



# National Policy on Town Defences



Comhshaol, Oidhrecht agus Rialtas Áitiúil  
Environment, Heritage and Local Government



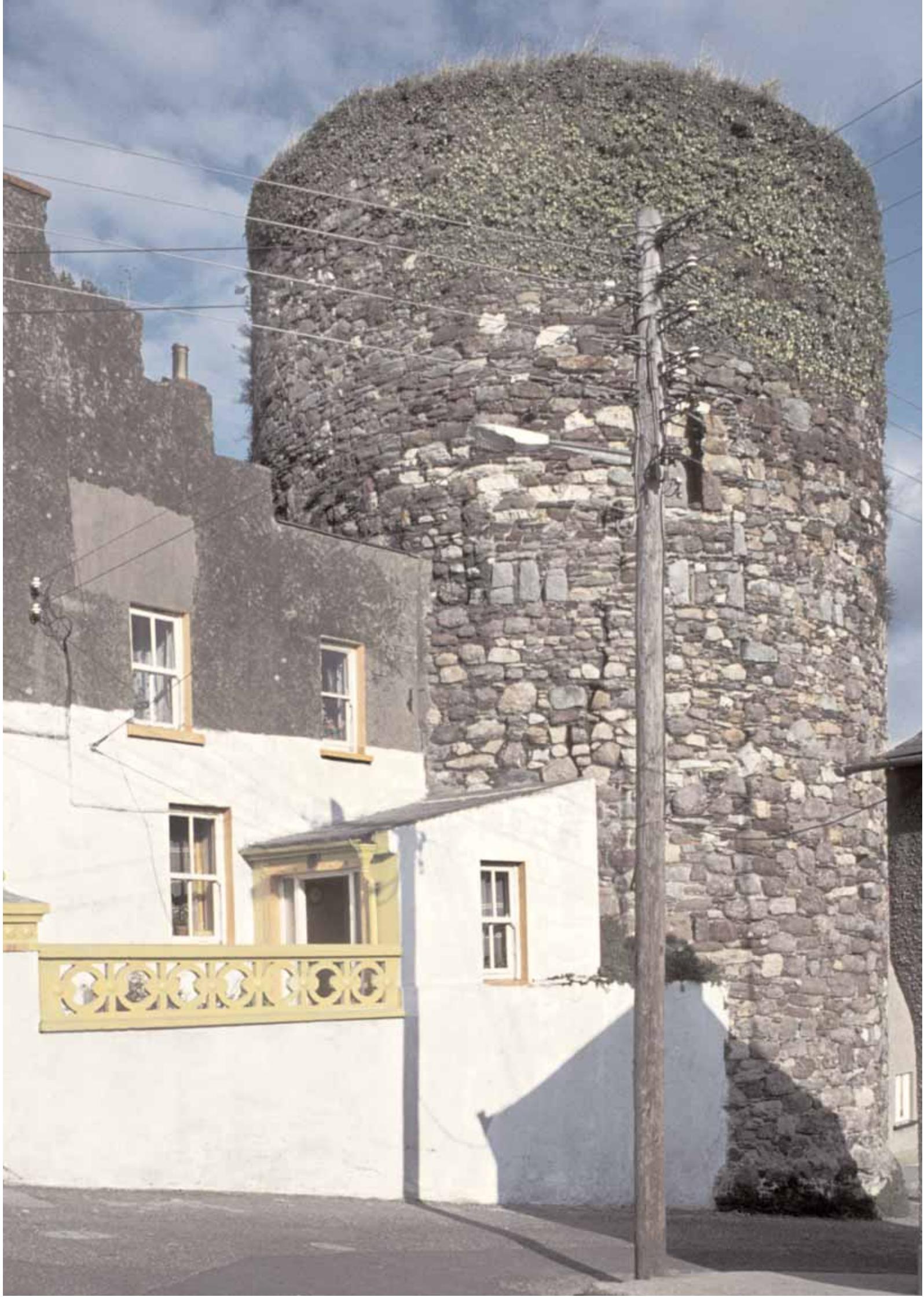


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*Guidance on conservation and management issues will be published separately*





As Minister with responsibility for the protection of Ireland's built heritage, I am pleased to publish this National Policy on Town Defences. This policy document demonstrates strong commitment from my Department towards the protection and conservation of our historic urban defences.



