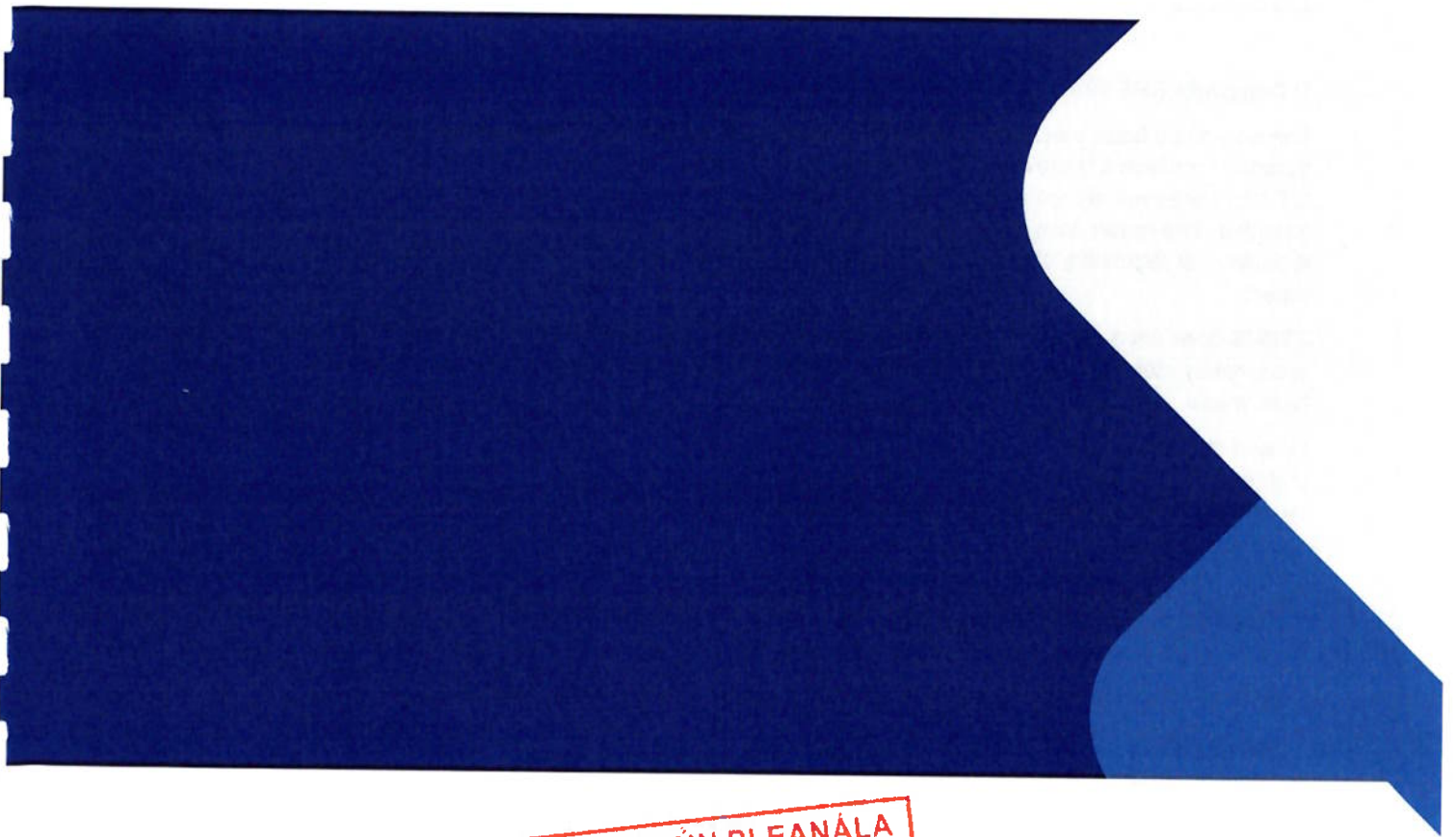


Burrow Coastal Flooding and Erosion Risk Management Project

Planning Statement



AN COIMISIÚN PLEANÁLA
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08.12.2025

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Contents

1	INTRODUCTION	3
1.1	Proposed Development	3
1.2	The Applicant	3
1.3	Need for the Proposed Development	4
2	SITE AND SURROUNDINGS	5
3	PROJECT DESCRIPTION	6
3.1	Flood Embankments	6
3.2	Flood Wall	8
3.3	Fishtail Groyne Structures	9
3.4	Beach Nourishment	10
3.5	Waste	10
3.6	Temporary Works Compounds	10
3.7	Access and Traffic	11
3.8	Construction Period	12
3.9	Operational Period	12
3.10	Decommissioning	13
4	LEGISLATIVE CONSIDERATIONS	13
4.1	Consenting Route	13
4.2	Maritime Area Planning Act 2021	13
4.3	Habitats Regulations	14
4.4	Environmental Impact Assessment (EIA)	14
5	PLANNING POLICY & OTHER MATERIAL CONSIDERATIONS	17
5.1	Introduction	17
5.2	National and Regional Policy	17
5.3	Development Plan	19
5.4	Other Material Considerations	24
6	PLANNING ASSESSMENT	25
6.1	Principle of Development	25
6.2	Coastal Processes	25
6.3	Marine Biodiversity/Terrestrial and Coastal Biodiversity	26
6.4	Screening for Appropriate Assessment/Natura Impact Statement	27
6.5	Soils, Geology and Contamination	34
6.6	Archaeology and Cultural Heritage	34
6.7	Flood Risk and Water Quality	35
6.8	Noise	36

PLANNING STATEMENT

6.9	Air Quality and Climate	36
6.10	Landscape and Visual	36
6.11	Access, Traffic and Transport	37
6.12	Waste Management	37
6.13	Material Assets and Land Use	38
6.14	Population and Human Health	38
6.15	Major Accidents and Disasters	38
6.16	Cumulative Impacts	38
6.17	Other Environmental Considerations	39
7	CONCLUSIONS	40

Tables

No table of figures entries found.

Figures

Figure 2-1	Site Location	6
Figure 3-1	Proposed embankment Burrow Road	7
Figure 3-2	Proposed embankment Marsh Road	8
Figure 3-3	Proposed wall Marsh Lane	9
Figure 3-4	Proposed Groynes	10
Figure 3-5	Proposed temporary compounds	11
Figure 6-1	Annex I Habitat within Proposed flood embankment and flood wall footprint	28
Figure 6-2	Annex I Habitat within Proposed flood embankment footprint	29
Figure 6-3	Annex I Habitats within Proposed Groynes (south-east)	30
Figure 6-4	Annex I Habitats within Proposed Groynes (north-east)	30

Appendices

No table of figures entries found.

PLANNING STATEMENT

1 Introduction

This Planning Support Statement (“the Planning Statement”) has been prepared by Tetra Tech RPS , on behalf of Fingal County Council (FCC) (“the Applicant”) in support of development of coastal flood and erosion protection works at the Burrow, Fingal, County Dublin hereafter referred to as the 'Proposed Development'.

The Proposed Development will be carried out partly on the foreshore by a local authority, FCC.

FCC has made an application for approval to An Coimisiún Pleanála pursuant to Section 175 and Section 177AE of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).

Maritime Area Consent (MAC) has been granted for the Proposed Development.

1.1 Proposed Development

The Application seeks planning permission for the:-

“Construction of a c. 190m long earth embankment; construction of a combined c.130m long sheet piled flood wall and a c.200m embankment; installation of back drainage with associated outfalls; installation of non-return valves to existing outfalls; and construction of seven fishtail (Y shaped) groynes structures with beach nourishment scheme” (the Proposed Development).

1.1.1 Application Documents

This Planning Statement should be read alongside the supporting documents package that are presented in.

Title	Author
Planning Application Drawing Pack	Tetra Tech RPS
Planning Statement (this report)	Tetra Tech RPS
Outline Construction Environmental Management Plan (OCEMP)	Tetra Tech RPS
Environmental Impact Assessment Report And Appendices	Tetra Tech RPS
Appropriate Assessment/Natural Impact Statement	Tetra Tech RPS

1.2 The Applicant

FCC have been working in tangent with Tetra Tech RPS since 2018 to develop the concept for a suitable and sustainable coastal management plan to mitigate coastal erosion and flood risk. This Proposed Development

PLANNING STATEMENT

has been developed over this time following detailed coastal erosion and flooding assessments and development of a coastal management plan. Interim Seabee units were installed by FCC along the beach however undefended areas continue to retreat.

FCC have an experienced senior project delivery team with localised and specialised knowledge. They are committed to the delivery of a coastal scheme that protects the Burrow environs.

1.3 Need for the Proposed Development

The Shoreline of the Burrow and Rogerstown Estuary area is undergoing coastal erosion. Following Storm Emma and several other events in the Winter of 2017/2018 the position of the shoreline retreated by more than 20m in places. Fingal County Council undertook emergency coastal protection works in 2018/2019 installing 1km of Seabee concrete units along Burrow beach. In 2020 Tetra Tech RPS undertook an assessment of the coastal erosion risk on behalf of Fingal County Council and have developed a sustainable coastal management plan to mitigate these risks in addition to coastal flood risk. Based on analysis of coastal change along the Burrow, it is concluded that some regions of this coastline continue to erode at a rate of between c.2m and 4m per year.

Future coastal retreat over the next 50 years was assessed based on incremental sea level rise in line with the medium range future scenario recommended by the Office of Public Works (OPW) whereby sea levels are expected to rise by +0.5m by 2100. The retreat of the coastline along the Burrow could result in between 113 to 233 buildings being lost to erosion over the next 50 years.

Coastal flood risk assessment found that the number of buildings at risk during a 1 in 200-year return period could increase from 9 under present conditions to 112 over the next 50 years¹ depending on the rate of erosion. Coastal flood risk will be greatly exacerbated by the erosion of the existing sand dune system which currently acts as a natural flood barrier to the lower-lying hinterland. Coastal flooding could affect up to 30 buildings during a modest 1 in 2-year storm event in 50 years' time with only +0.25m of sea level rise.

Whilst coastal flooding poses a lower risk to the Burrow over the long term, the erosion of the existing dune system, including the Annex 1 shifting and fixed dune habitats that form part of the Rogerstown Special Area of Conservation (SAC) along the Burrow, significantly increases the coastal flood risk by creating additional flood routes into the hinterland. The loss of these Annex 1 habitats are of a major concern that also contributes to need for the Proposed Development.

The Burrow and surrounding townlands face continued onset of a range of associated issues including damage to residential and non-residential properties, recreational areas and utility assets; large financial costs; increased liabilities and premium costs for insurance in areas at risk of flooding; health and safety risks, and a constraint on development.

The Proposed Development will afford protection to the local community.

¹ The number of properties affected by flooding under the higher erosion scenario drops as many properties are lost to erosion.

PLANNING STATEMENT

The Proposed Development aligns with the EU Directive on the Assessment and Management of Flood Risks, EU Strategy on Adaption to Climate Change 2021 and the National Adaptation Framework, Planning for a Climate Resilient Ireland.

Operational planning policy from national to local levels is underpinned by the requirement by Local Authorities such as Fingal County Council to address the climate emergency holistically and to be cognisant of those targets and commitments contained within the above referenced documents (which are reviewed within Section **Error! Reference source not found.** – Other Material Considerations of this Planning Statement).

2 Site and Surroundings

The subject site is located at the Burrow which is a sandy spit separating the Rogerstown Estuary from the Irish Sea, within the townland of Burrow, Fingal, County Dublin. The Burrow has a large wide sandy beach of approximately 1.8km, bordered by headlands at Rush to the north and Portrane to the south. The beach has blue flag bathing waters to the south and Lambay Island lies c 5km east of the beach. The site is considered of high amenity.

The site lies within Rogerstown Estuary Special Protection Area, Rogerstown Estuary Special Area of Conservation, Rogerstown Estuary Proposed Natural Heritage Area, Rogerstown Estuary Ramsar Conservation Wetland and Rogerstown Statutory Nature Reserve. The site also lies immediately adjacent to the north-west Irish sea cSPA; approximately 5.6km from Rockabill to Dalkey Island SAC, and 5.6km from Lambay Island SPA. Annex I Species and Annex II habitats are prevalent.

There are registered archaeological monuments in proximity to the Proposed Development.

- RMP DU008-028 Former R.C Chapel site lies adjacent to the Proposed Development at Marsh Lane.
- RMP DU008-029 Holy Well site lies west of Marsh Lane immediately adjacent to the Proposed Development (these can relocate over time).
- RMP DU008-030 Stella's Castle/Tower House lies approximately 500m south of Proposed Development at Marsh Lane.
- RMP DU008-031001 – RMP DU008-031003 Portrane Church/Graveyard and Bullaun Stone lie 100m west of Burrow Beach (Pyper's takeaway).
- RMP DU008-032 Burial site lies within the working area of the Proposed Development (South Burrow Beach).
- NIAH 11329016 former ferry landing jetty (remains) operated across the estuary (North Burrow Beach).

