



Licence Ref: **MUL250003**  
(Please quote in all related correspondence)

24<sup>th</sup> February 2026

Maritime Area Regulatory Authority  
2<sup>nd</sup> Floor  
Menapia House  
Drinagh Business Park  
Drinagh  
Wexford  
Y35RF29

Via email: [licence@mara.gov.ie](mailto:licence@mara.gov.ie)

Referral under Regulation 42(6) of the European Communities (Birds and Natural Habitats) Regulations

**Re:** Undertake marine site investigation(s) activities to assess the feasibility of potential future dredging within Dún Laoghaire harbour.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage related observations/recommendations of the Department co-ordinated by the Development Applications Unit under the stated heading(s).

### **Underwater Archaeology**

I refer to your consultation received in relation to the above, which has been reviewed by the National Monuments Service of the Department of Housing, Local Government and Heritage. Dún Laoghaire Rathdown County Council proposes to undertake Site Investigations (SI) to support maintenance dredging design and consenting at Dún Laoghaire Harbour that would improve navigational access and enable the harbour to safely accommodate a greater number of offshore wind farm (OWF) survey vessels. The dredging aims to remove approximately 56,400 m<sup>3</sup> of material from Dún Laoghaire Harbour to achieve a target depth of -6.1 m. The MUL Application Area includes a rectangular area between the harbour entrance moving south to include a turning circle and another rectangular area adjacent to St Michaels Pier across southeast to Carlisle Pier. The MUL application relates to a proposed SI programme which includes vibrocore sampling (up to 16 cores), grab and drop-frame camera surveys (up to 30 stations), side scan sonar surveys and magnetometer surveys, all within a 0.2585 km<sup>2</sup> area inside the harbour. The submitted report *Dun Laoghaire Maritime Usage Licence Application for Site Investigation Works Assessment of Impacts on Maritime Usage* includes a brief section on underwater cultural heritage, which summarises a 2015 desk study EIAR.

Dún Laoghaire Harbour contains an exceptionally rich and diverse cultural heritage that includes:



- Archaeological monuments recorded in the Record of Monuments and Places (RMP)/Sites and Monuments Record (SMR) DU023-052004- : Battery; DU023-052003- : Martello tower; DU023-052001- : Promontory fort – coastal; DU023-052004- : Battery; DU023-074---- : Battery. Their locations are recorded on the NMS Historic Environment Viewer.
- Historic Shipwrecks recorded in the Wreck Inventory of Ireland Database (WIID). The WIID contains records of 223 wrecking events within/in the environs of Dún Laoghaire harbour. The positions of eleven, one of which is directly within the proposed dredge area, have been located and can be seen on the NMS wreck viewer: <https://www.archaeology.ie/advice-and-support/locate-a-monument-or-wreck/wreck-viewer/>
- Archaeological objects recorded in the National Museum of Ireland Topographical Files.
- Underwater cultural heritage assets, including maritime built heritage structures and features (eg. wharfs, piers, lighthouses, boat houses, stores, etc), military heritage structures and features, fishing heritage structures and features, archaeological discoveries made from prior marine geophysical surveys, excavations and other investigations, and potential submerged palaeolandscapes.

### **Legal Codes and Policy Context**

Archaeological monuments are afforded statutory protection in the Record of Monuments and Places (RMP) established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act 1930-2014. The *Frameworks and Principles for the Protection of the Archaeological Heritage* (Department of Arts, Heritage and the Gaeltacht and the Islands 1999, see section 3.6.1(3) and 3.6.4) sets out national policy on the protection of the archaeological heritage in the course of development. It emphasises the non-renewable nature of the archaeological heritage and the need to always consider preservation in-situ as the first option. To inform archaeological mitigation strategies that ensure preservation in situ are prioritised, appropriate levels and forms of archaeological assessment are required in advance of development. Advance, early-design stage, pre consent/planning application, archaeological assessment and pre planning submission and pre construction stage mitigation is key to diminishing effects on archaeological heritage.