Partly due to the possibility under the Planning and Development Act 2000 of protecting town defences by making them protected structures or including them in architectural conservation areas, there is now an increased awareness among local authorities, amenity societies and others of the benefits of presenting their town defences. Instead of allowing demolition and decay to continue, it is now recognised that these old walls, towers and gates are an asset, as a valuable part of the character of the towns they have shaped and protected for hundreds of years.

I am pleased that my Department supports the Irish Walled Towns Network (IWTN) through financial assistance.

My Department looks forward to continuing to work constructively with the IWTN, the Heritage Council and individual local authorities in the years ahead to our mutual benefit, and more importantly to the benefit of our historic town walls and the towns they enclose.

A handwritten signature in black ink, which appears to read "John Gormley". The signature is written in a cursive style.

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John Gormley, T.D.,  
Minister for the Environment, Heritage and Local Government  
November 2008

**The known and expected circuits of the defences (both upstanding and buried, whether of stone or embankment construction) and associated features of all town defences are to be considered a single national monument and treated as a unit for policy and management purposes. There should be a presumption in favour of preservation in-situ of archaeological remains and preservation of their character, setting and amenity.**

Urban settlements will and must continue to change and develop. However, this necessary continuum must recognise and preserve the character, setting and amenity of all upstanding urban defences and the archaeological evidence that survives, or may survive, below ground. Urban defences are to be considered of primary importance where they are found.



## 1.1 Introduction

**1.1.1** This document sets out national policy for the protection, preservation and conservation of historic urban defences in Ireland. While urban defences are part of the morphology of historic towns and should not be isolated from any other aspect of such towns, they present particular challenges in terms of protection, conservation, planning and development. This is due to the often disconnected or fragmentary nature of the remains, buried or above ground, which survive in both private and public ownership. In any given town, the town defences may survive in a multiplicity of different ownerships. Town defences have often suffered from inappropriate development, which did not take into consideration the circuit of town defences, their character, setting and amenity and their relationship with other aspects of urban form and structure. Furthermore, historic towns over time have expanded beyond the enclosing and defensive element of town defences, which presents specific demands such as access, interpretation and preservation of views.

**1.1.2** Town defences are “monuments” as defined in the National Monuments Acts 1930-2004 and are protected under the provisions of this legislation. Town defences are also protected under the Planning and Development Act 2000 (where listed as protected structures or within architectural conservation areas).

**1.1.3** Arising from increasing awareness at local level of the importance of the heritage of urban defences, the Irish Walled Towns Network (IWTN), was set up in 2005 by the Heritage Council. It is affiliated to the international organisation the Walled Towns Friendship Circle. The IWTN acts as a forum for information (national and international), awareness-raising and mutual assistance for local authorities whose responsibilities include surviving town defences, as well as for amenity societies and others with an interest in the subject. At the time of writing, twenty-four towns in Ireland are members of the network. Conservation plans and conservation management plans are being prepared for a number of town defences with the financial support of the Heritage Council, arising from which a number of publicly funded conservation projects are in train. The Department of the Environment, Heritage and Local Government provides funding via the Heritage Council for these grant aided projects.



## 1.2 Ireland's town defences

**1.2.1** Town defences include all walls (whether ancient or on the line of ancient walls), gates, towers, earthen banks and fosses (ditches), bastions, outworks and other features. These features can date from the Viking period to the 17th century.