There are no entries in the National Inventory of Architectural Heritage within the Development area. The closest St Ita's Hospital NAH 11330003 lies approximately 375m south of the Proposed Development.

The Intertidal survey identified a previously unrecorded sea wall to the south of Burrow Beach within the working area of the Proposed Development identified as 'ADCO 2'.

There are no known shipwrecks within the Proposed Development area.

PLANNING STATEMENT

Please refer to Figure 2-1 Site Location below.

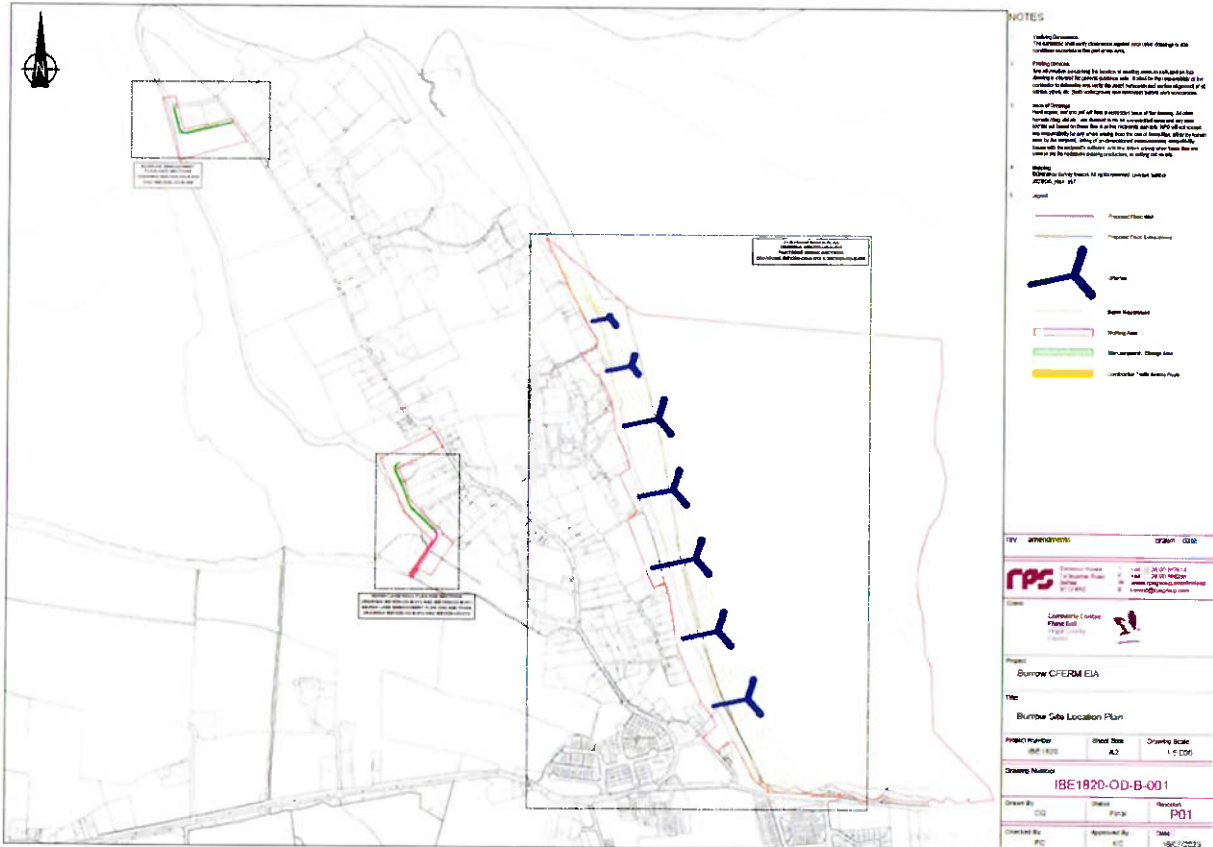


Figure 2-1 Site Location

3 Project Description

The Application is for the construction of coastal erosion and flood risk management comprising of:

- Construction of a c. 190m long earth embankment
- Construction of a combined c. 130m long sheet piled flood wall and a c.200m embankment
- Installation of back drainage behind the proposed defences with associated outfalls
- Installation of non-return valves to existing outfalls to prevent backflow of water from the estuary
- Construction of seven fishtail (Y shaped) groynes structures with a beach nourishment scheme

3.1 Flood Embankments

The Proposed flood embankments are to be sited at Burrow Road and Marsh to prevent coastal flooding caused by tidal inundation. The design of these structures comprises vegetated embankment with 1 in 2.5 side slopes on both sides, measuring 1m wide at the top to allow for easy and safe access for inspection and maintenance. The proposed embankment will comprise clay materials which will be compacted within an excavated trench, to the sub-formation level and built up to the design crest level of 4.02mOD using compacted

PLANNING STATEMENT

layers of suitable aggregate materials. The proposed embankments will be covered with topsoil and seed to promote the growth of vegetation. There will be a marginal loss of habitat to accommodate the proposed works.

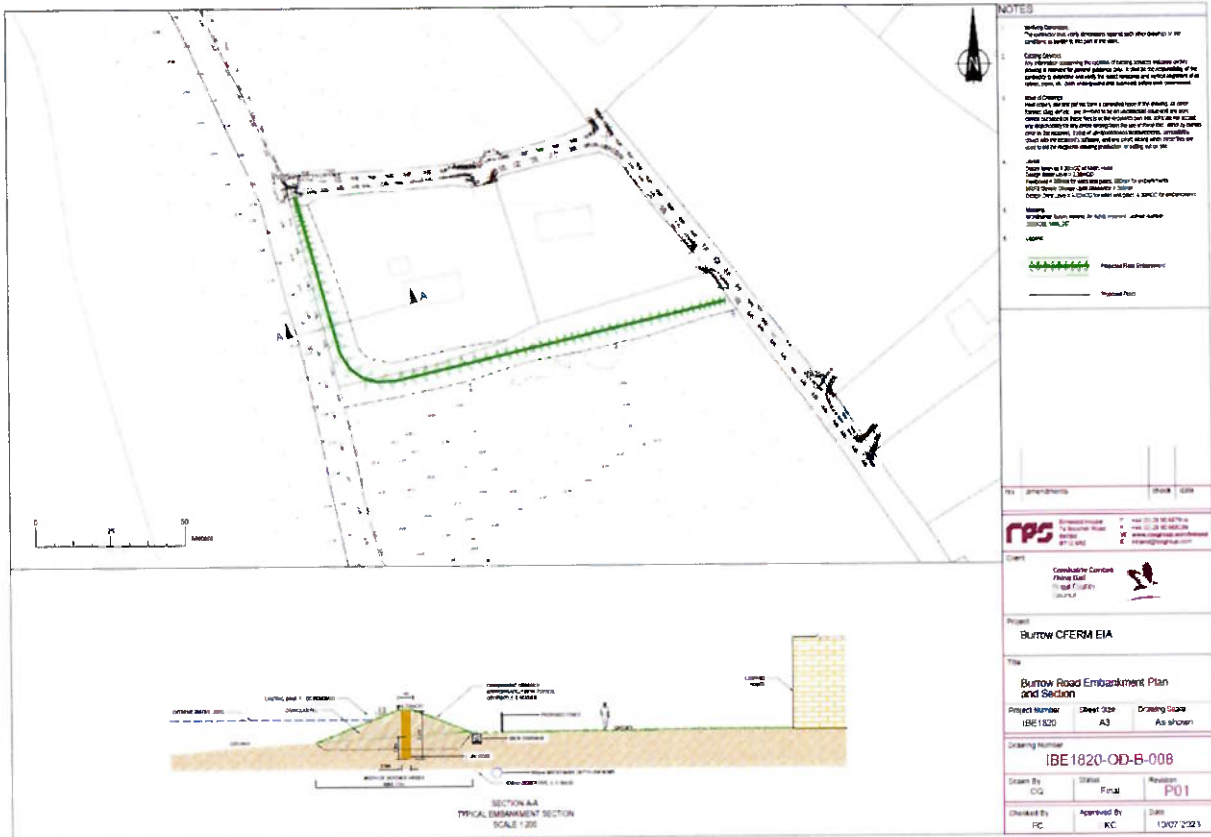


Figure 3-1 Proposed embankment Burrow Road

PLANNING STATEMENT

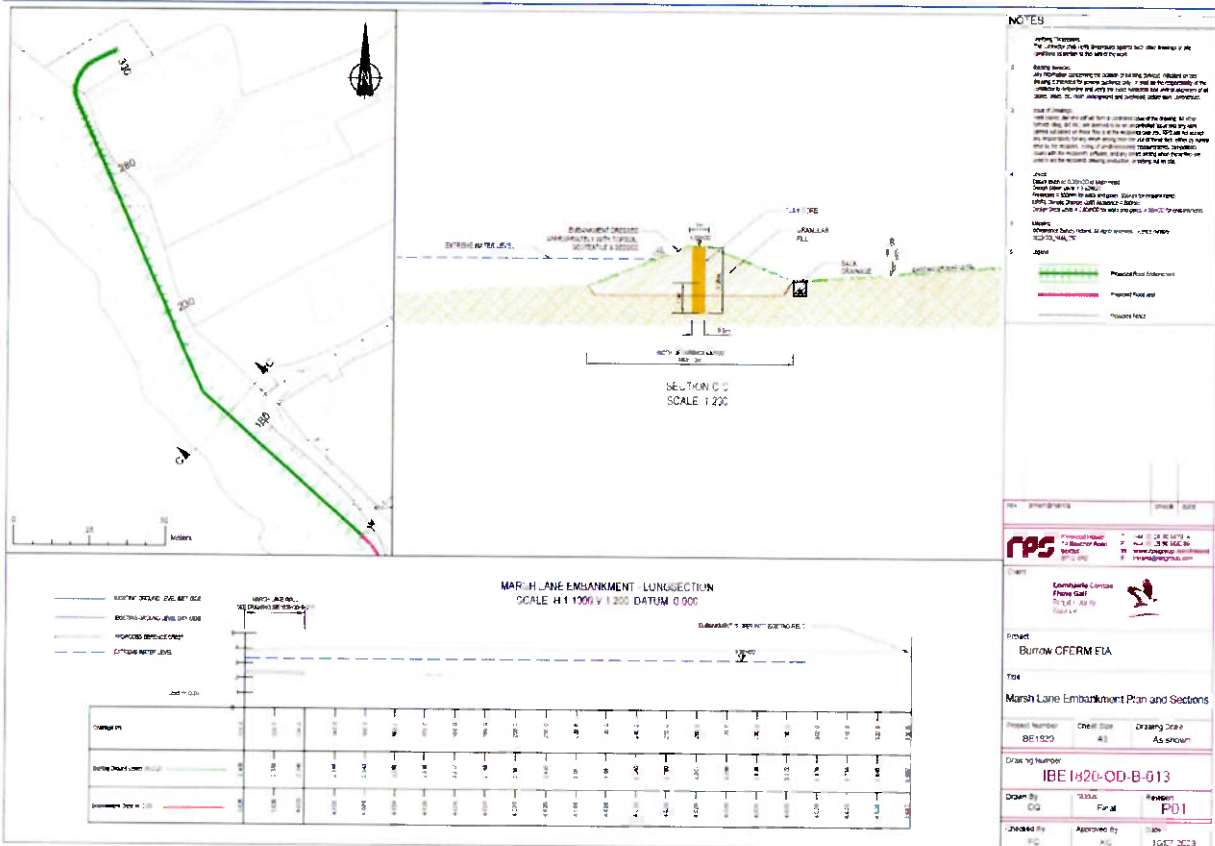


Figure 3-2 Proposed embankment Marsh Road

3.2 Flood Wall

The Proposed flood wall structure is to be sited at Marsh Lane to tie into the Proposed flood embankment as described in 3.1 and prevent coastal flooding caused by tidal inundation. The Proposed c.130m flood wall will consist of sheet piling to the defined defence level with concrete strip foundation to support the cladding on both sides. The sheet piling will be completed with coping detail along the crest. The proposed toe depth is likely to be in the region of -10mOD. Facing panels or cladding can be implemented if required to give the appearance of a concrete or masonry wall. Back drainage is proposed at the dry side of the piled flood wall. There will be a marginal loss of habitat to accommodate the proposed works.

PLANNING STATEMENT

rock armour/core material will be required. There will be a marginal loss of habitat to accommodate the proposed works.

