure that land take is restrained and does not pose undue threats to cultural and natural heritage.

However, there should be a policy for greenfield sites also, given that most of the units will be provided here. It is essential to ensure that any greenfield release makes efficient use of land, whilst providing the mix of homes necessary, and having densities and facilities, that are conducive to public transport roll out, and cycling and walking. Such transport infrastructure should be available from the outset. There is currently no policy in this section that accurately reflects this, and we recommend that a new policy is provided here.

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3.0 Key Development and Character Areas

3.2 Key Development Areas.

This LAP rightly seeks to identify key development and character areas – this is the specificity needed from more settlement-based land use plans. In the first instance, identifying sites for future development should be guided by Tier 1 locational criteria. Access to amenities, and sustainable transport modes, or the ability to provide such modes is key. Simultaneously avoiding important natural, cultural and built heritage constraints is equally important.

With this in mind, we welcome that the development area characterisation does detail the site constraints. However, it may be worth having “key development considerations” bullet point list at the end of each of the development areas which identifies the environmental constraints.

In the **Mount Avenue Area** there are four records associated with the national monument of Cúchulainn’s Castle, while there is an important circular stand of trees that would have high landscape, heritage and ecological significance. We welcome the identification of a buffer for this area. There is a need to ensure that it accounts for the zone of notification of the monument and the root protection area of the vegetation. There is also a souterrain record, which should be factored into any masterplan. It is likely some archaeological investigations are needed here as part of the masterplanning.

The **Saint Nicholas Quarter** has rightly been identified as an area requiring attention. There are a number of heritage assets located in the area, including the Fair Green Bar, which has an attractive shopfront, and Saint Nicholas Chapel. There are good examples of linear terraced houses in the location yet some form disorderly development has occurred. We welcome the ambition to improve the public realm in this area, which may make it more attractive in terms of liveability.

The draft plan has correctly identified the significant redevelopment potential in the area of the Long Walk Shopping Centre in the **Long Walk Area Quarter**. Given its proximity to the train station, this brownfield site should be prioritised for redevelopment. There are few heritage assets in this area with exception of the public park demesne and the tree lined park to the south adjacent the Magnet Road. Both assets bring character and biodiversity benefits to the area, and any streetscape design should retain and enhance such features. The public realm and landscape ambitions for the park, particularly with mention of the Icehouse in the Park, are also welcomed.

Avenues in the **Park Street/Francis Street and St Patrick’s Church Quarter** are a good representation of an arterial Irish townscape, with a relatively uniform height interspersed with occasional prominent buildings. Vacancy does appear to be an issue in some sections. While we do note with concern, poor and garish shopfront signage on many historic buildings. There does exist some attractive shopfronts such as the Pheonix Bar. with other attractive assets also present. We would recommend that special attention be placed on streetscape and shopfront design in this area. While new developments should

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respond positively to the existing townscape character. The street would also benefit from public realm improvements, and we welcome that this has been identified.

With regards to **Dundalk Port**, there is a need to bear in mind that it lies immediately adjacent to Dundalk Bay SPA and SAC, and this needs to be considered as part of any plan for the area.

4.0 Climate Action

Climate Action is a thread that should run through an entire forward plan. Given the impacts that climate change is having, and is expected to have, on our natural heritage, the Heritage Council strongly support policies in the planning system that both reduce emissions at source, and ensure adaptation to the worst impacts of climate change.

The Heritage Council believe that at the level of first principles, together with the reuse of the embedded carbon in vacant buildings, that ensuring land use patterns and mobility are integrated is the most important role the planning system has for addressing climate change. In overarching terms, we encourage the LAP to:

- Ensure transport and land use are strongly integrated, as per national policy, and our settlement patterns are conducive to public transport roll out and walking and cycling.
- Avoid sites that have high ecological potential, informed by habitat mapping.
- Prefer existing brownfield sites and well-located sites within the urban boundary in a sequential approach to development including any sites next to the train station.

Many of these matters are alluded to in Chapter 4 of the Draft LAP, and we expect that each relevant chapter will address such aspirations in their respective policy objectives. We therefore recommend that the above points be integrated, where needed, in the respective chapters that deal with movement, heritage, compact growth (the settlement capacity audit work is a good endeavour), and place making and design.

5.0 Sustainable Neighbourhoods and Communities

The Heritage Council welcomes the emphasis that heritage has rightly received in the current introductory sections to this chapter. Dundalk's network of narrow streets is a good example of the Y formation in Irish towns and the inner historic core, with some of the residential terraced streets also providing the town centre with an authentic townscape character. Within this area, there are many attractive individual prominent buildings, interspersed along a historic and relatively uniform building rhythm. Many of these streets are covered by architectural conservation areas where very prominent ecclesiastical and administrative buildings are also key landmarks.