**1.2.2** It would be difficult to overestimate the importance and significance of these major monuments. John Bradley puts it thus

*Fortifications were an essential part of all ancient towns. In medieval art and cartography, defences were perceived as the feature that most characterised a town and made it distinctive from the surrounding countryside. A town wall was not just a security feature, it was also a status symbol, an architectural assertion of the independence of the townspeople and a celebration of their wealth and industry.*<sup>1</sup>

**1.2.3** Most Irish towns have fragmentary remains of their town defences as a result of towns expanding beyond their medieval boundary limits during periods of peace and prosperity and a pragmatic view about removing them where thought fit (to expand properties or reuse the masonry).

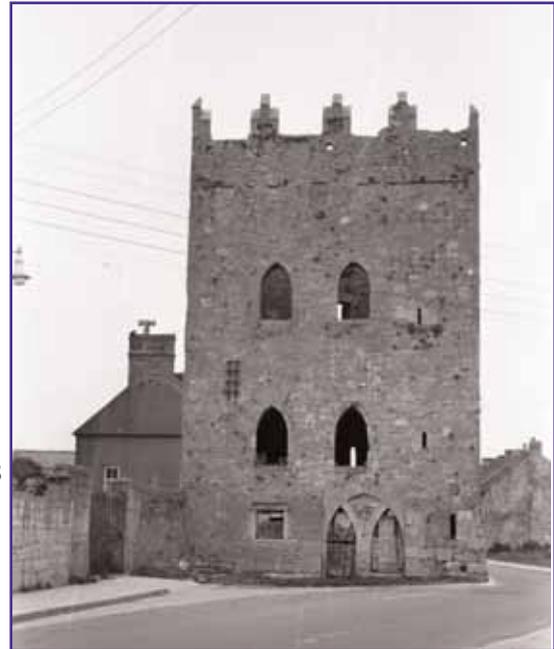
**1.2.4** Where well-preserved parts of the circuit of town or city defences survive and are accessible to the general public, they are most impressive, e.g. Waterford City, Fethard, Athenry and Youghal. A number of other towns have somewhat more hidden but nevertheless good stretches, e.g. Kilkenny, Drogheda and Wexford. Even where towns have expanded beyond or broken through their walls, placenames abound (e.g.



West Gate, Thurles) indicating their former existence and often the line of streets reflects their presence or former presence. A few towns were walled several times as they expanded, leaving the remains of several lines of defence.

<sup>1</sup> John Bradley, *Walled Towns in Ireland* (Dublin: TownHouse, 1995), p.5. A very detailed history is given by Avril Thomas in *The Walled Towns of Ireland* (Dublin: Irish Academic Press, 1992).

**1.2.5** Town gates are rare survivals, e.g. in Drogheda, Fethard, Kilmallock and Carlingford. Clonmel's West Gate (built in 1831) is on the location of the earlier gateway. Medieval street patterns are visible in modern street layouts. Medieval parish churchyards sometimes contain the best or most visible stretches of the defences in a town (e.g. Cashel and Clonmel).



**1.2.6** Some town defences are not known to have fosses, but allowance should be made for the possibility of a town fosse. New information is constantly coming to light through archaeological excavation. For example, in 2000 evidence for a fosse was found in Cashel, Co. Tipperary. Banks and fosses can pre-date the Anglo-Norman period, for example in Waterford City where they underlie the stone city wall. Earthen fortifications may be present, dating to the 16th and 17th centuries, especially outside the walls of a number of cities, such as Limerick and Waterford. At Limerick, at least one earthen bastion survives from the time of strengthening of the city defences during the 1651 siege.

**1.2.7** The survival above ground of urban defences, in whatever condition, can be one of the most important defining characteristics of a historic place. The walls, towers and gates form the historic context for streets, lanes, buildings, burgage plots and spaces and are the focus of many different views within the medieval town and on the approaches to it.

**1.2.8** The standing walls and features, and the locations of roads and gates, are not the only elements vital to the character and importance of town defences. There is also an intangible dimension. This is manifested by a definite sense of the place evoking history over centuries, the circuit of walls enclosing a place, giving it a specific and unique identity.



## 2.1 National Monuments Acts 1930-2004

**2.1.1** The Minister for the Environment, Heritage and Local Government has responsibility for the protection of the archaeological heritage. This responsibility is fulfilled primarily through the exercise of powers under the National Monuments Acts and the work of the National Monuments Service.