Section 3 of the National Monuments (Amendment) Act 1987 is the primary piece of legislation for the protection of wrecks over 100 years old and archaeological objects underwater, irrespective of age. Wrecks that are less than 100 years old and archaeological objects underwater or the potential location of such a wreck or archaeological object can also be protected under Section 3 of the 1987 (Amendment) Act. Underwater Cultural Heritage also encompasses a broad range of marine heritage, the protection of which is provided for in legal codes. The Wreck Inventory of Ireland Database (WIID) is the official register of historic shipwrecks protected under the National Monuments Acts. All wrecks over 100-years old are protected under the 1987 and 1994 (Amendment) Acts of the National Monuments Acts. Over 18,000 wrecks have been recorded to date, ranging from small fishing boats, dugout canoes and coastal traders to steamships and ocean going ships. Though earlier sources have been included where obtainable, the Inventory is largely based on documentary sources available from after 1700 AD. As such, previously unrecorded wreck sites, including



those dating to earlier periods, may await discovery in the marine area under consideration here.

The *National Planning Framework*<sup>1</sup> states that ‘the protection of archaeological heritage is recognised as a core component to achieving sustainable development’ and National Policy Objective 89 is to ‘Protect, conserve and enhance the rich qualities of natural, cultural and built heritage of Ireland in a manner appropriate to their cultural and environmental significance. and the *National Marine Planning Framework*<sup>2</sup> includes the statement that:

*‘Proposals unable to contribute to the protection of the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference, avoid, minimise, or mitigate harm to the significance of heritage assets. If it is not possible, to avoid, minimise or mitigate harm, then the public benefits for proceeding with the proposal must outweigh the harm to the significance of the heritage assets. Proposals should consider the potential impact of their application on heritage assets from the earliest stages of project development, taking into account the potential risk of damage to, or degradation of, assets. Expert advice will be required at all stages to inform the development of the proposals. Such proposals may include plans to avoid locations where heritage assets may be located, or to minimise compromise or harm through the use of less invasive construction techniques. Proposals should consider evidence for the level of significance of a heritage asset, including information and advice from relevant regulators and advisors, and on how they are managed. This applies to both identified heritage assets and the potential for such assets to be discovered during development or activity’ (National Marine Planning Framework, 89).*

It is further noted that Dún Laoghaire-Rathdown County Council (DLRCC) adopted the current County Development Plan in April 2022. Policies relating to cultural heritage are included in Chapter 11: Heritage and Conservation (pp. 211-224):

- Policy Objective HER1: Protection of Archaeological Heritage: ‘It is a Policy Objective to protect archaeological sites, National Monuments (and their settings), which have been identified in the Record of Monuments and Places and, where feasible, appropriate, and applicable to promote access to and signposting of such sites and monuments.’
- Policy Objective HER7: Record of Protected Structures: ‘It is a Policy Objective to include those structures that are considered in the opinion of the Planning Authority to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical, or sociointerest in the Record of Protected Structures.’
- Policy Objective HER13: Architectural Conservation Areas: ‘It is a Policy Objective to [...] protect the character and special interest of an area which has been designated as an Architectural Conservation Area(ACA).’
- Policy Objective HER24: Protection of Cultural Heritage:

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<sup>1</sup> <https://cdn.npf.ie/wp-content/uploads/National-Planning-Framework-First-Revision-April-2025-1.pdf>

<sup>2</sup> <https://assets.gov.ie/139100/f0984c45-5d63-4378-ab65-d7e8c3c34016.pdf>



It is a Policy Objective to: Encourage and promote the retention of features of the County's coastal heritage where these contribute to the character of the area.

ii. Have regard to those items identified in the Coastal Architecture Heritage Survey when assessing any development proposals.

### **Recommendations**

In light of the above, and notwithstanding previous campaigns of dredging, reclamation, development and other works within and in the environs of the application area, the entirety of the area can be regarded as being a cultural heritage palimpsest, whose archaeological, underwater and built heritage requires careful and due consideration. The following recommendations of the Department of Housing, Local Government and Heritage are provided to assist MARA to ensure the proposed marine surveys and geotechnical investigations, should they receive consent, will align with statutory obligations and policy objectives for the protection of the State's underwater cultural heritage.

CONDITIONS: We recommend the following CONDITIONS are attached to the Maritime Usage Licence under the Maritime Area Planning Act 2021, should the MUL be granted:

#### **1. Project Archaeologist**

A suitably qualified and experienced underwater archaeologist, with a track record in the archaeological interpretation of marine geophysical and geotechnical data, shall be appointed to advise on all archaeological aspects of the project.