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5.4 Urban Design and Placemaking

The Heritage Council strongly believe in heritage led regeneration and development, which can build on existing character, which is unique, and cannot be recreated. The historic core of Dundalk appears to be relatively vibrant. The condition of properties, including the “above the shop” elements, particularly on Clanbrassil Street, appear to be in good condition, with some very attractive streetscapes present. Accordingly, it is likely that the best approach to this area of the town is to retain character; and concentrate on shopfront design; conservation through use; public realm design (both hard and soft landscaping); and the flexible application of development management standards; all to ensure a continued attractive town centre. Therefore, we strongly support Policy SC1 and SC4. It is important to note, that although the prevailing heights may vary from 2-4 stories in the historic core, including the residential streets, that this is high coverage, and therefore not low density.

We believe that any infill development should respond positively to this character, which is already relatively high density. In this regard we recommend *The Sustainable Residential Development and Compact Settlements guidelines*, published in January 2024 and are the most recent and relevant guidelines for this policy. They specifically note the importance of responsive placemaking for existing heritage as well as expectations for the application of density and development management standards. We strongly recommend that Louth County Council consult in detail these guidelines with specific concentration on the relevant sections for the settlement size of Dundalk. This guidance should then inform and be incorporated into this section of the LAP, and the placemaking sections.

Finally, we also recommend that public realm and landscaping proposals do not only concentrate on hard landscaping (paving, stonework). Greater emphasis on soft landscaping, that incorporates native plant species, will not just make the built environment more pleasant, but will also aid local biodiversity ambitions

5.6 Building Heights

While sustainable settlement patterns and compact growth ambitions are supported, the Heritage Council believes that there is a need to ensure there is not a conflation between high buildings and high density. This conflation seems to be made in this section which seems to align compact growth with taller buildings. Although we do note that the definition appears to identify 4 stories as a threshold. However, the definition of a taller building should be based on context i.e. a building that is significantly taller than the surrounding urban area.

There are two concerns regarding taller buildings when it comes to heritage:

1. Potential impact on historic landmarks and church spires. Taller buildings have the potential to alter their setting while detracting from the historic character of the town. Louth County Council could consider some views analysis to establish protected views and prospects in the LAP.

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2. Taller buildings tend to accommodate smaller units (1 and 2 bed flats). This inevitably leads to displaced demand for family homes which will lead to greenfield expansion, where low density development is too quickly accepted, therefore resulting in sprawl that inevitably puts pressure on the country's natural and cultural heritage.

Where high density is needed, this can be achieved by well-designed townscape/perimeter blocks or terraced housing, as opposed to single landmark tall buildings. The LAP needs to carefully consider and understand how it achieves high density, which is needed. At the same time, the Heritage Council welcome the minimum density requirements policies, which are needed to not squander land, as well as the policies that seek out the most sustainably located sites via land activation.

Chapter 10 - Culture and Heritage

The Heritage Council have a key interest in this section. There are several well-crafted policies in this chapter, with some recommendations provided here.

10.2 Natural Heritage

The diagram on page 143 "Natural Heritage" should note locally important biodiversity sites. The Heritage Council aspires to a universal locally important biodiversity site identification process that ensures that policies for protecting local ecological networks in county development plans and local area plans have a supporting evidence base. This aspiration is couched within the context of ensuring that forwards plans can comply with the Development Plan Guidelines for local authorities insofar as under Section 9.2.4 Nature Conservation, they state that:

*"While protected areas cover a significant part of the country, **the majority of the country lies outside of this network.** There are many other sites which are of local importance for flora and fauna. Local authorities have an important role to play in preventing the loss of such sites and the species which rely upon them for their survival. **Development plans should identify such sites of local ecological importance and endeavour to secure their protection.** Any development on or near such sites should avoid any significant adverse impact on the features for which the site is considered to be of local importance*

Such locally important biodiversity sites are likely to encompass many of the features identified in the subsequent policies of this plan i.e. trees and woodlands, wetlands sites and key ecological corridors. Whilst we welcome the identification of all these features, we encourage local authorities to recognise these as Locally Important Biodiversity Sites (LIBS) in a "catch all term" that sits beneath NHAs and SAC/SPAs in a hierarchy. It is also hoped that the Louth Biodiversity Action Plan will provide data in support of such sites.

The section on green infrastructure notes that *"Any new development shall strive to identify existing features of ecological importance and, where possible, should*

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incorporate and utilise these to facilitate the building of a coherent network of rich biodiversity sites and linkages". This is by in large the same aspiration however we would expect that LBAPs would identify these features going forward.