**2.1.2** The National Monuments Acts afford protection to town defences including where town defences exist at sub-surface level only and have no above-ground expression.

**2.1.3** Monuments such as town defences included in the statutory Record of Monuments and Places are referred to as recorded monuments. In addition, within the meaning of the National Monuments Acts, all town defences are considered national monuments by reason of the historical, architectural, and archaeological interest attaching to them.



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**2.1.4** In accordance with Section 14 of the National Monuments Act 1930, as amended, where a national monument (such as town defences), of which the Minister or a local authority are the owners or guardians, or that have been the subject of a preservation order, Ministerial Consent is required in order:

- 'a. To demolish or remove it wholly or in part or to disfigure, deface, alter, or in any manner injure or interfere with it, or*
- b. to excavate, dig, plough or otherwise disturb the ground within, around, or in proximity to, or*
- c. to renovate or restore it, or*
- d. to sell it or any part of it for exportation or to export it or any part of it.'*

**2.1.5** The sort of works for which notification must be given or Ministerial Consent obtained may range from preparatory work and enabling works, to carrying out groundworks in proximity to remains of town defences, to proposals to carry out masonry repairs, widen existing openings or rebuild fallen stretches.

**2.1.6** Application forms for Ministerial Consent are available from the Department of the Environment, Heritage and Local Government.

**2.1.7** Other provisions within the National Monuments Acts, which may relate to town defences are the control and regulation of archaeological excavations and treatment of archaeological objects.

## **2.2 Existing Archaeological Policy**

**2.2.1** In 1999, two significant documents were published by the State, which outlined the Government's policy in relation to the protection of the archaeological heritage and the conduct of archaeological excavations:

- *Framework and Principles for the Protection of the Archaeological Heritage*
- *Policy and Guidelines on Archaeological Excavations*

**2.2.2** These documents clearly set out the basic principles of national policy on the protection of the archaeological heritage and reflect the obligations on the State under the European Convention on the Protection of the Archaeological Heritage. In Section 3.8.5 of *Framework and Principles*, it states that most historic towns, which have continued in use as urban areas, retain an urban morphology which originated in the medieval period.

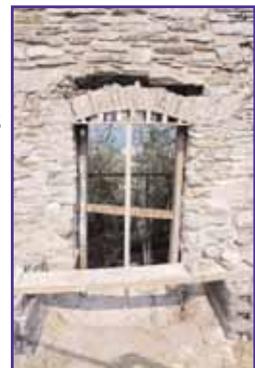
**2.2.3** The *National Policy on Town Defences* should be read as a supplement to the 1999 publications.