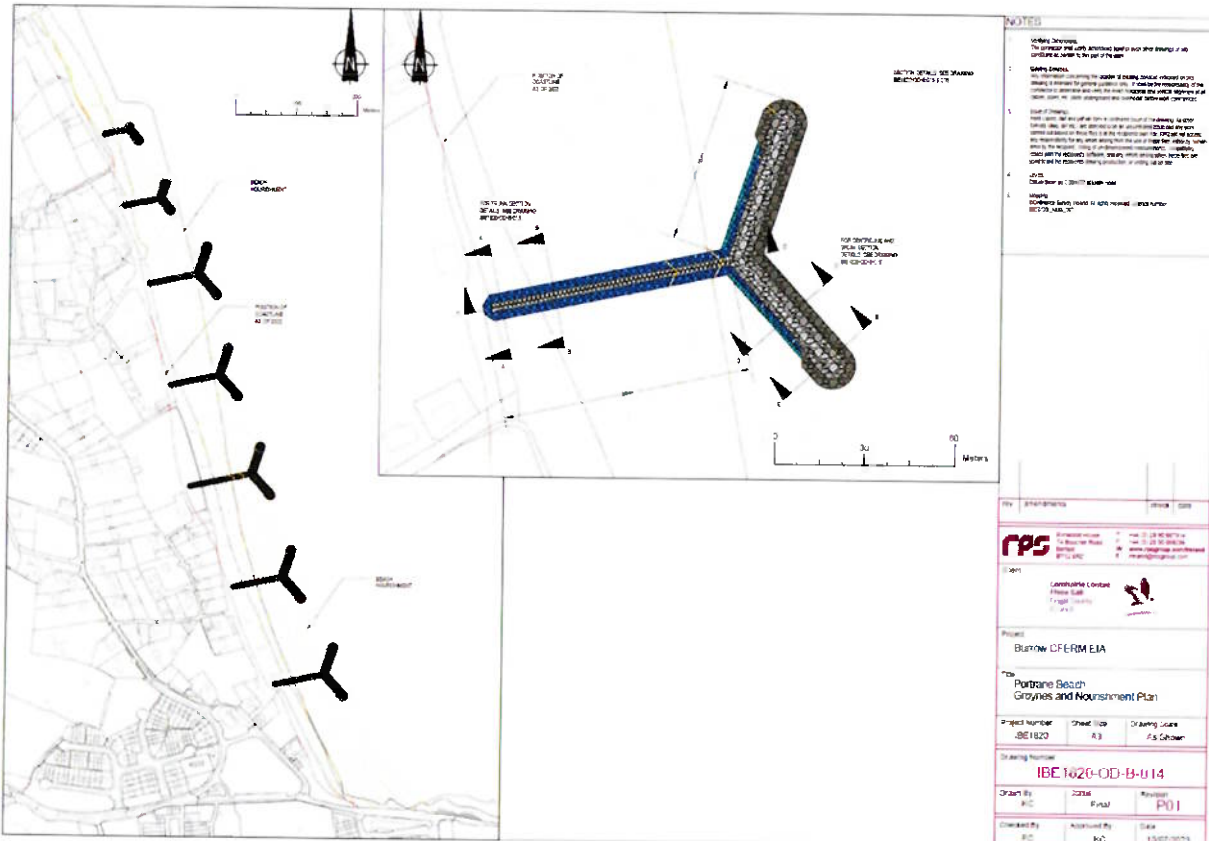


Figure 3-4 Proposed Groynes

3.4 Beach Nourishment

On completion of the proposed groynes, the areas between the groynes will be filled with beach nourishment material imported from a licenced aggregate site (assumed to be Liverpool Bay). It is envisaged that c.425,000m³ of material will be required to achieve the required beach profile. The renourished beach profile has been designed to provide c.25m flat upper foreshore at 3.00mOD before sloping down to meet existing beach levels.

3.5 Waste

The proposal will not generate any waste. Toilet facilities within the construction compound on-site during construction will be self-contained to be appropriately disposed of off-site by qualified contractors.

3.6 Temporary Works Compounds

At construction stage, temporary storage compounds will be required. The final location and detail of these compounds will be agreed with the appointed contractor prior to commencement of works. Any proposed construction compounds will be located as far as practicable from sensitive receptors such as residential

PLANNING STATEMENT

dwelling and ecological receptors. Three indicative locations are proposed to include Burrow Road adjacent to Pipers Takeway on land directly south of the proposed embankment; at Marsh Lane, and to the northern end of Burrow Road. At Burrow Road and Marsh Lane no construction plant will be permitted to directly access the foreshore area seaward of the defence line. Access will be temporarily facilitated by laying bog mats, or similar provisions and lifted with every tidal cycle as necessary. Lands adjacent to Pipers Takeway have previously been used as a compound and storage area during the construction of the temporary erosion measures currently in place on the beach. No materials will be stored within vulnerable Annex 1 habitat associated with the SAC.

Security fencing will be provided to the compounds.

These compounds will be included within an Outline Construction Environmental Management Plan (oCEMP) included with this submission, with the Final CEMP to be agreed prior to the commencement of development. As per standard practice, it is expected that this requirement will be conditioned as part of any planning consent.

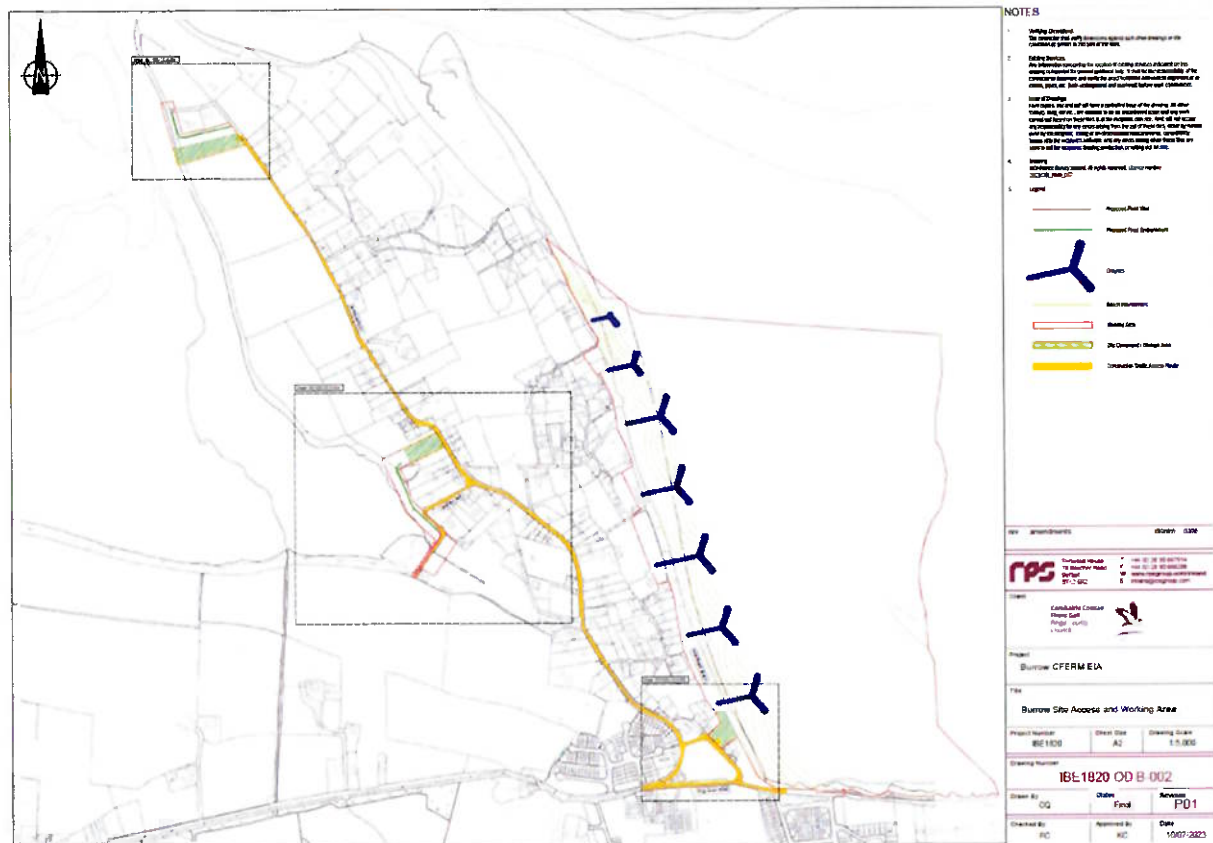


Figure 3-5 Proposed temporary compounds

3.7 Access and Traffic

The Construction period is anticipated to last approximately 23 weeks, and traffic management will be ongoing throughout this time.

PLANNING STATEMENT

The Proposed Development would give rise to a maximum of c.90 two-way vehicles movements per day at the peak of construction to including staff and deliveries. The overall construction traffic (vehicle and HGV) equates to an increase of 1.7% on the R126, and 5.8% on Burrow Road.

All terrestrial plant and materials will be brought to Burrow Road via the R126 using standard articulated lorries.

Material for beach nourishment will be brought from a licenced source, most likely Liverpool Bay, via trailer suction hopper dredger (TSHD).

At construction stage and upon appointment of a final supplier, appropriate mitigation measures will form part of the final Construction Traffic Management Plan to be agreed with FCC prior to the commencement. Again, as per standard practice, this can be conditioned as a requirement of any planning consent.

3.8 Construction Period

The Proposed Development will be constructed over a 23-week period – not allowing for holiday periods or any potential work embargos placed on construction via any planning conditions during certain periods for environmental reasons. The proposed beach nourishment via the TSHD will operate non-tidally on a 24-hr basis discharging nine times per week over a 6-week period.

It is reasonably foreseeable that FCC may be required to exclude access to parts of the Proposed site on a temporary basis for health and safety reasons and specific durations.

The Proposed Development will require relocation of electricity poles on Marsh Lane, and it is foreseeable that this roadway may require closure to carry out this operation. The water and sewer main pipes and an overhead ESB pole which runs beneath the Proposed embankment may also require diverting. The exact number of utility diversions will be determined at detailed design phase and covered in the final CEMP.

Detailed construction methodology to include the advanced works and construction for the design components, is outlined in the OCEMP which accompanies this submission.

Removal of surplus materials, plant and site compounds, reinstatement of verges, road surfaces, the estuary bed, other working areas, and removal of traffic management will take place following construction to reinstate the Burrow areas to their prior condition.

3.9 Operational Period

Given that the flood elements of the Proposed Development are hard defences there are no unusual or specialist maintenance or operational activities envisaged.

Routine inspections of the proposed wall will be undertaken. The proposed embankments will require regular inspection for animal burrowing and mowed twice annually.

Drainage elements will require regular checking for functionality and will be designed with a manhole on the defended side to provide safe access. Back drainage will require checking via manholes for blockages and rodded if necessary.

PLANNING STATEMENT

Sediment material will be gradually lost between groyne structures over time and require periodic renourishment expected to be every 5 – 10 years.

3.10 Decommissioning

It is not expected that the coastal defences will be decommissioned given their strategic and necessary on-going functional requirement.

The Proposed coastal and flood defences are required indefinitely. Over time the landscaping associated with the Proposed embankment will grow and become established.

4 Legislative Considerations

4.1 Consenting Route

The Proposed Development belongs to a class of development identified for the purposes of Section 176, of the Planning and Development Act 2000, in that it is to be carried out by a local authority (Fingal County Council) in its capacity as a planning authority, within the council area and will include an environmental impact assessment report.

In accordance with Section 175 (3a) of the Act – FCC is the holder of a maritime area consent granted for the occupation of a maritime site for the purposes of the Proposed Development and has made this application with the consent, or on behalf, of the owner(s) of land on which it is proposed to carry out the development concerned.

In accordance with Part XAB, Section 177AE of the Act an appropriate assessment has been carried out on behalf of FCC, in its capacity as a planning authority within the council area, with accompanying Natura Impact Statement.

Section 177AE (2) of the Act states that the Proposed Development in respect of which an appropriate assessment is required, shall not be carried out unless the Board has approved it, with or without modifications and in accordance with Section 177AE (3) of the Act where a Natura Impact Statement has been prepared, the local authority (FCC in respect of the Proposed Development), shall apply to the Board for approval.

In accordance with Section 177AE (3A) (a) of the Act FCC is the holder of a maritime area consent grant for the occupation of a maritime site for the purposes of the Proposed Development and has made this application with the consent, or on behalf, of the owner (s) of land on which it is proposed to carry out the development concerned.

4.2 Maritime Area Planning Act 2021

In accordance with Section 75 (1) of the Maritime Area Planning Act 2021, development permission is required for a proposed maritime usage in a part of the maritime area, and therefore FCC have obtained a MAC for the occupation of that part for the purposes of the Proposed use prior to submission to the relevant consent authority (ACP). MAC20240007 was consented on 28th July 2025 for the Coastal Protection scheme at Portrane (Burrow) Beach subject to conditions.

PLANNING STATEMENT

A copy of the consented MAC is contained within the Appendix of the EIAR.

4.3 Habitats Regulations

In accordance with European Communities (Natural Habitats) Regulations (S.I No. 94 of 1997) under Regulation 31 (Annex 1.2) a Natura Impact Statement (NIS) has been prepared in order to assist ACP to determine whether in view of best scientific knowledge and applying the precautionary principle, the Proposed Development, either individually or in combination with other plans or projects, may adversely affect the integrity of any European site (s).

On behalf of FCC, Tetra Tech RPS have undertaken a Supporting information for screening for Appropriate Assessment (SISAA) and determined, on the basis of objective information, the Proposed Development, individually or in combination with other plans or projects, that the possibility of Likely Significant Effects (LSEs) cannot be excluded in the absence of further evaluation and analysis, and therefore a Natura Impact Statement is required.

