



# Balbriggan Harbour Maintenance Dredging

Statement of Compliance with Objectives of the National Marine  
Planning Framework

Report No. C0203-AYE-ZZ-XX-RP-MA-0201

February 2026

Revision P01

Fingal County Council

## Document Control

### Project

Statement of Compliance with Objectives of the National Marine Planning Framework

### Client

Fingal County Council

### Document

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### Report Number:

C0203-AYE-ZZ-XX-RP-MA-0201

### Document Checking:

Date	Rev	Details of Issue	Prepared by	Checked by	Approved by
27 Feb 2025	P01	S3 - For Client Review	JW	CM/DOB	AA

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## Glossary of Terms and Abbreviations

AA	Appropriate Assessment
FCC	Final County Council
GES	Good Environmental Status
MARA	Marine Area Regulatory Authority
MC	Moisture Content
MPA	Marine Protection Area
MSFD	Marine Strategy Framework Directive
MUL	Maritime Usage License
NIAH	National Inventory of Architectural Heritage
NIS	Natura Impact Statement

NMPF	National Marine Planning Framework
OSPAR	Oslo and Paris Conventions
QI	Qualifying Interests
SAC	Special Area of Conservation
SCI	Special Conservation Interests
SPA	Special Protection Area
WFD	Water Framework Directive

## [1] Introduction

This statement has been prepared in support of an application for a Maritime Usage License (MUL) from the Maritime Regulator (MARA) for the proposed maintenance dredging works at Balbriggan Harbour, County Dublin (herein referred to as the ‘proposed works’). The statement addresses how the activity is consistent with the objectives and policies of the Project Ireland 2040 National Marine Planning Framework (NMPF).

The application is supported by a Supporting Information for Screening for Appropriate Assessment (SISAA) Report, Natura Impact Statement (NIS) Report and an Annex IV Risk Assessment Report.

### [1.1] Proposed Works Description

#### [1.1.1] Background

Balbriggan Harbour, built between 1760 and 1790 at the mouth of the Bracken River north of Dublin, has evolved over 250 years. It features two main piers—the East Pier (Original Harbour/Sea Wall) and the West Pier with its extension—along with slipways, stairways, a lighthouse, and other structures. The Ballast Pier divides the Outer and Inner Harbours. Sheltered from southerly and westerly waves, the harbour accommodates fishing vessels (up to 18m) and leisure craft, primarily in the Inner Harbour. The West Pier hosts storage containers for fishermen, while the quaysides are used for both fishing activities and public access.

#### [1.1.2] Maintenance Dredging and Disposal Methodology

The appointed contractor will determine the final dredging methodology; however, it is anticipated that the works will be carried out using an excavator positioned on a pontoon barge or from the quayside, which will deposit dredged material directly into the hopper barge. It is expected that dredging will progress from the outer areas towards the inner sections of the harbour basin.

To optimise efficiency and minimise water content in the dredged material, dredging would be undertaken during lower tides when the harbour basin has naturally dried out. The dredged material is expected to remain in the barge for drying, with periodic mechanical disturbance by the excavator to aid the drying process, supplemented by air drying as required.

Once sufficiently dried, it is anticipated that the material will be loaded into sealed trucks and transported to a licensed disposal facility in accordance with regulatory requirements.

The final material drying methodology will be determined by the appointed contractor; however, it is expected that all drying will be achieved through natural air-drying, with no additional chemical or mechanical processes. The dredged material is anticipated to remain in the barge for drying.

Material will likely be considered sufficiently dry once its moisture content (MC) is below 20% and the haulage contractor confirms it is safe for transport. The final MC content will be stipulated by the haulage contractor.

Disposal is expected to be to a suitably licensed landside facility, with the final selection of the disposal site being the responsibility of the appointed contractor in compliance with regulatory requirements.

## [2] Objectives and Policies of the NMPF

The Maritime Spatial Planning Directive (2014/89/EU), sets down European countries' common approach to the planning of maritime areas, allowing each country to plan its own maritime activities to a set of common requirements.

As part of the Irish Government's comprehensive approach to marine planning across three main areas of forward planning, development management, and marine planning enforcement, the NMPF sets the framework for the forward-planning component of the country's marine-planning system.