#### **2. Geophysical Surveys**

a. The geophysical surveys shall be carried out in advance of all geotechnical investigations to ensure all potential impacts to the underwater cultural heritage are avoided.

b. The geophysical surveys shall be licenced under the National Monuments Acts 1930-2014: a Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required. Licence applications, accompanied by Method Statements, shall be sent for vetting to the National Monuments Service of the Department of Housing, Local Government and Heritage. Please note that approvals can take three-four weeks to issue.

c. The project archaeologist shall advise on targeting of surveys for identification of previously recorded and potential wreck locations, archaeological objects underwater, recorded monuments, submerged palaeolandscapes and other underwater archaeological features and areas of potential within the Maritime Usage Licence Area.

d. Should any dive surveys be required in connection with proposed geophysical surveys, these shall be suitably licenced (Section 3 1987 National Monuments Act) and accompanied by a licenced handheld metal detection survey (Section 2 1987 National Monuments Act).

#### **3. Underwater Archaeological Impact Assessment (Geotechnical Works)**

An Underwater Archaeological Impact Assessment (UAIA) report shall be forwarded to the Department of Housing, Local Government and Heritage for review and approval at



least four weeks prior to any geotechnical works taking place. The UAIA shall augment any previous screening/desk study assessment(s) and shall include the following:

- a. Results of geophysical survey data-sets assessment and archaeological interpretation to ensure that any proposed geotechnical works do not negatively impact on locations where there is known or potential underwater cultural heritage.
- b. Results of archaeological intertidal assessment by way of walkover and, where warranted, drone survey, and licenced metal detection survey, of all areas proposed for SI works in the foreshore/intertidal area. A Dive Survey Licence (Section 3 1987 National Monuments Act) and Detection Device consent (Section 2 1987 National Monuments Act) will be required for foreshore/intertidal survey.
- c. Once all geophysical and intertidal surveys and archaeological interpretations have been completed, the full information shall be compiled into a final UAIA report and submitted to the Department of Housing, Local Government and Heritage for review and approval, prior to undertaking any geotechnical works. The UAIA Report shall contain a detailed Archaeological Impact Statement that addresses all identified or potential impacts on underwater cultural heritage and also makes recommendations on measures to avoid (through the institution of Archaeological Exclusion Zones around identified/potential wrecks and other underwater cultural heritage sites and features) or, where necessary, mitigate (by archaeological dive surveys/archaeological test excavations/archaeological geophysical surveys/archaeological monitoring/preservation by record or any other means as recommended by the National Monuments Service) all potential/identified significant effects on underwater cultural heritage. Where submerged palaeolandscape deposits are identified/suspected the report shall recommend a strategy for their further investigation by way of targeted geotechnical and geoarchaeological investigation. The Developer shall be prepared to be advised by the National Monuments Department of Housing, Local Government and Heritage Service in this regard or in regard to any subsequent recommendations that may issue. No geotechnical works shall be undertaken until approval in writing from the National Monuments Service has been received by the Developer.

#### **4. Archaeological Assessment Geotechnical Works**

Following the completion of all geotechnical works, the Developer shall furnish the Project Archaeologist with the results of all site investigation works and shall provide access to site investigation cores and physical samples for archaeological and, where warranted, geoarchaeological review by a qualified geoarchaeologist. Where suitable samples are identified, for example of potential submerged palaeolandscape deposits, they shall be subject to geoarchaeological analysis, scientific dating and palaeoenvironmental analysis. The National Monum Department of Housing, Local Government and Heritage ents Service shall be furnished with a final archaeological report describing the results of the works.

#### **5. Protocol For Archaeological Discoveries**

A Protocol For Archaeological Discoveries shall be agreed at least four weeks in advance of the commencement of geotechnical works with the National Monuments Service of the Department of Housing, Local Government and Heritage.



## **Nature Conservation**

The Department has reviewed the Supporting Information for Screening for Appropriate Assessment (SISAA) submitted in respect of the proposed site investigation (SI) works within Dún Laoghaire Harbour. Potential pressures were assessed to include localised seabed disturbance, suspended sediment generation, temporary water quality effects, and underwater noise.

The Department concurs that the proposed site investigation works, either alone or in combination with other plans or projects, are not likely to have a significant effect on any European site.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at [FEM.dau@npws.gov.ie](mailto:FEM.dau@npws.gov.ie), or to the following address:

The Manager  
Development Applications Unit (DAU)  
Government Offices  
Newtown Road  
Wexford  
Y35 AP90

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Development Applications Unit  
Administration