In considering a proposal under Section 177AE of the Act, the Board must have regard to:

- The likely effects on the environment of the Proposed Development
- The likely consequences for proper planning and sustainable development in the area in which it is proposed to situate, and
- The likely significant effects of the Proposed Development on a European site.

SISAA and NIS for the Proposed Development are discussed within 6.4 Screening for Appropriate Assessment/Natura Impact Statement and accompanies this submission.

4.4 Environmental Impact Assessment (EIA)

4.4.1 EIA Screening

The Planning and Development Act 2000 as amended (section 172(1)) requires that EIA must be carried out in the case of either of the following two scenarios:

- Where a development is of a class of development and threshold (where one is stated) specified in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended – this is referred to as mandatory EIA.
- Where a development is of a class of development specified in Part 2 of Schedule 5 of the Regulations but is below the threshold specified and where the development is likely to have a significant effect on the environment – this is referred to as a sub-threshold development EIA.

A review of the Classes of development requiring EIA was carried out to determine whether the Proposed Development falls into any of the development classes. The most relevant criterion is Class 10 of Part 2, Schedule 5 of the Regulations, which relates to Infrastructure projects.

10. (K) Coastal works to combat erosion and maritime works capable of altering the coast through the construction, for example, of dikes, moles, jetties and other sea defence works, where the length of the

PLANNING STATEMENT

coastline on which works would take place would exceed 1 kilometre, but excluding the maintenance and reconstruction of such works or works required for emergency purposes.

The Proposed Development extending for c 1.3km along the coastline is therefore of a threshold requiring mandatory EIA , and therefore the preparation and submission of an Environmental Impact Assessment Report (EIAR) was required.

4.4.2 EIA Scoping

The content of the Environmental Impact Assessment Report for the Proposed Development was confirmed by An Coimisiún Pleanála (ACP), (then An Bord Pleanála) on 22nd February 2022 when formal direction for EIA Scoping opinion was provided to Fingal County Council regarding same under reference ABP-311714-21.

In the opinion it was noted that the EIA to be carried out should extend to the area from which the sediments which are to be used for beach nourishment will be sourced and consider if the works related to the procurement of the sediments to facilitate the development would be more appropriately addressed in the content of the consideration of cumulative impacts. As described in Section 3.4 beach nourishment, these materials will be sourced from a licensed marine aggregate site in Liverpool Bay.

Submissions to the EIA Scoping were received from the Developments Applications Unit, and the Department of Agriculture, Food and the Marine (Commercial Sea Fishing and Marine Engineering Division).

4.4.3 Consultation

In addition to the statutory consultation through the EIA Scoping opinion undertaken by ABP, FCC have undertaken non-statutory consultation and received positive response to the Proposed Development. FCC and Tetra Tech RPS have regular engagement with The Fingal Liaison Group, established to provide updates on the project. Initial meetings were undertaken in early 2020, with alternate public consultation developed following COVID-19 in the form of a virtual consultation space and plans on the FCC website. In addition, information boards were on public display from September 2020 – October 2020 on the green next to The Brook pub in Portrane; at Rogerstown Green and Rush South Beach car park in Rush. Observations or submissions could be made online, by email or in writing to FCC's Planning and Strategic Infrastructure Department. 515 submissions were received, and FCC published a consultation report in the FCC in 2021. A summary of the issues and responses received are contained within the accompanying EIAR. In addition, consultation was undertaken with the Office of Public Works (OPW) and the National Parks and Wildlife Service (NPWS) during the coastal study undertaken by Tetra Tech RPS in 2020.

In accordance with the conditions of the MAC, FCC is committed to further public engagement 6 weeks prior to development and further consultation with holder of licence no. FS006842 Rockabill Cable Systems Ltd (pre-installation survey, localised site investigations and installation of a subsea fibre optic cable).

PLANNING STATEMENT

4.4.4 Environmental Impact Assessment Report

The EIAR has been completed to provide information on the likely significant effects of the Proposed Development on the environment as per Schedule 6 of the Planning and Development Regulations 2001, as amended and as per Annex IV of the EIA Directive (2014/52/EU).

The Environmental Factors address the following matters in accordance with the scoping opinion from ACP;

- Population and Human Health
- Biodiversity
- Land, Soil, Water (hydro morphological changes, coastal processes, and quality), Air and Climate (inc. greenhouse gas emissions, impact relevant to adaptation),
- Material Assets, Cultural Heritage, (inc. marine archaeological aspects) and Landscape
- Interactions between the above factors

4.4.5 Structure of the EIAR

The EIAR has three volumes as follows:-

Volume 1 provides the non-technical summary. This summarises the findings in a clear, accessible way that uses non-technical language and supporting images. The non-technical summary describes the Proposed Development, existing environs, effects and mitigation measures and relevant aspects of the EIAR in a way that is easily understood.

Volume 2 comprises the main EIAR including introduction, need for the development, project description, consideration of alternatives, project scoping and consultation, in addition to the assessment chapters for each environmental aspect in accordance with Article IV of the EIA Directive. The assessment chapters (Chapters 6 – 21) provide a description of the relevant environmental aspects and likely significant effects and mitigation measures. The findings of the assessment are summarised in the final chapter (Chapter 23). Figures are included with the chapter or cross referenced to relevant Appendices.

Volume 3 provides the technical appendices and figures that support and are cross referenced with Volume 2. This Volume includes the relevant drawings, environmental modelling, background reports and/or other supporting documents.

4.4.6 EIA Portal

The Proposed Development has been submitted to the Department of Housing, Planning and Local Government's EIA Portal. A copy of the confirmation notice from the EIA Portal, including the relevant Portal ID Number is included in the planning application documents.

5 Planning Policy & Other Material Considerations

5.1 Introduction

The legal framework for the planning system in Ireland is the Planning and Development Act 2000, as amended ('the Act') which states the purpose of the legislation is 'to provide, in the interests of the common good, for proper planning and sustainable development'.

Section 34(2)(a) of the Act confirms that when making a decision in relation to a planning application, the planning authority shall be restricted to considering the proper planning and sustainable development of the area, regard being had to:

- i. The provision of the development plan.
- ii. The provision of any special amenity area order relating to the area.
- iii. Any European site of other area prescribed for the purposes of section 10(2).
- iv. Where relevant, the policy of the Government, the Minister or any other Minister of the Government.
- v. The matters referred to in subsection (4).
- vi. Any other relevant provision or requirement of this Act, and any regulations made thereunder.

5.2 National and Regional Policy

5.2.1 Project Ireland 2040 – National Planning Framework (NPF)

The NPF is a national document guiding high-level strategic planning and development for the country over the next 20+ years, so that as the population grows, that growth is sustainable (in economic, social and environmental terms).

The NPF states that: "While the overall quality of our environment is good, this masks some of the threats we now face. Some of the key national environmental challenges include the need to accelerate action on climate change". In relation to coastal environment, the NPF estimates the 40% of Ireland's population lives within 5km of the coast. There are key issues in terms of planning and flood risk, especially in the context of climate change and increasing sea levels and erosion pressures.

There are National Policy Objectives that are of relevance to the Proposed Development:

- NPO 41a seeks to ensure that Ireland's coastal resource is managed to sustain its physical character and environmental quality.
- NPO 41b states in line with the collective aims of national planning policy regarding climate adaptation, to address the effects of sea level changes and coastal flooding and erosion and to support the implementation of adaptation responses in vulnerable areas.

The Proposed Development adheres to these objectives in that it has been designed with regard to climate change providing a sustainable coastal management plan whilst retaining the physical and environmental quality of the Burrow beach.

PLANNING STATEMENT

5.2.2 Project Ireland 2040 – National Development Plan 2021 – 2030

The National Development Plan 2021 – 2030 (NDP) sets out a number of Strategic Investment Priorities for the achievement of the National Strategic Objectives of the National Planning Framework.

Chapter 13 of the NDP is entitled, 'Transition to a Climate-Neutral and Climate-Resilient Society.' Among the actions to support Strategic Investment Priorities listed are various flood and coastal risk management schemes helping to reduce the vulnerability of the country to the negative effects of climate change through effective adaptation measures.

Chapter 17 entitled 'A Shared Island', sets out investment priorities for the east border region including cooperation on preservation of coastal regions and marine resources.

The Proposed Development seeks to reduce the vulnerability of Burrow through coastal management.

5.2.3 Regional Spatial and Economic Strategy 2020 – 2032 (RSES)

Regional Spatial and Economic Strategy (RSES) provides a high-level development framework for the Eastern and Midland Region that supports the implementation of the NPF and the relevant economic policies and objectives of Government. The Proposed Development is supported by a number of Regional Policy Objectives (RPO's) contained within the RSES.

Relevant to the Proposed Development are the following RPOs.

- RPO 7.1: To ensure consistency and alignment between the upcoming National Marine Spatial Plan and regional approaches to marine spatial planning and to integrate Marine Strategy Framework Directive and Marine Spatial Planning implementation into future land use plans in the Region in recognition of the opportunity to harness Ireland's ocean potential.
- RPO 7.3: Eastern and Midland Regional Assembly (EMRA) will support the use of Integrated Coastal Zone Management (ICMZ) to enable collaborative and stakeholder engagement approaches to the management and protection of coastal resources against coastal erosion, flooding and other threats.
- RPO 7.4: Statutory land use plans shall take account of the risk of coastal erosion; whereby new development should be avoided in areas at risk of coastal erosion to the greatest extent practicable.
- RPO 7.15 Local Authorities shall take opportunities to enhance biodiversity and amenities and to ensure the protection of environmentally sensitive sites and habitats, including where flood risk management measures are planned.

FCC is committed in its function as the local authority to afford the protection of the environmentally sensitive designations within and in proximity to the Burrow in collaboration with stakeholders including Maritime Area Regulatory Authority (MARA).

PLANNING STATEMENT

5.2.4 National Marine Planning Framework 2021

The National Marine Planning Framework was established in 2021. A Marine Spatial Plan (MSP) known as the NMPF is the national plan for the use, protection and enjoyment of Ireland's seas. In respect to coastal flooding and erosion, the NMPF states that:

Proposals should demonstrate how they avoid contribution to adverse changes to physical features of the coast; and

Enhance, restore or recreate habitats that provide a flood defence or carbon sequestration ecosystem services where possible.

Where potential significant adverse impacts upon habitats that provide a flood defence or carbon sequestration ecosystem services are identified, these must be in order of preference and in accordance with legal requirements: a) avoided; b) minimised; c) mitigated, d) if it is not possible to mitigate significant adverse impacts, the reason for proceeding must be set out.

Common aims of the NPF and the Marine Spatial Plan include the need for coordination on Climate Change Adaptation; Coastal Erosion and Accretion; Protected Sites and Environmentally Sensitive Areas; Flooding; Biodiversity; and Landscape and Seascape.

As stated, a Maritime Area Consent (MAC) has been obtained for the Proposed Development.

An Environmental Impact Assessment Report accompanies this submission.

5.3 Development Plan

The Development Plan for the area is the Fingal Development Plan 2023 – 2029 which sets out the Council's proposed policies and objectives for the County over the plan period. The Development Plan seeks to develop and improve, in a sustainable manner, the social, economic, environmental and cultural assets of the County. The Plan was made on 22nd February 2023 and came into effect on 5th April 2023.

The plan contains provisions for climate change and adaptation, in areas of flood risk management, coastal management and green infrastructure.

5.3.1 Policy

5.3.1.1 Coastal Management

The Development Plan identifies the coast as an economic resource for fishing, leisure and tourism and its significance in terms of cultural and archaeological heritage and exceptional landscape value. It acknowledges that the coast is ever-changing dynamic environment subject to nature erosion and deposition and the effects of climate change. The Plan outlines two approaches to coastal erosion and flooding; engineered coastal defence structures or applying coastal adaptation strategies. It acknowledges the cost of hard engineering and capability of unintended impacts elsewhere and this should be confined to populated locations necessary to protect public infrastructure.

PLANNING STATEMENT

There are a number of Development Plan policies of relevance to the Proposed Development in relation to coastal management.

- Policy CAP31 – Coastal Monitoring: Monitor coastal erosion and accretion along Fingal’s coastline to identify locations at risk of coastal erosion and flooding.
- Policy CAP32 – Coastal Protection: Ensure the provision of appropriate coastal protection measures in locations at risk of coastal erosion and flooding.
- Policy CAP33 – Coastal Zone Management: Support coastal zone management measures for adapting to climate change which include restoration of degraded ecosystems, increased flood resilience, water quality improvement, habitat conservation and provision of amenities for the residents and visitors of Fingal.
- Policy CAP34 – Engagement with Key Stakeholders: Continue to work with national and regional authorities and other key stakeholders with regard to flood defence required to protect vulnerable urban areas from worst case scenario sea level rises in the coming decades.

The Proposed Development is critical in assisting FCC achieve coastal management on behalf of the constituents of Burrow and wider Fingal County.

There are a number of relevant objectives regarding coastal protection and a number of development management standards of relevance in relation to new development in coastal areas which the Proposed Development has cognisance of.