The NMPF is a national plan for Ireland's seas, setting out, over a 20-year horizon, how the sea is planned to be used, protected and enjoyed. It was published on 30<sup>th</sup> June 2021 and applies to the maritime area around Ireland and provides objectives, policies and visions for all marine-based activities and how these activities interact with one another. All applications for activity or development in Ireland's maritime area are considered in terms of their consistency with the objectives of the Plan.

The NMPF has been prepared with an ecosystem-based approach and informed by best available knowledge. It sets out Overarching Marine Planning Policies (Table 1) that will apply to all marine activities or development, including policies in relation to ocean health and environment, infrastructure, heritage, communities, seascape and access, among others.

The objectives of the NMPF outlined in Section 18 are specifically for 'Ports, Harbours, and Shipping' and are therefore most relevant for the proposed works. They are as follows:

- *'Safeguard the operation of ports as key actors in the economic wellbeing of the State through the provision of safe and sustainable maritime transport.'*
- *Facilitate a competitive and effective market for maritime transport services.*
- *Sustainable development of the ports sector and full realisation of the National Ports Policy with a view to providing adequate capacity to meet present and future demand, and to adapt to the consequences of climate change.*
- *Ensure that the strategic development requirements of Tier 1 and Tier 2 Ports, ports of regional significance, and smaller harbours are appropriately addressed in regional and local marine planning policy.'*

A total of ten planning policies (Table 2) are set out to achieve the above objectives, and they cover issues including the protection of current port activity (i.e., dredging). They also commit to supporting future opportunities for expansion of port and harbour activities.

Policy 7 of Section 18 'Ports, Harbours and Shipping' relates to specifically to maintenance dredging activities:

*'Proposals for maintenance dredging activity will be supported where:*

- *relevant decisions by competent authorities incorporate the outcome of statutory environmental assessment processes, as well as necessary compliance assessments associated with authorisations, including in relation to the planning process,*
- *there will be no significant adverse impact on marine activities or uses or the maritime area. Any potential adverse impact will be, in order of preference, avoided, minimised or mitigated,*

- *dredged waste is managed in accordance with internationally agreed hierarchy of waste management options for sea disposal,*
- *if disposing of dredged material at sea, existing registered disposal sites are used, in preference to new disposal sites, and*
- *where they contribute to the policies and objectives of this NMPF'.*

The following Section provides a review of the proposed works' compliance with the abovementioned objectives and policies.

## [3] Compliance Statement

### [3.1] Discussion

#### [3.1.1] Contribution to Local Developmental Goals

According to the Final County Development Plan 2023-2029, Balbriggan is the largest of the Self-Sustaining Towns in the area. Major infrastructural projects involving upgrades to the water supply, foul drainage and roads infrastructure have been carried out throughout the town and its environs. Fingal County Council has prepared and is implementing 'Our Balbriggan 2019–23 Rejuvenation Plan', which will transform Balbriggan Main Street and Harbour and will provide significant investment in the public realm and town centre improvements to provide a more vibrant and vital centre to the town. The implementation of this Rejuvenation Plan falls under the Objective CSO56 of the Final County Development Plan 2023-2029. Objective CSO57 also seeks to '*Preserve and improve access to the harbours, beaches and seashores of Balbriggan, Skerries and Rush, while protecting environmental resources including water, biodiversity, and landscape sensitivities.*'

The proposed works (maintenance dredging) within the Balbriggan Harbour forms part of this wider vision for the town. It will ensure safe navigational depths, which in turn will ensure the continuation of operations at the Harbour and achievement of the Objective CSO57 for Balbriggan.

#### [3.1.2] Compliance with the Overarching Marine Planning Policies

How the proposed works contribute to the NMPF's Overarching Marine Planning Policies, with regards to environment, economy and social considerations, is discussed further in Table 1.