The overall rationale behind this identification is that there is policy provision that informs developers and communities of sites of local ecological importance, which should be considered as key development considerations in planning applications.

We also welcome the careful identification of the Dundalk SAC and SPA in the LAP. We are concerned that although the planning system is now fully aware and must account for the Birds and Habitats Directive in their statutory functions, there remains a lack of understanding with regards to the conservation objectives for each individual [SAC](#) and [SPA](#). In this vein we recommend the following amendment to Policy Objective CH1:

To protect and conserve the Special Area of Conservation (SAC) and Special Protection Area (SPA) designated under the EU Habitats and Birds Directives, by ensuring that all plans, and projects that require planning permission do not undermine the conservation objectives for the Dundalk SAC/SPA.

10.6 Wetlands – 10.8 Hedgerows

Notwithstanding our comments on the universal LIBS term for all features, we welcome the identification and mapping of wetland sites, trees and woodlands. We would welcome a description of the criteria that identified how the wetland sites were considered either *low*, *medium* or *high* conservation value. For all sites of local biodiversity importance, we would recommend that an ecological survey be undertaken as part of any development proposals, which would include mitigation and compensation measures if required. In this regard we suggest the following amendments to policies CH10 and CH11.

To ensure that any development proposals protect and enhance the wetland sites in Dundalk, and require any development proposals that may impact on the ecological value of a wetland site to be accompanied by an Ecological Assessment

To protect Trees and Woodlands of Special Amenity Value, and hedgerows of ecological value, except in exceptional circumstance where it can be demonstrated to the Planning Authority their removal is warranted. Such exceptional circumstances need to be justified by an Ecological Assessment of such features.

There is often needless removal of mature trees and hedgerows, of considerable character and ecological value, as part of site works to 'tidy' the site before construction commences. Both opportunity sites within the town, or any phased greenfield release should have stringent design standards for retention of natural features.

10.11 Green Infrastructure – 10.12 Species Protected by Law

It is also important to note at this juncture that the Heritage Council have concerns that regularly green infrastructure is conflated with ecological corridors. This is important as several types of green infrastructure such as recreation facilities have limited ecological

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potential. Many features of green infrastructure, particularly recreational/open space, are highly dependent on the design and maintenance regimes of said infrastructure to achieve any biodiversity value. We therefore recommend to Louth County Council to ensure that this conflation is not made in this plan.

As an example, the section on Protected Species could be part of the natural heritage section. While ecological networks will provide habitat, foraging and shelter for many species, not all green infrastructure can. As a further example, bats will forage, and potentially roost along hedgerows and trees, but large roosts would also be found in buildings.

In addition, tree preservation orders and public rights of way are underutilised at plan making level. These are important heritage designations. Any trees or stands of trees that are worthy of TPO designation should be identified, while any important public rights of way, particularly to heritage sites, or ones that provide heritage walks, should be identified.

10.13 Built Heritage

Individual designations such as the Record of Protected Structures and Architectural Conservation Areas, continue to be essential for the protection and promotion of the historic environment. Policy CH20 achieves a good balance in terms of promoting re-use of heritage assets, which is essential for the continued maintenance and overall integrity of such assets, and the simultaneous protection of special features and character. CH21 is also a worthwhile policy and is well-crafted.

Louth County Council has utilised well the ACA designation, with eight ACAs evident in Dundalk. The quality of the built environment in many parts of the town is due to this, and any such ACAs should be adequately reflected in the character area/ development area descriptions. To make a greater distinction between Policy Objective CH20 and Policy Objective CH24, we suggest the following amendment to CH24:

*To encourage the re-use and adaption of existing historic buildings, **both designated and non designated heritage assets**, in a manner compatible with their character, and one which enhances their vernacular heritage or contribution to the ACA within which they are located.*

Strategic Environmental Assessment/ Appropriate Assessment

There will be an SEA and Appropriate Assessment required for the LAP. There is a need to ensure that all future policies drafted are individually assessed against the SEA objectives, when the time comes. The Heritage Council recommends that the SEA/AA guidance prepared by the Office of the Planning Regulator (OPR) be consulted when preparing the SEA for the LAP.

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Conclusion

The Heritage Council strongly encourage Louth County Council to continue to acknowledge the primacy of Dundalk's heritage resource. The built and natural heritage of the town should be the focus for guiding any future strategy. We recommend that this important heritage and character continues to guide a sustainable future development trajectory for the town and its environs.

I trust these comments will be considered carefully as you progress the Draft Dundalk Local Area Plan 2024-2030.

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