- Objective GINHO68 – Coastal Erosion: Where coastal erosion is considered a threat to existing properties, explore the technical and economic feasibility of coastal adaptation and coastal retreat management options.
- Objective GINHO69 – Coastal Defence works: Employ soft engineering techniques as an alternative to hard coastal defence works, wherever possible.
- Objective GINHO70 – Identification of Coastal Protection Works: Identify, prioritise and implement necessary coastal protection works subject to the availability of resources, whilst ensuring a high level of protection for natural habitats and features, and ensure due regard is paid to visual and other environmental considerations in the design of any such coastal protection works.
- Objective GINHO71 – Erosion Risk Management: Undertake erosion risk management studies for high-risk areas so that the long-term erosion risks to property can be clearly identified long before the risk may be expected to occur.
- Objective GINHO72 – Coastal Erosion Policy: Develop a coastal erosion policy for Fingal based on international practice to outline how the Council will deal with existing properties at risk of erosion and how future coastal erosion problem will be managed having regard to national climate change legislation, mitigation and adaptation policies, and the need to protect the environment.

As discussed in Section 1.2, since 2018, FCC in conjunction with Tetra Tech RPS have undertaken technical and economic feasibility, and detailed coastal erosion and flooding assessments in accordance with Objectives

PLANNING STATEMENT

GINH070 and GINH071 in order to develop a coastal management plan (the Proposed Development) as the coastal erosion and flooding is considered an ongoing threat to the Burrow population.

The coastal defence works as described in Section 3 Project Description comprise a mix of soft and hard engineering techniques and hereby comply with Objective GINHO69 of Fingal County Development Plan. Cosignant of this forementioned Objective a coastal management assessment has been undertaken which concluded the necessity for hard engineering in the form of flood wall and groynes along Burrow beach. Other adaptations, retreat management and or soft engineering options are not appropriate at Marsh Lane and along the Burrow Beach. The accompanying EIAR outlines the reasonable alternatives considered.

5.3.1.2 Flood Risk and Water Quality

In addition to the above with regard to coastal protection, there are policies and objectives with relation to flood risk.

- Policy IUP12 – Flood Risk Management: Ensure the incorporation of Flood Risk Management into the spatial planning of Fingal, to meet EU Floods Directive and EU Water Framework Directive and promote a climate resilient County.
- Policy IUP13 – Protection of Fingal’s Floodplains, Wetlands and Coastal Areas: Protect and enhance the County’s floodplains, wetlands and coastal areas subject to flooding
- Policy IUP15 – Water Quality: Support initiatives to improve water quality and to achieve good ecological status in compliance with the Water Framework Directive and associated River Basin Management Plans, particularly those which employ nature-based management measures and explore watercourse interventions designed to deliver environmental benefits.

Flood Risk Assessments are contained within the EIAR which accompanies this submission. On balance, the Proposed Development is in compliance with the flood risk and water quality policies.

5.3.1.3 Biodiversity

The Policy and objectives of relevance to the Proposed Development in relation to biodiversity, green infrastructure and accompanying assessment are listed as below.

- Policy GINHP5 – Green Infrastructure Network: Develop the green infrastructure network to ensure the conservation and enhancement of biodiversity, including the protection of European sites, the provision of accessible parks, open spaces and recreational facilities, the sustainable management of water, the maintenance of landscape character including historic character and protection and enhancement of archaeological and heritage landscapes.

There are a number of development management standards of relevance in relation to natural heritage and requirement for accompanying environmental assessments which the Proposed Development adheres to.

PLANNING STATEMENT

- Objective DMSO1 – Screening for Appropriate Assessment: Ensure all plans and projects in the County, which could, either individually or in combination with other plans and projects, have a significant effect on a European site or sites are subject to Screening for Appropriate Assessment.
- Objective DMSO2 – Screening for Environmental Impact Assessment: Ensure that all development projects within the County that are below the mandatory thresholds for Environmental Impact Assessment, which could individually or in combination with other projects have significant effects on the environment are subject to EIA Screening.
- Objective DMSO3 – Local Authority Development: Ensure local authority development proposals are subject to environmental assessment as appropriate, including Screening for Appropriate Assessment and Environmental Impact Assessment.

The Proposed Development seeks to protect further erosion of Annex I habitats and sustainably manage flooding through provision of coastal and flood defences.

An AA/NIS have been undertaken as part of this Proposed Development as detailed further in Section 6.4. An Appropriate Assessment and Natura Impact Statement and accompany this submission.

An EIAR also accompanies this submission. On balance the Proposed Development is compliant with the biodiversity policies.

5.3.1.4 Green Infrastructure and Natural Heritage

This section considers sustainable water management and management and enhancement of watercourses including rivers and streams; riverine floodplains and wetland areas and coastal areas liable to flooding.

- Policy GINHP7 – Protection: Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourse, floodplains, riparian corridors, wetlands and coastal area through long-term and liaison with relevant Prescribed Bodies where appropriate.
- Objective GINHO12 – Requirements: Ensure the provision of new green infrastructure addresses the requirements of functional flood storage, the sustainable management of coastal erosion, and links with biodiversity, sustainable drainage systems (SUDS) and provision for parks and open space wherever possible and appropriate.
- Objective GINHO16 – Coastal: Ensure the Green Infrastructure strategy for Fingal protects the County's natural coastal defences, such as beaches, sand dunes, salt marshes and estuary lands, and promotes the use of soft engineering techniques as an alternative to hard coastal defence works wherever possible.

The Burrow spit affords protection from the Irish sea to the Rogerstown estuary environs. A fundamental element of the Proposed Development is beach nourishment which is designed to enhance the natural coastal flood and erosion protection afforded by the existing beach and dunes in accordance with Policy GINHP7 and Objective GINHO16.

The Proposed Development comprises back drainage behind the proposed defences with associated outfalls and non-return valves to existing outfalls to prevent backflow of water from the estuary. Two earthed

PLANNING STATEMENT

embankments are proposed which will eventually be colonised by vegetation. Therefore addressing the requirements of functional flood storage as per Objective GINH012.

As stated previously a coastal management assessment has been undertaken which concluded the necessity for hard engineering in the form of flood wall and groynes along Burrow beach. Other adaptations, retreat management and or soft engineering options are not appropriate at Marsh Lane and along the Burrow Beach. The accompanying EIAR outlines the reasonable alternatives considered.

5.3.1.5 Archaeological and Heritage Landscapes

The Development Plan acknowledges that archaeological, built and natural heritage are of significant value. As set out in Section 2 Site and Surroundings, there are a number of recorded archaeology features within the Burrow and therefore applicable policy as set out below.

- Policy GINHP8 – Archaeology and Green Infrastructure: Protect, conserve and enhance landscape, natural, cultural and built heritage features and support the implementation of the Fingal Heritage Plan in relation to provision of green infrastructure.
- Objective GINHO18 – Heritage Landscape: Ensure, wherever possible and appropriate that elements of the archaeological and heritage landscape are fully integrated into proposals for new developments at the project design stage.

In addition, there are a number of development management standards of relevance in relation to new development and archaeological heritage which the Proposed Development has cognisance of.

An archaeological impact assessment is contained within the EIAR accompanying this submission and on balance the Proposed Development is in compliance with the forementioned policy.

5.3.1.6 Air and Noise

The Development Plan sets out policies and objectives with regard to air and noise as applicable to the Proposed Development. Baseline Noise Monitoring Surveys have been undertaken and are contained within the EIAR which accompanies this submission.

- Policy IUP41 – EPA and Air Quality: Continue to work proactively with the EPA to monitor and improve air quality in Fingal.
- Objective IUO58 – Air Quality Monitoring: Monitor, pro-actively manage and improve air quality in the County through integrated land use and spatial planning measures to avoid, mitigate and minimise unacceptable levels of air pollution in accordance with national and EU policy Directives on air quality and, where appropriate, promote compliance with established targets.
- Objective IUO63 – Noise Exposure Maps: Developments for noise sensitive uses shall have regard to the noise exposure maps contained within the Fingal Noise Plan 2018 – 2023, and developers shall be required to produce a noise impact assessment and mitigation plans, where necessary, for any new noise sensitive development within these areas.

PLANNING STATEMENT

In the context of the assessment within the EIAR, the Proposed Development complies with the forementioned policies.

5.3.1.7 Waste

The Development Plan sets out applicable policy with regard to waste management and recycling as applicable to the Proposed Development.

- Policy IUP24 – Recycling/Re-use: Promote and encourage the establishment of re-use, recycling and repair activities to prevent and minimise waste generation and disposal.
- Objectives IUP34 – Waste Management in New Developments: Require the provision of appropriate, space to support waste and recycling streams.

5.4 Other Material Considerations

5.4.1 Climate Action Plan 2025 (CAP25)

The Government's Climate Action Plan 2025 was approved by Government on 15 April 2025 and is the third annual update to Ireland's Climate Action Plan 2019. It reflects the central priority for climate change to be embedded within Ireland's political and administrative systems, setting out governance arrangements including local authorities' role in coastal management, given increased flooding, erosion, sea level rise etc. Actions for 2025 include MA/25/3 to Progress marine climate research.

5.4.2 Climate Action Charter 2019

The Climate Action Charter followed the publication of the Climate Action Plan 2019 and represented a collective agreement on the part of Local Government across the State, with all 31 no. local authorities signing an agreement to commit to actions delivering climate action in their communities, through the actions set out in the Climate Action Plan.

The Climate Action Charter requires all local authorities to:

- Put in place a process for carbon proofing major decisions, programmes and projects on a systematic basis, including investments in transport and energy infrastructure.
- Deliver a 50% improvement in energy efficiency by 2030: and
- Monitor, evaluate and report annually on the implementation of activities under the Charter.

5.4.3 National Adaptation Framework 2018 (NAF)

Ireland's first National Adaptation Framework (NAF) was published in January 2018. This national framework mandates all local authorities and key Government sectors to prepare their own adaptation strategies to reduce the vulnerability of the State to the impacts of climate change. The strategies are to identify the main risks and vulnerabilities associated with climate change to enable resilience actions to be mainstreamed into all local, regional and national policymaking.

PLANNING STATEMENT

5.4.4 National Mitigation Plan 2017 (NMP)

Ireland's first National Mitigation Plan (NMP) was published in July 2017 by the Department of Communications, Climate Action and Environment. It sets out, on a whole-of-government basis, over 100 actions to examine the most effective pathways for Ireland to arrive at a climate resilient economy by 2050.

6 Planning Assessment

The suite of documents that accompany the planning application, are prepared cognisant of the relevant operational planning policy that apply to this application. This section of the statement summarises the conclusions of the environmental assessments.

The Proposed Development has evolved from the initial concept through early community consultation, in response to emerging technical and environmental assessment findings to avoid or sensitively mitigate potential environmental effects where possible through design.

6.1 Principle of Development

Sections 4 and 5 of this Planning Statement comprise a review of relevant legislation together, prevailing national, regional and local operational policy and further material considerations, all of which will inform a planning assessment.

Subject to an assessment of appropriate environmental considerations and confirmation that associated effects are within acceptable parameters, the Proposed Development can, in principle, draw significant support from the policy previously summarised.

6.2 Coastal Processes

Cognisant of the climate emergency, and in accordance with Policies CAP31 and CAP34, FCC have been undertaking coastal monitoring with Tetra Tech RPS since 2018 and liaison with key stakeholders. Fingal CDP Policies CAP32 and 33 support coastal protection and management.

Objectives GINH068 to GINHO072 also support coastal defence, protection and management plans.

Potential impacts on coastal processes during the construction phase include the dispersion and settlement of sediment plumes generated by beach nourishment. Possible impacts during operation include changes to tidal regime or inshore wave climate, sediment dynamics and the morphological response.

Modelling concluded that beach nourishment results in the loss of sediment material to the water column and high levels of suspended sediment concentrations.

Following construction, modelling concluded that the Proposed Development would not have any effect on tidal currents, changes to wave heights during storm events, no discernible changes to rate of sediment transport, significant reduction in sediment transport rates during storm events and increase in sediment transport seaward.

Construction phase mitigation proposed within the accompanying oCEMP includes working within low tides and undertaking beach nourishment following installation of the groynes. There is no operational mitigation

PLANNING STATEMENT

proposed. Following this mitigation, the impact of the Proposed Development on coastal processes is considered imperceptible.

6.3 Marine Biodiversity/Terrestrial and Coastal Biodiversity

The FCDP 2023 – 2029 sets out policies in respect of biodiversity to include a range of provisions to protect and conserve Natura 2000 sites, Natural Heritage Area (NHAs), proposed NHAs and protected species.

The application is supported by Supporting Information Screening for Appropriate Assessment and a Natura Impact Statement assessing the potential impacts associated with the Proposed Development.

The assessment of impacts upon identified designations, habitats and species includes:

Designated Sites – The site of the Proposed Development is located within the designated sites of Rogerstown Estuary Special Protection Area, Rogerstown Estuary Special Area of Conservation, Rogerstown Estuary Proposed Natural Heritage Area, Rogerstown Estuary Ramsar Conservation Wetland and Rogerstown Statutory Nature Reserve. Annex I Species and Annex II habitats are prevalent.