**Table 1: Proposed Works Compliance with the Overarching Marine Planning Policies**

<i>High Level Objective &amp; Policy Grouping</i>	<i>Compliance Description</i>
<p><b>Environmental – Ocean Health</b></p> <p>At the core of the Marine Strategy Framework Directive (MSFD) is the determination, achievement and maintenance of Good Environmental Status (GES) according to 11 qualitative condition descriptors. This Overarching Marine Planning Policy is aligned to Ireland’s achievement and maintenance of this and is derived from the ecosystem approach set out by OSPAR. The policies are set out under the main headings of:</p> <ul style="list-style-type: none"> <li>• Environmental – Ocean Health</li> <li>• Biodiversity</li> <li>• Protected Marine Sites</li> <li>• Non-indigenous Species</li> <li>• Water Quality</li> <li>• Sea-flood and Water Column Integrity</li> <li>• Marine Litter</li> <li>• Underwater Noise</li> <li>• Air Quality</li> <li>• Climate Change</li> </ul>	<p>The MUL Application for the proposed works is accompanied by a NIS which considered potential effects to three European Sites and / or on the conservation objectives of their QIs/SCIs through surface water, air, and/or land pathways. The NIS has been prepared cognisant of the requirements of the Habitats Directive (92/43/EEC).</p> <p>The NIS included a series of mitigation recommendations where potentially significant adverse impacts were identified. These would ensure that the integrity of the QIs and SCI first and foremost but by association and given the nature of the measures proposed, would also contribute generally to the protection of biodiversity interests, ocean health, water quality, underwater noise and sea-floor and water column integrity.</p> <p>The NIS concludes that considering the mitigation measures proposed, and based on the best scientific knowledge available, there will be no significant adverse impacts on the integrity of the North-West Irish Sea SPA, Skerries Islands SPA, and Rockabill to Dalkey Island SAC as a result of the proposed works. Impacts are likely to be minor in scale, and temporary in duration.</p> <p>With regards to non-indigenous species, the proposed works pose no risk to the spread of these. No non-indigenous species (as listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011) were identified anywhere within the immediate vicinity of the proposed development site or immediate surrounding area.</p> <p>With regards to air quality and climate change, the nature and scale of the proposed works is such that they are unlikely to contribute significantly to air pollution, and carbon emissions.</p>
<p><b>Economic – Thriving Maritime Economy</b></p> <p>The objectives here are to promote the sustainable development of a thriving ocean economy, of vibrant, accessible and sustainable rural coastal and island communities and to help realise the potential of marine resources. The policies are set out under the main headings of:</p> <ul style="list-style-type: none"> <li>• Co-existence</li> <li>• Infrastructure</li> </ul>	<p>The proposed works (maintenance dredging) within the Balbriggan Harbour forms part of a wider vision for the town. It will ensure safe navigational depths, which in turn will ensure the continuation of operations at the Harbour. However, the works do not present any conflicts among human activities and nature, or other projects, as they only seek to provide opportunity for continued operations and use of the Harbour for its intended purpose.</p>

## Social – Engagement with the Sea

The main objectives here are to promote the development of vibrant, accessible, resilient and sustainable coastal and island communities, promote the preservation and enjoyment of marine related cultural heritage assets, strengthen maritime identity, enable sustainable utilisation of marine resources and promote integration, co-ordination and coherence between land and marine planning systems. The policies are set out under the main headings of:

- Access
- Employment
- Heritage Assets
- Rural Coastal and Island Communities
- Seascape and Landscape
- Social Benefits
- Transboundary

The wider Project of ‘Our Balbriggan 2019–23 Rejuvenation Plan looks to transform the harbour and provide connection to the Main Street and beach area, facilitating greater connection to the sea and marine activities.

The proposed works (maintenance dredging) within the Balbriggan Harbour forms part of this wider vision for the town. It will ensure safe navigational depths, which in turn will ensure the continuation of operations at the Harbour and benefit for the fishermen who use it. It may also open greater opportunity for marine activity. In turn, a contribution to employment opportunity, and wider social benefits are possible.

The wider enhancement of the harbour (indirectly facilitated by the maintenance dredging) will also celebrate and bring connection to the local heritage assets. The Harbour and its lighthouse (both built in 1761), are both recorded on the National Inventory of Architectural Heritage (NIAH).