### Ministerial Consent Policy

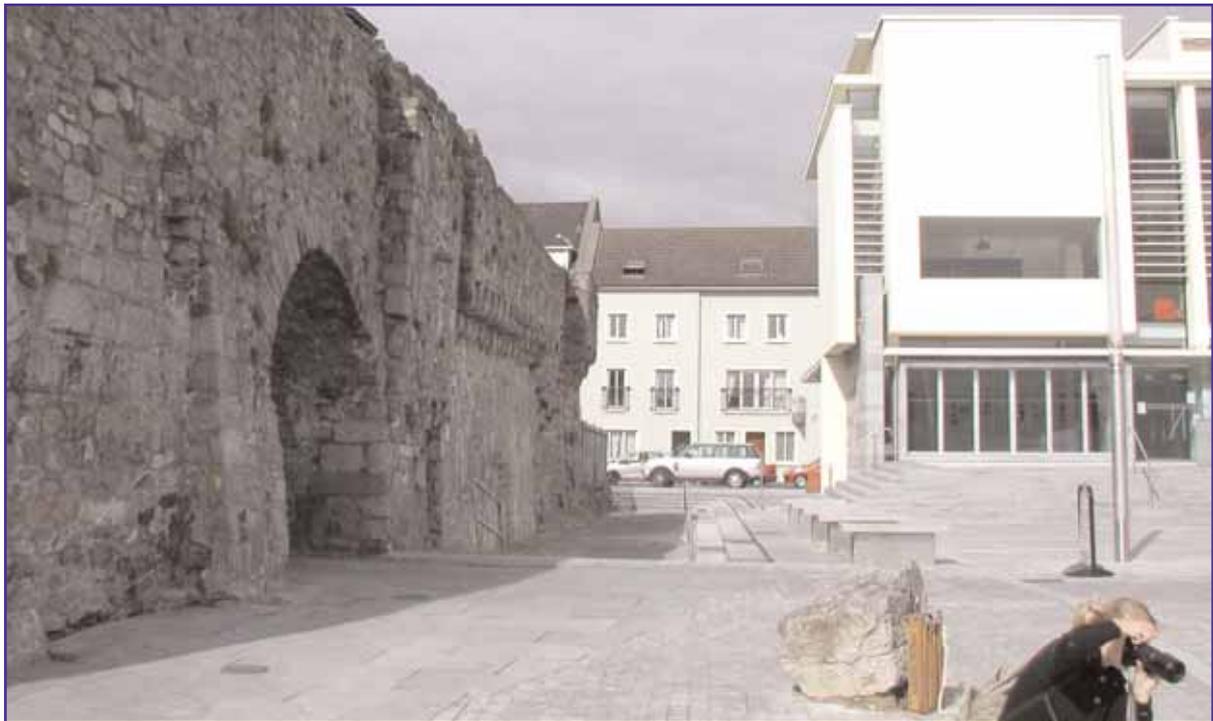
All works that will impact on the fabric of town or city defences, or any ground disturbance in proximity to the defences in local authority or the Minister's ownership or guardianship, or that have been the subject of a preservation order, are subject to a requirement for Ministerial Consent from the Minister for the Environment, Heritage and Local Government. It is advisable to consult with the National Monuments Service and the Architectural Heritage Advisory Unit of the Department of the Environment, Heritage and Local Government at an early stage when planning works. Many structures associated with town defences may also be protected structures and/or located within an architectural conservation area and planning permission may be required. The local authority archaeological and conservation officers should be consulted.

In considering applications for Ministerial Consent for works affecting town defences, it shall be the policy of the Department of the Environment, Heritage and Local Government:

- To seek the protection and preservation in-situ of these national monuments including the town walls, embankments and ditches, gates, bastions or ancillary fortifications or portions thereof;
- To seek the preservation of important views and prospects inside and outside the walls so as to preserve the setting of the monuments and to increase the appreciation of the circuit and character of the walled town. The Department may require a satisfactory buffer area to be established between any new 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;
- To require any proposals for works to town defences to be preceded by a detailed measured survey of the monuments so as to have an appropriately detailed record;
- To provide pre-planning advice to developers where town defences are close to or included in their proposal site;
- To require the involvement of qualified and experienced conservation professionals in the detailed design and overseeing of works to town defences;



- Not to favour new roads crossing the wall or the line of the wall or the formation of any new openings in the wall;
- To favour the minimal intervention necessary to the authentic fabric of the monument and avoidance of unnecessary reconstruction;
- To require good quality, context-sensitive design for development proposals affecting the upstanding town defences that would not detract from the character of the town defences or their setting by reason of the location, scale, bulk or detailing;
- To encourage the enhancement of the setting of town defences including the pedestrianisation of town gates where this can be achieved without requiring new roads to be opened through the circuit of the walls. To encourage also the improvement of signage and public utilities structures, etc. where these affect the visual amenity of the defences;



- To require as a condition of Ministerial Consent that appropriate programmes of regular maintenance and repair works to the town defences be put in place;
- To promote the retention of the existing street layout, historic building lines and traditional burgage plot widths within historic walled towns where these derive from medieval or earlier origins and to discourage the infilling or amalgamation of such plots and removal of historic boundary walls save in exceptional circumstances.