The site is also immediately adjacent to the north-west Irish sea cSPA and approximately 5.6km from Rockabill to Dalkey Island SAC and Lambay Island SPA.

Habitats and Species

Rogerstown Estuary SAC includes Annex I estuaries; mudflats and sandflats not covered by seawater at low tide; salicornia and other annuals colonising mud and sand; Atlantic salt meadows; mediterranean salt meadows; shifting dunes, and fixed coastal dunes.

Rogerstown Estuary SPA includes a number of overwintering waterbirds and wetland and waterbirds.

North-west Irish Sea cSPA includes Manx Shearwater; Cormorant; Shag; Lesser Black-backed Gull; Roseate Tern; Common Tern; Arctic Tern; Little Tern; Puffin; Red-throated Diver; Great Northern Diver; Common Scoter; Black headed Gull; Common Gull; Great Black backed Gull; Little Gull; Fulmar; Herring Gull; Kittiwake; Guillemot, and Razorbill.

Rockabill to Dalkey Island SAC includes the habitats of Reefs (Annex I) and Annex II species of Harbour Porpoise.

Lambay Island SAC also includes habitats of Reefs (Annex I); species of Grey Seal (Annex II), and harbour seal. There is a generic conservation objective to maintain or restore the condition for 10 no. breeding and wintering bird species.

Rockabill SPA includes the species of purple sandpiper, Roseate tern, common tern, arctic tern, and a generic conservation objective to maintain the favourable conservation condition for overwintering species and breeding tern species in the SPA.

Non-native invasive species Cord-grass *Spartina Sp.*

In addition, the benthic ecology is characterised by a range of fish (including shark and ray), with spawning or nursery grounds, along with shellfish, marine mammals and a variety of habitats. Fish and shellfish have potential to be affected by increases in suspended sediments, injury/disturbance from underwater noise, and

PLANNING STATEMENT

changes in prey. Mammals have potential to be affected by suspended sediments, injury/disturbance from underwater noise, and changes in prey.

The likely significant effects from the construction and operation identified in the screening for appropriate assessment and natura impact statement are discussed in the following section and in the supporting report that accompanies this submission.

6.4 Screening for Appropriate Assessment/Natura Impact Statement

In accordance with the Habitats Directive on the Conservation of natural habitat and of wild fauna and flora, a screening for appropriate assessment was undertaken in line with Article 6(3) which defines a 2-tier procedure for consideration of plans and projects to assess the possibility of likely significant effects of the Proposed Development on European sites conversation objectives.

The Proposed Development is stated in the SISAA report as being not directly connected with or necessary to the management of any European site although it will provide enhanced protection to designated features currently being lost to erosion. Possible direct and indirect effects include: -

- Habitat loss of Annex 1 habitats of Rogerstown Estuary SAC and wetland habitats of the Rogerstown Estuary.
- Water quality effects on Annex 1 habitats of Rogerstown Estuary SAC, wetland habitats and SCI bird populations of Rogerstown Estuary SPA, bird populations of the north-west Irish sea cSPA, Annex II QI species of the Rockabill to Dalkey Island SAC, Lambay Island SAC and SCI bird populations of the Rockabill SPA
- Spread of Invasive Species on Annex I habitats of Rogerstown Estuary SAC and wetland habitat of the Rogerstown Estuary SPA.
- Underwater noise and vibrational disturbance of Annex II QI Species of the Rockabill to Dalkey Island SAC and Lambay Island SAC.
- Aerial noise and visual disturbance of SCI bird populations of Rogerstown Estuary SPA, North-west Irish sea cSPA, Lambay Island SPA and Rockabill SPA and Annex II QI species of Lambay Island SAC; and
- Ex-situ habitat loss of functionally linked habitat for SCI bird populations of Rogerstown Estuary SPA and Annex II QI species of Lambay Island SAC.

Habitat Loss (Rogerstown Estuary SAC)

The Proposed Development will give rise to permanent or temporary loss of Annex I habitats including mudflats and sandflats, estuaries, salt meadows (Mediterranean and Atlantic) and grey dunes in addition to non-qualifying Annex I habitats of perennial vegetation of stoney banks and annual vegetation of drift lines.

The Proposed footprint of the flood embankment and wall at Marsh Lane will result in permanent loss of 1.6sqm of QI Atlantic salt meadows (which represents 0.00043% of the Atlantic salt meadows supported within

PLANNING STATEMENT

Rogerstown Estuary SAC) and a temporary loss of 0.18ha of Atlantic salt meadows and 60sqm of Mediterranean salt meadows associated with the working area and machinery movements.

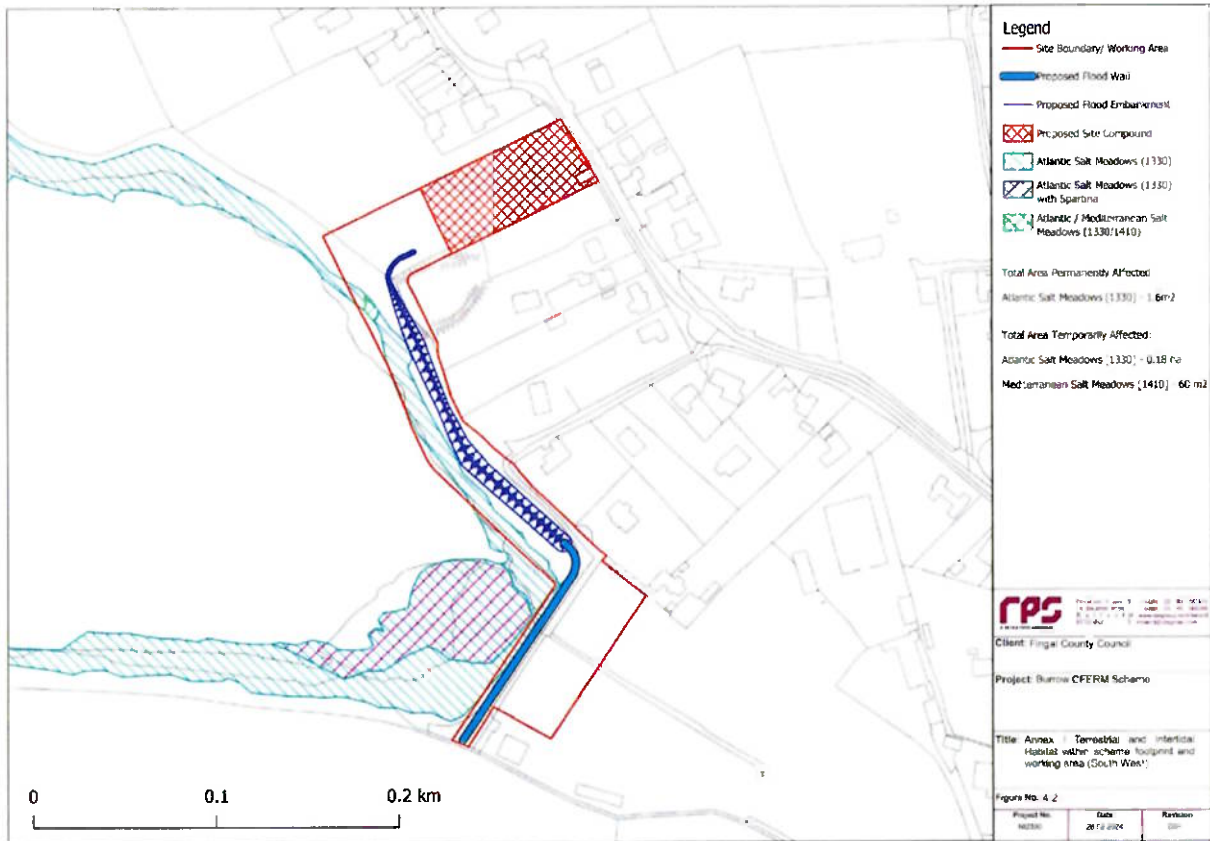


Figure 6-1 Annex I Habitat within Proposed flood embankment and flood wall footprint

The Proposed footprint of the flood embankment at Burrow Road will not result in the loss of any Annex I habitat. However, it will give rise of a temporary loss of approximately 40sqm of perennial vegetation of stoney banks (non-qualifying Annex I habitat) which will recover.

PLANNING STATEMENT



Figure 6-2 Annex I Habitat within Proposed flood embankment footprint

The Proposed groynes along the eastern shore of the Burrow will result in permanent loss of 1.36ha of Annex I mudflats and sandflats not covered by seawater at low tide (0.37% of the total area of this Annex I habitat in the Rogerstown SAC).

There are areas of intertidal mudflat and estuary within the working area that may be subject to temporary impacts from the dredge vessel and associated sinker pipeline; however unlikely to result in habitat loss.

Beach nourishment will lead to disturbance/loss of benthic habitats of up to 12ha (estimated at 3.52% of the habitat), however this will be temporary and 2-years maximum due to natural recovery. There will be a limited amount of compaction of the intertidal zone from machinery used in construction of the groynes and for the pipeline.

Annex I grey dune habitat has been subject to significant decrease through erosion. Whilst there will be short term habitat loss of grey dune as a result of the deposition of beach nourishment material, the long term future of this habitat will be safeguarded.

In addition further area of non-qualifying Annex I habitat will be temporarily affected from the beach nourishment including: 0.058ha of perennial vegetation of stoney banks and 0.34ha of annual vegetation, and a permanent loss of 6sqm of annual vegetation. No conservation objectives have been set for these non-qualifying Annex I habitats and therefore no adverse effects are predicted to occur.

PLANNING STATEMENT

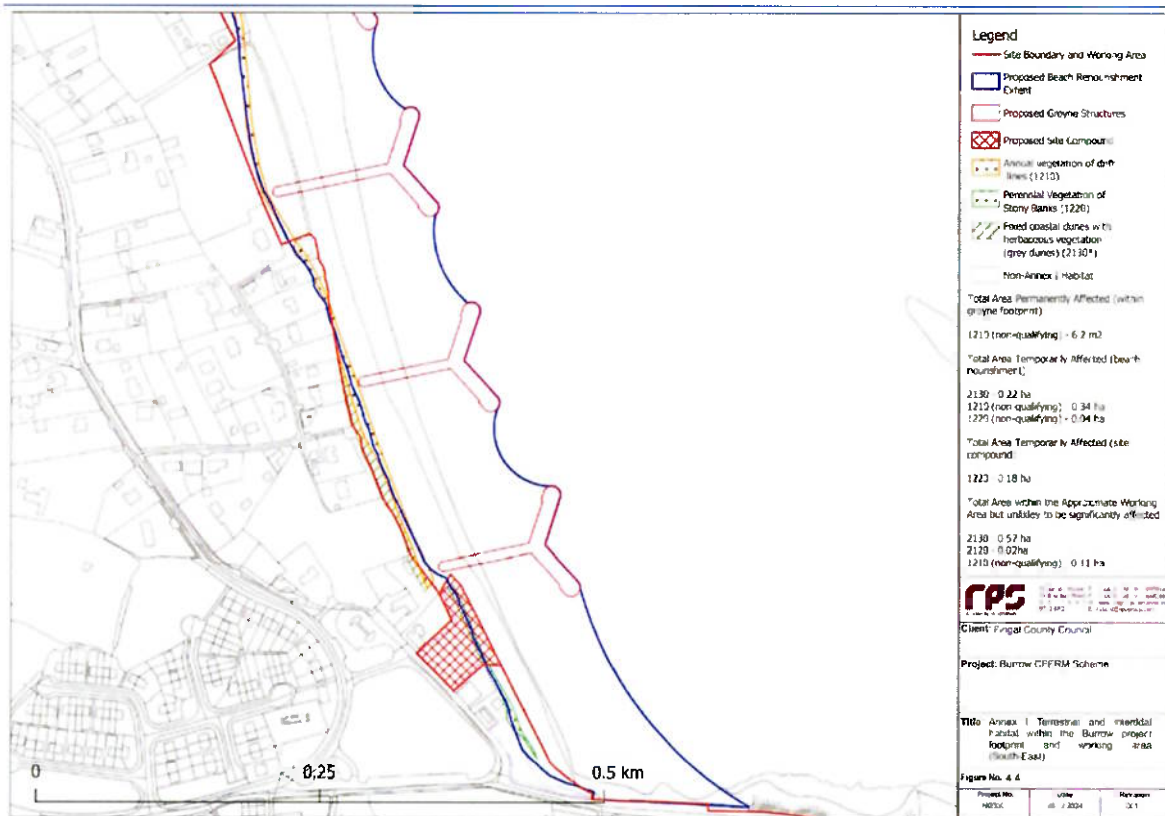


Figure 6-3 Annex I Habitats within Proposed Groynes (south-east)

