

Submission HLG 00403-21: Screening for Appropriate Assessment Determination FS007004 Revetment Repairs at the Murrough, Wicklow Town, Co. Wicklow.

TO: Minister of State Burke
STATUS: Completed
PURPOSE: For Decision and Signature

AUTHOR: Rory O'Connor (Housing)
OWNER: Rory O'Connor (Housing)
REVIEWERS: Rory O'Connor (Housing)
Jean Gregg (Housing)
Martina Gallagher (Housing)
Nina Murray (Housing)

DIVISION: Foreshore
DECISION BY: 08/11/2021

Final comment

Approved by minister, 30/11/2021

Action required

Ministerial determination on the Screening for Appropriate Assessment

Executive summary

The Office of Public Works have applied for a Foreshore Lease to carry out works associated with revetment repairs at the Murrough, Wicklow Town, under Section 2 of the Foreshore Act, for a term of 35 years.

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations'), the Department has undertaken Screening for Appropriate Assessment (AA).

Having considered all relevant material a recommendation has been made that the Minister adopts the Screening for Appropriate Assessment report and reaches the following Screening for Appropriate Assessment determination:

In accordance with Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government and Heritage has made a determination following screening that an Appropriate Assessment is not required as the project, individually or in combination with other plans or projects, is not likely to have a significant effect on any European site. The risk of likely significant effects on European sites can be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed development, including temporary works, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

Detailed information

The Office of Public Works have applied for a Foreshore Lease, under Section 2 of the Foreshore Act, as amended, for a term of 35 years, for the purpose of carrying out works associated with the repair and maintenance of 260 metres of existing revetment at the Murrough, Wicklow Town. The foreshore lease area subject to this application is 37.67M2.

The Murrough is a 15km long coastal wetland area which extends north of Wicklow Town and continues as far as Greystones, Co. Wicklow. It is among the largest coastal wetland complex on the East coast of Ireland. The Murrough Coast Protection Scheme was originally constructed in the mid 1970's under the Coast Protection Act of 1963. The scheme comprises of a rock armoured revetment / apron structure and retaining wall and extends over a length of approximately 260m. There is a statutory requirement on the OPW to carry out maintenance works on coast protection schemes that were constructed under the Act to maintain these schemes in "proper repair and effective condition".

Brief description of works

The OPW Coastal Section intend to progress works to the existing revetment at The Murrough located in Wicklow Town. The 260m length of revetment is located north of Wicklow Port and Harbour. The proposed works include the re-profiling of the existing revetment and placement of a single layer of 3-6 tonne rock armour over the top. A gabion mattress wrapped in geotextile will be

placed under the proposed revetment toe. A brief summary of the anticipated scope of the work is as follows:

- Site set-up, including all compound and laydown areas;
- Identify and protect all existing services;
- Re-profiling of the existing revetment;
- Placement of the new armour layer and gabion mattress. It is anticipated that the proposed 3–6 tonne rock armour will be delivered to site via the road network;
- Site clean-up and demobilisation; and
- All temporary works associated with the project, e.g. temporary traffic management, etc.

The timescale for the completion of the work is estimated at approximately 3 to 6 months. Works will occur during normal working hours between 08.00 and 19.00hrs. No artificial lighting is therefore anticipated at the works location. The applicant (OPW) has designed the scheme in accordance with the relevant codes.

It should be noted, while the OPW has a statutory requirement to carry out maintenance works on coastal protection scheme, the works proposed necessitates encroachment onto the foreshore, hence the need for a Section 2 lease. The proposed area of foreshore associated with the proposed works is 37.67M2

Environmental Assessment

As part of the assessment of the foreshore lease application the Department of Housing, Local Government and Heritages, Marine Advisor (environment), has undertaken a Screening for Appropriate Assessment (stage 1 screening) and if required, an Appropriate Assessment (stage 2), of the likelihood of significant impact on Natura 2000 sites from the proposed works in the application for a Foreshore Lease.

A number of application documents submitted by the Office of Public Works have informed Screening for Appropriate Assessment and are linked below:

- [Application Form](#)
- [AA Screening Report](#)
- [Drawing DR-001 Site Location Map](#)
- [Drawing DR-002 Foreshore lease Map](#)
- [Drawing DR-003 Plan and Profiles – Sheet 1 of 3](#)
- [Drawing DR-003 Plan and Profiles – Sheet 2 of 3](#)
- [Drawing DR-003 Plan and Profiles – Sheet 3 of 3](#)

and;

submissions or observations received during the public and prescribed bodies consultation also informed the screening for AA;

- [Prescribed Bodies Observations](#)
- [Applicant's Response to Prescribed Bodies Observations](#)

Screening for Appropriate Assessment

The Departments Marine Advisor (environment) completed a 'Screening for Appropriate Assessment Report' in October 2021 which concluded that in view of best scientific knowledge and in view of the sites' conservation objectives, the project, individually or in combination with other plans or projects, will not have a significant effect on European sites. Therefore a phase 2 Appropriate Assessment is not required.

Following the Screening for Appropriate Assessment and its conclusions, along with all relevant material considered, a recommendation has been made that the Minister adopts the Screening for Appropriate Assessment Report and reaches the following Screening for Appropriate Assessment Determination:

In accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended ('The Regulations'), the Department of Housing, Local Government and Heritage has undertaken Screening for Appropriate Assessment (AA) to assess, in view of best scientific knowledge and the conservation objectives of relevant European sites, if the proposed project to undertake maintenance on the rock armour revetment at the Murrough, Wicklow Town, individually or in combination with other plans or projects would be likely to have a significant effect (s) on a European site(s).

In accordance with Regulation 42(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 SI 477 as amended, the Department of Housing, Local Government and Heritage has made a determination following

screening that an Appropriate Assessment is not required as the project, individually or in combination with other plans or projects, is not likely to have a significant effect on any European site. The risk of likely significant effects on European sites can be excluded on the basis of objective evidence. This determination is based on the location, scale, extent and duration of the proposed development, including temporary works, and has not taken account of measures intended to avoid or reduce significant effects on European sites.

A copy of all the material which informed the Screening for Appropriate Assessment is linked above. The Screening for Appropriate Assessment Report prepared by the Departments Marine Advisor (environment) is attached at **Tab 1**. The Environmental Report prepared by the Departments Marine Advisor is at **Tab 2** and the adoption of these reports is recommended. The Screening for Appropriate Assessment Determination prepared by the Department's Marine Advisor (environment) for Ministerial Determination, is attached at **Tab 3** for signing.

Submitted for decision.

Related submissions

There are no related submissions.

User details

INVOLVED: Rory O'Connor (Housing)
Jean Gregg (Housing)
Martina Gallagher (Housing)
Nina Murray (Housing)
eSub MOS Burke Office
eSub MOS Burke

READ RECEIPT: Rory O'Connor (Housing)
Jean Gregg (Housing)
Martina Gallagher (Housing)
Nina Murray (Housing)
Cliona NiLiathain (Housing)
Conor Madden (Housing)
Bridget McGuinness (Housing)
Mary Healy (Housing)
Mary O'Sullivan (Housing)
LizM O'Brien (Housing)