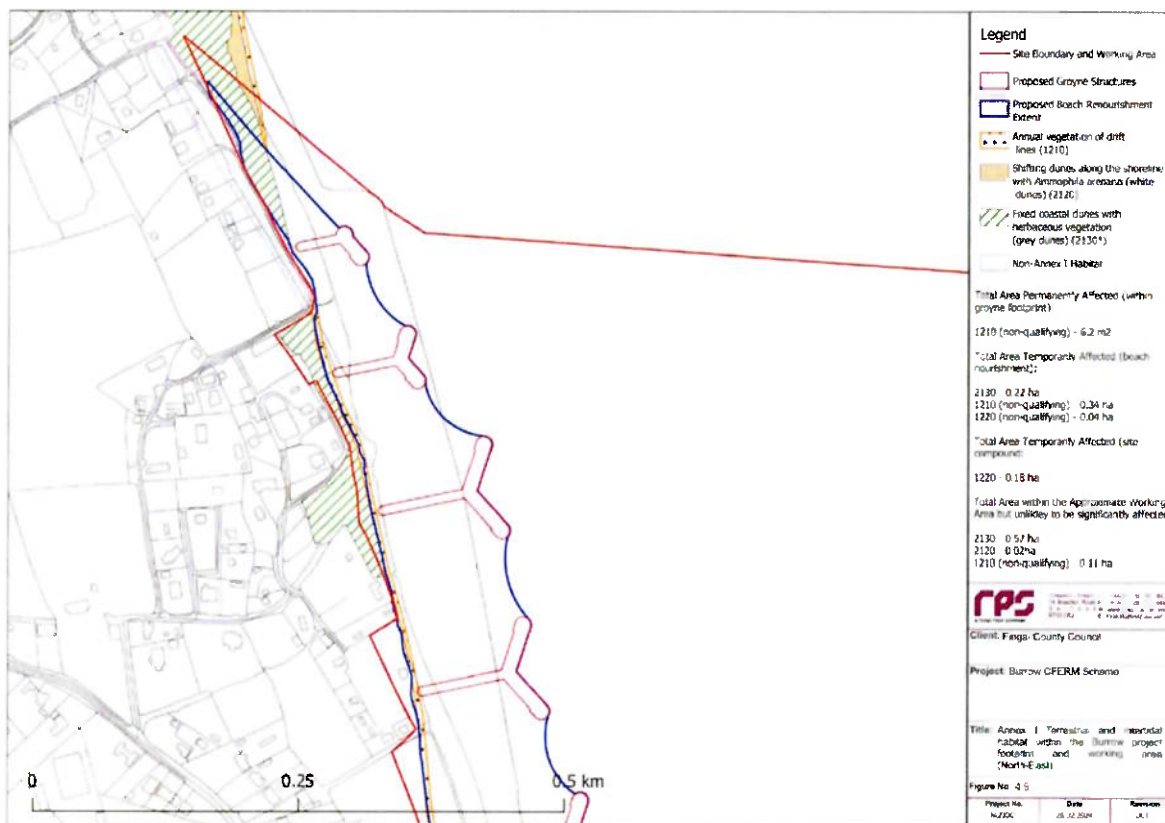


Figure 6-4 Annex I Habitats within Proposed Groynes (north-east)

PLANNING STATEMENT

The Proposed Development is considered to give rise to an adverse effect on the integrity of Rogerstown Estuary SAC as a result of habitat loss at construction stage. It is recommended that mitigation measures as set out in the AA/NIS and oCEMP are implemented to address temporary impacts.

Rogerstown Estuary SPA

Bird surveys which were undertaken to inform assessment, accompany this submission. It is acknowledged that these were carried out in 2021/2022 and therefore Tetra Tech RPS in conjunction with FCC are currently undertaking further surveys for winter 2025/2026. The Proposed working areas and adjacent intertidal wetlands were recorded to support wintering SCI bird species however no areas of the SPA within or in close proximity to the proposed works were relied upon by any SCI species.

As discussed, the Proposed Development will give rise to permanent and temporary habitat losses. Short term impacts upon infauna from the proposed beach nourishment are considered to fully recover within 2 years and significantly recover within 6 months. Therefore, the habitat loss is not likely to give rise to significant adverse effects on overall foraging opportunities for water birds.

Proposed works at Marsh Lane will give rise to small scale and temporary impacts to saltmarsh habitats by construction machinery. Proposed works at Burrow Road will give rise to small scale changes to intertidal habitats also through construction machinery.

Nevertheless, the Proposed Development will give rise to adverse effect as a result of small-scale habitat loss.

Water Quality and Habitat Deterioration

The Proposed Development will give rise to risk of water pollution and sedimentation effects by construction equipment in proximity to marine and intertidal habitats, use of concrete and storage of materials and fuels.

Beach nourishment will give rise to sediment plumes from pumping materials in suspension prior to settlement on the shore or seabed. This nourishment has potential to alter surface substrates within Annex I Intertidal Mud and Sand however it is considered that these will be within the modelled surface substrate concentrations recorded for natural storm events and therefore not give rise to any significant adverse effects on these habitats. Sediment plumes would not have any effects on SCI bird populations or wetland habitats.

There is potential for pollution events from construction machinery and dredger to the Rogerstown Estuary SPA and North-West Irish Sea SPA, in the absence of mitigation, however this would be of small scale.

Mitigation measures are proposed within the oCEMP to prevent diminution of water quality and habitat deterioration effects.

Rockabill to Dalkey Island SAC

Due to the intervening waters, it is considered that there is no potential for the Proposed Development to result in adverse water quality or habitat deterioration upon the SAC or QI. Whilst Harbour Porpoise is present in close proximity, these species do not utilise intertidal habitat and it is considered that there are no significant effects on this mobile species.

PLANNING STATEMENT

Rockabill SPA

As discussed above there is limited potential for pollution events from construction machinery and the dredger, which would be subject to significant dilution. The Rockabill SPA is located 7.5km from the Proposed Development and as such it is considered that risks of water quality and habitat deterioration on SCI bird populations of Rockabill SPA can be excluded.

Spread of Invasive Species

Non-native invasive species Cord-grass *Spartina Sp.* Is present within the estuary at Marsh Lane within intertidal mud and as such the Proposed Development has potential for localised spread in Rogerstown SPA and Rogerstown SAC. The potential spread of this species could have potential on Annex I habitats Salicornia Mud, Atlantic saltmarsh and Mediterranean saltmarsh and decrease of suitable mud for foraging waders and waterfowl, in the absence of suitable mitigation measures. Therefore, it is recommended that mitigation measures as set out in the oCEMP are implemented.

Underwater Noise and Vibrational Disturbance

Sheet piling to construct the Proposed flood wall has potential to produce significant underwater noise and carry a very small risk of induced noise to some marine species. Changes in underwater noise has potential to interrupt behaviours of Harbour Porpoise known within Rockabil to Dalkey Island SAC. Proposed piling will take place in dry conditions, outside of high tide events whereby the estuary and marine environment would be significantly separated. It is considered therefore that there are no underwater noise or vibrational effects posed to Harbour Porpoise.

Underwater noise associated with vessel movements and the dredger has potential to pose disturbance to grey seal within Lambay SAC. Given the separation distance of 4.2km from the closest working area, it is not considered that the proposed works would give rise to any measurable increase in noise levels within the Lambay SAC boundary. Given the context, the temporary nature of the works and limited nature of the work, it is considered that there are no underwater noise or vibrational effects posed to grey seals.

Aerial Noise and Visual Disturbance

The Proposed Development will involve movement of construction vehicles, dredger and personal and has potential to pose aerial noise and visual disturbance and displacement on SCI bird populations of QI Annex habitats of Rogerstown Estuary SPA.

The North-West Irish Sea cSPA conservation objectives are in respect of breeding species. The site of the Proposed Development is of extremely low importance for breeding populations of SCI birds associated with Lambay Island SPA and Rockabill SPA and as such it is considered that effects as a result of aerial noise and visual disturbance can be excluded.

Mitigation measures are proposed within the oCEMP regarding the appropriate timing of works (outside breeding bird period).

In-Combination Effects

There is a Proposed Development for a coastal defence scheme at Rush, Fingal which will involve works taking place within the Northern side of the Rogerstown Estuary SAC and SPA. Whilst no formal planning

PLANNING STATEMENT

consent has been sought, Tetra Tech RPS are aware of FCC aspiration to submit a separate proposal for Rush. The Proposed Development at Rush is to consist of flood wall, blockwork wall, alteration of ground levels, cycle path, flood gates/vehicular/pedestrian accesses and possible utility diversions.

There will be no temporal or spatial overlap between the two developments and therefore aerial noise, and visual disturbance would not have potential to have cumulative effects.

Predicted impacts include loss of small areas of QI during construction and water quality and habitat deterioration effects. Area loss of estuaries and mudflats/sandflats is estimated at 0.04ha each which is under 0.01% of the total of these habitats within the SAC. Cumulative loss of habitats will give rise to loss of foraging habitat for wintering SCI bird populations and therefore associated cumulative effects within the Rogerstown Estuary SPA/SAC are likely. A number of mitigation measures are outlined in the accompanying Natura Impact Statement and oCEMP and it is anticipated that any permission granted will be subject to the implementation of that mitigation.

Imperative Reasons of Overriding Public Interest (IROPI)

Some potential adverse impacts to the integrity of European site cannot be ruled out as appropriate measures cannot be prescribed which will effectively mitigate the predicted effects, namely: -

- Permanent habitat loss effects on Annex I mudflats and sandflats not covered by sea water at low tide, Atlantic salt meadows and fixed dunes with herbaceous vegetation (grey dunes) associated with Rogerstown Estuary SAC; and
- Loss of wetland habitats of importance for SCI populations of Rogerstown Estuary SPA

Since it has been identified that the project will result in significant adverse effects on the integrity of a European (Natura 2000) site, including the loss of Annex I habitat, it is recognised that a case must be made for a derogation under the terms of Article 6(4) of the Habitats Directive to demonstrate that there are imperative reasons of overriding public interest (IROPI) requiring the project to proceed, that there are no less damaging alternative solutions, and appropriate compensatory measures have been identified that can be put in place.

The consented MAC considered the Proposed maritime use satisfactory, having regard to the nature, scope and duration and public interest.

The need for the project to proceed has been outlined in section 1.3 of this report and that need relates to protection of the local community, as well as a pressing need to address significant and rapid loss of Annex I grey dune habitat to coastal erosion. The Proposed Development will therefore deliver significant beneficial consequences of primary importance for the environment. The potential alternatives considered have been set out in the EIAR. That analysis demonstrates that a do-nothing scenario would result in the continued erosion of Annex I habitat along the Burrow. In the context of IROPI the Proposed Development can demonstrate that this option results in the best scenario for the Annex 1 habitat.

The Proposed Development will incorporate flood defences which will protect the local community at the Burrow from coastal flooding, and which will promote the protection and potential restoration of QI Annex coastal habitats (grey dunes) of Rogerstown Estuary SAC.

PLANNING STATEMENT

The proposed defences have been designed to involve minimal possible land take from the Rogerstown SAC and SPA while achieving project aims. Mitigation measures have been incorporated to prevent a range of other potential effects on European sites.

The MAC was consented with conditions to include a levy to be paid by the grantor of the MAC for the occupation of the consent area for the purposes of undertaking the permitted use, and rehabilitation to ensure that consent area is rehabilitated in an appropriate and acceptable manner.

6.5 Soils, Geology and Contamination

In adherence to Policy IUP15 – Water Quality the Proposed Development supports the protection of water quality and ecological status of water quality.

A Preliminary Risk Assessment (PRA) Desk Study concluded that no significant pollutant linkages are considered to be present. Ground investigations and testing were carried out to assess the effects of the construction and operation of the Proposed Development.

There are no significant impacts upon groundwater quality and flow from construction and operation due to minimal earthworks. There are no mitigations deemed necessary.

On balance, therefore the Proposed Development poses no adverse impact on soils.

6.6 Archaeology and Cultural Heritage

Fingal County Development Plan 2023 – 2029 sets out policies in respect of archaeological heritage alongside a range of legal instruments to protect architectural heritage.

The Proposed Development is in accordance with the archaeological Policy GINHP8 which seeks to protect, conserve and enhance landscape, natural, cultural and built heritage features and Objective GINHO18 which seeks where possible and appropriate elements of the archaeological and heritage landscape are fully integrated into proposals for new developments.

As outlined in Section 2 there are registered archaeological monuments in proximity to the Proposed Development.

An Intertidal survey was carried out at low tide, extending from the south-west point of Burrow sand spit to the north within Quay townland. A survey of the foreshore and along the corresponding roadways was also undertaken.

There will no direct impact on RMP DU008-028 Former R.C Chapel site or RMP DU008-029 Holy Well site at Marsh Lane as these protected structures lie outside the working area of the Proposed Development. An existing flood wall/concrete wall within Marsh Lane will be removed and this will be recorded prior to demolition. ADCO observed an unrecorded seawall to the south of Burrow Beach and the beach nourishment will be carried out to avoid impacting this feature.

There are no direct impacts on known archaeological features as a result of the groynes, as there are no known shipwrecks within the Proposed Development area.

PLANNING STATEMENT

Other identified registered archaeological monuments RMP DU008-030 Stella's Castle/Tower House and RMP DU008-031001 – RMP DU008-031003 Portrane Church/Graveyard and Bullaun Stone lie between 100m – 500m from any Proposed Development.

RMP DU008-032 Burial site lies along South Burrow Beach, however it is outside the working area and the archaeological impact assessment states that there is no impact.

NIAH 11329016 former ferry landing jetty (remains) operated across the estuary (North Burrow Beach) is not impacted by any the Proposed Development.

There are no entries in the National Inventory of Architectural Heritage within the Development area. The closest St Ita's Hospital NAH 11330003 lies approximately 375m south of the Proposed Development.

A range of pre-construction and construction phase mitigation measures are proposed to include an archaeological photographic record survey on Marsh Lane, protective fencing and archaeological monitoring.

On balance, the Proposed Development is not expected to have significant effect on archaeology and cultural heritage.

6.7 Flood Risk and Water Quality

The Proposed Development is located on a sandy spit that separates Rogerstown Estuary from the Irish sea. As previously described in Section 1.3 Need for the Proposed Development, the spit is liable to present day flooding; is highly sensitive to future sea level rise caused by climate change and has recorded recurring coastal flooding events.

The Proposed Development is in accordance with Policy GINHP7 which seeks to protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourse, floodplains, riparian corridors, wetlands and coastal areas and Objective GINHO12 aiming to address the requirements of functional flood storage and the sustainable management of coastal erosion.

The Proposed Development is also in accordance with Policy IUP12 and Policy IUP13 which seeks to support flood risk management and the protection of wetlands and coastal areas.

Cognisant of objectives GINHO16 and GINHO69 the Proposed Development utilises two approaches to coastal erosion and flooding; engineered coastal defence structures or applying coastal adaptation strategies. As previously stated, a coastal management assessment has been undertaken which concluded the necessity for hard engineering in the form of flood wall and groynes. The accompanying EIAR outlines the reasonable alternatives considered.

The accompanying EIAR sets out the assessment of flood risk and water quality. During construction there is risk from extreme tidal events and therefore mitigation is proposed. Following operation there will be no further impact as the Proposed Development has been designed for such events.

In summary, the Proposed Development would have a very significant beneficial effect on the area in terms of flood risk and residents.

PLANNING STATEMENT

6.8 Noise

Fingal County Development Plan 2023 – 2029 sets out policy and objectives with respect to noise. In accordance with Objective IUO63 noise surveys and assessments have been undertaken and are contained with the EIAR which accompanies this submission.

There is potential for noise and vibration sources during the construction of the Proposed Development to include bulk earthworks excavation and preparatory groundworks; installation of new walls and embankments; groyne construction and beach nourishment. Any effects however will be temporary, associated with the construction and no new significant noise associated with the operation.

There are no operational noise policies of relevance in the FCDP, however the Proposed Development is cognisant of nearby receptors and seeks to mitigate construction noise and vibration through temporary noise barriers.

Following mitigation to include a noise management plan as outlined in the oCEMP; engagement with community stakeholders and temporary noise barriers, it is considered that there is no permanent noise, or vibration impacts and no unacceptable impacts on residents will arise.

6.9 Air Quality and Climate

Fingal County Development Plan 2023 – 2029 sets out policy and objectives with respect to air quality. In accordance with Objective IUO58 the Proposed Development seeks to avoid, mitigate and minimise unacceptable levels of air pollution.

Construction and construction traffic will give rise to particulate matter and dust emissions during the construction phase in the short term.

Following mitigation of these emission as outlined in the oCEMP, the risk of adverse effects is negligible and not significant.

The Proposed Development will have a beneficial impact on climate change resilience.

6.10 Landscape and Visual

A Landscape Visual Impact Assessment (LVIA) has been undertaken based on the relevant guidance described in the Guidelines for Landscape and Visual Impact Assessment, Third Edition (The Landscape Institute and Institute of Environmental Management & Assessment, 2013) (GLVIA3) and the Technical Guidance Note 06/19 Visual Representation of Development Proposals (The Landscape Institute, 2019).

The purpose of this LVIA is to identify and determine the effects on landscape character, landscape features, visual receptors and visual amenity as a result of the works proposed as part of the construction and the future presence and operation of the Proposed Development.

The Proposed Development is sited within an area of High Amenity.

The predicted construction phase landscape effects around the estuary are predicted to be minor to moderate, localised, temporary, assessed as not significant and predicated construction effects on the coast are predicted

PLANNING STATEMENT

to be moderate to major, localised, assessed as not significant. The predicted operation phase landscape effects on the estuary and coast are minor and localised, assessed as not significant.

There is no predicted effect from construction or operation on viewpoints, preserved views or residential properties.

A total of five viewpoints have been assessed in the LVIA, for construction and operational phases of the Proposed Development. Following site works and assessment of potential visual impacts arising from the Proposed Development it is predicted that none of the assessed viewpoints will experience significant effects during the operational phase. Photomontages accompany this submission.

The Proposed Development incorporates built in design measures such as appropriate colour/form if proposed wall, grass seeding of proposed embankments and re-use of existing concrete Seabees. Overall, the surrounding landscape and its visual resources has the ability to accommodate the Proposed Development.

6.11 Access, Traffic and Transport

As set out in Section 3.10 of this planning statement, the construction period is anticipated to last 23 weeks assuming c. 90 two-way trips per day to account for staff trips and deliveries which equates to an increase of 1.7% traffic on the R126 and 5.9% on Burrow Road.

There is potential for daytime, evening-time and night-time construction works owing to the 24hr nature of beach nourishment works. However, the majority will be confined to daytime and evening hours. Where additional or alternative hours are required, this will be requested in advance.

It is anticipated the submission of a Construction Traffic Management Plan will be a requirement of any emerging consent for the proposal. Allowing for this it is proposed that HGV traffic increases will equate to an imperceptible increase on the road network.

Workers will be encouraged to commute to site in shared work vehicles (hi-ace vans or similar). Parking will be facilitated within the temporary construction compounds, the details of which, as stated previously, will be agreed through an updated Construction Environmental Management Plan to be provided by the appointed contractor in advance of construction.

The Transport Statement confirms it is anticipated that project components will be delivered to site using standard articulated lorries, and further that the existing road network can accommodate these vehicles.

During operation there may be occasional routine maintenance required.

In summary, the Proposed Development will not result in any significant effects on the highway network.

6.12 Waste Management

In accordance with Policy IUP24 measures to manage waste accompany this submission.

Waste will arise from the demolition of the existing wall on Marsh Lane and through excavation of soils. Existing Seabee units on Burrow beach are proposed to be repurposed for the proposed groynes.

PLANNING STATEMENT

A pre-construction Resource Waste Management Plan (RWMP) will contain procedures for waste management. Following this mitigation there are considered no residual effects.

6.13 Material Assets and Land Use

There are a number of Development Management standards with relation to various utilities that the Proposed Development has cognisance of.

Construction may give rise to temporary effects on utilities; however, the impact is considered low and will be mitigated through engagement with stakeholders and landowners.

The Proposed Development is a long-term aspiration of the CDP and will have a beneficial effect on coastal management.

6.14 Population and Human Health

The EIAR considered the potential impact of the Proposed Development on population and human health.

During construction phase there would be temporary adverse changes to air quality, noise and transport, however these have been assessed in proceeding sections as not significant. Construction of temporary compounds would have impacts to accessibility of recreational facility/beach area however this would be temporary and assessed as not significant.

Operation of the Proposed Development as flood defence infrastructure would have a beneficial effect on the population and is assessed as not significant.

Following adoption of mitigations set out in the oCEMP and CTMP there are considered no residual effects.

6.15 Major Accidents and Disasters

The EIAR has considered the potential risk of major accidents and disasters presented by the Proposed Development.

During construction phase there would be potential for risk of events to occur to include construction vessel collision/allision and major pollution to designated sites. During operational phase there would also be potential for risk of events to occur to include sever weather/storm surges and flooding.

Following implementation of mitigation as defined throughout the EIAR, there are no significant negative residual impacts or environmental effects.

6.16 Cumulative Impacts

A review of existing development around the site together with planning history in respect of developments approved and currently under consideration of relevance was undertaken to assess the potential cumulation of the impact with the impact of other existing and/or approved development. The planning history search was undertaken using the Fingal County Council and ACP online portal. There are no relevant consent developments.

PLANNING STATEMENT

There is a known potential coastal defence scheme at Rush. Whilst no formal consent has been sought, RPS Tetra Tech has cognisance of through FCC. The Council currently plan to phase the construction of this scheme after this Proposed Development.

The EIAR considered the cumulative effects of noise and vibration to be minor; predicted effects on marine biodiversity to be negligible, and those of noise to be neutral or slight.

6.17 Mitigation

6.17.1 oCEMP

An outline Construction Environmental Management Plan that sets out best practice methods to be undertaken to manage the environmental impacts, including mitigation and monitoring, during construction, accompanies this planning submission.

As stated in section 6.11 Access, Traffic and Transport above, there is potential for 24-hour working due to the nature of the beach-nourishment works.

The construction phase is expected to last 23 weeks, assuming c. 90 two-way trips per day to account for staff trips and deliveries which equates to an increase of 1.7% traffic on the R126 and 5.9% on Burrow Road.

Construction deliveries will approach the sites from the R126 onto Burrow Road and Marsh Lane. It is assumed that a Construction Traffic Management Plan (CTMP) will be condition of any consent, should this be forthcoming. A Traffic Management Design Engineer, Coordinator and Gate Man will oversee and maintain all traffic management and any details of road closure. Plant will include a self-contained wheel wash facility, lifting gate access barriers, road sweeper and signage as necessary.

HGV movements are expected to be most intense throughout the first few weeks of construction. Car/van movements are expected to be constant throughout the construction period and parking provision will be fully within the site compounds. Temporary signage will highlight the entrance for construction traffic.

The oCEMP identifies best practice pollution prevention and mitigation measures for prevention of the spread of Invasive Alien Species, waste management to prevent the risk of environmental pollution/ecological damage, water quality management, noise pollution to environmental receptors, and dust management.

The oCEMP outlines a draft Marine Mammals Management Plan to minimise risk of injury or disturbance including appointment of a Marine Mammal Observer (MMO). A draft Birds Management Plan states that works will take place outside of wintering bird season (October – March) and any terrestrial works to take place outside the nesting bird season (1st March – 31st August).

A draft Archaeology and Cultural Heritage Plan sets out mitigation to identified sites prior to construction including archaeological monitoring by suitable and qualified person.

FCC are committed to ensuring that the construction activities are proactively managed to minimise potential impacts.

7 Conclusions

The assessment of the Proposed Development supports:

- The Planning and Development Act 2000 as amended (section 172(1)) requires that EIA must be carried out where a development is of a class of development and threshold (where one is stated) specified in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended. The Proposed Development falls into Class 10 of Part 2, Schedule 5 of the Regulations, which relates to Infrastructure projects for Coastal works. An Environmental Impact Assessment Report (EIAR) therefore accompanies this submission.
- For the purposes of Section 175, of the Planning and Development Act 2000, in that it is to be carried out by a local authority (Fingal County Council) in its capacity as a planning authority, within the council area and will include an environmental impact assessment report.
- In accordance with Part XAB, Section 177AE of the Act an appropriate assessment has been carried out on behalf of FCC, in its capacity as a planning authority within the council area, with accompanying Natura Impact Statement.
- Therefore, FCC have made this application for approval to An Coimisiún Pleanála pursuant to Section 175 and Section 177AE of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001 (as amended).
- In accordance with Section 75 (1) of the Maritime Area Planning Act 2021, FCC is the holder of a maritime area consent granted for the occupation of a maritime site for the purposes of the Proposed Development
- The Proposed Development includes measures of coastal defence along the Burrow spit, in Fingal. These include the construction of a c. 190m long earth embankment; construction of a combined c.130m long sheet piled flood wall and a c.200m embankment; installation of back drainage with associated outfalls; installation of non-return valves to existing outfalls; and construction of seven fishtail (Y shaped) groynes structures with beach nourishment scheme.
- The Proposed Development can draw significant support from planning legislation and policy.
- Cognisant of the climate emergency, planning policy at all levels supports the requirement to address the flood risk, especially in the context of climate change and increasing sea levels and erosion pressure.
- In land use terms, the Proposed Development is within statutory designations and will give rise to an adverse effect on the integrity of Rogerstown Estuary SAC and SPA and will be required to demonstrate that it is proposed for imperative reasons of overriding public interest. The pressing need for the project to proceed has been set out in this report. That need is of overriding public interest and will address significant and rapid loss of Annex I grey dune habitat due to coastal erosion. The Proposed Development will therefore deliver significant beneficial consequences of primary importance for the environment.

PLANNING STATEMENT

- The MAC was consented with conditions to include a levy to be paid by the grantor of the MAC for the occupation of the consent area for the purposes of undertaking the permitted use, and rehabilitation to ensure that consent area is rehabilitated in an appropriate and acceptable manor which Fingal County Council are committed to. FCC and Tatra Tech RPS acknowledge that further discussions with the EU commission will be required.



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