### [3.1.3] Compliance with Section 18 Policies

With regards to compliance against the policies set out in Section 18 ‘Ports, Harbours and Shipping’ of the NMPF, the following is noted:

**Table 2: Proposed Works Compliance with the Section 18 Policies**

Policies	Response
<p><b>Ports, Harbours and Shipping Policy 1</b>  <i>To provide for shipping activity and freedom of navigation, the following factors will be taken into account when reaching decisions regarding development and use:</i>  <i>The extent to which the locational decision interferes with existing or planned routes used by shipping, access to ports and harbours and navigational safety. This includes commercial anchorages and approaches to ports as well as key littoral and offshore routes;</i>  <i>A mandatory Navigation Risk Assessment;</i>  <i>Where interference is likely: whether reasonable alternatives can be identified; and</i>  <i>Where there are no reasonable alternatives: whether mitigation through measures adopted following the principles and procedures established by the International Maritime Organisation can be achieved at no significant cost to the shipping or ports sector.</i></p>	<p>Marine activity related to the Harbour will remain operational during dredging.</p> <p>The dredging works will ensure the continued operation of the harbour and safe navigation within it.</p> <p>There are no navigational safety implications arising from the proposed work.</p> <p>The Contractor and the Harbour Master will coordinate the scheduling of the Works accordingly.</p> <p>The Contractor will abide by the Harbour Master's instructions.</p>
<p><b>Ports, Harbours and Shipping Policy 2</b>  <i>Proposals that may have a significant impact on current activity and future opportunities for expansion of port and harbour activities should demonstrate that they will, in order of preference:</i>  <i>a) avoid,</i>  <i>b) minimise, or</i>  <i>c) mitigate</i>  <i>significant adverse impacts and</i>  <i>d) if it is impossible to mitigate significant adverse impacts on current activity and future opportunities for expansion of port and harbour activities, proposals should set out the reasons for proceeding.</i></p>	<p>The proposed work will not significantly impact current activity and future opportunities to expand the Harbour activities.</p>
<p><b>Ports, Harbours and Shipping Policy 3</b>  <i>Proposals that may have a significant impact upon current activity and future opportunities for expansion of port and harbour activities must demonstrate consideration of the National Ports Policy, the National Planning Framework, and relevant provisions related to the TEN-T network.</i></p>	<p>The proposed activities will not significantly impact current and future opportunities to expand operations.</p>
<p><b>Ports, Harbours and Shipping Policy 4</b>  <i>Proposals within ports limits, beside or in the vicinity of ports, and/or that impact upon the main routes of significance to a port, must demonstrate within applications that they have:</i>  <i>been informed by consultation at a pre-application stage or earlier with the relevant port authority;</i></p>	<p>The proposed maintenance dredging is within the Harbour limits and will not impact upon the main routes to the Harbour.</p> <p>There are no navigational safety implications arising from the proposed works. Therefore, no navigational risk assessment is required.</p>

have carried out a navigational risk assessment, including an analysis of maritime traffic in the area; and  
 have consulted the Department of Transport, MSO and Commissioners of Irish Lights.  
 Applicants must continue to engage parties identified in pre-application processes as appropriate during the decision-making process.

**Ports, Harbours and Shipping Policy 5**

*Proposals for capital dredging will be supported where it is necessary to safeguard national port capacity and Ireland's international connectivity and where required compliance assessments associated with authorisations have been carried out and incorporated into subsequent competent authority decision(s).*

No capital dredging is involved with these proposed works.

**Ports, Harbours and Shipping Policy 6**

*In areas of authorised dredging activity, including those subjects to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.*

Not applicable. There are no proposals for other activities in the area of authorised dredging activity.

**Ports, Harbours and Shipping Policy 7**

*Proposals for maintenance dredging activity will be supported where:*

*Relevant decisions by competent authorities incorporate the outcome of statutory environmental assessment processes, as well as necessary compliance assessments associated with authorisations, including in relation to the planning process;*

*There will be no significant adverse impact on marine activities or uses or the maritime area.*

*Any potential adverse impact will be, in order of preference, avoided, minimised or mitigated;*

*dredged waste is managed in accordance with an internationally agreed hierarchy of waste management options for sea disposal;*

*if disposing of dredged material at sea, existing registered disposal sites are used, in preference to new disposal sites; and*

*where they contribute to the policies and objectives of this NMPF.*

In coordination with Final County Council (FCC), an Appropriate Assessment (AA) Screening was undertaken for the proposed works. It has been determined that the proposed dredging works will incur likely significant effects on three (3) nearby European Sites and / or on the conservation objectives of their Qualifying Interests (QIs)/Special Conservation Interests (SCIs) through surface water, air, and/or land pathways. The sites that were determined to be at risk of further impact and screened in for further AA include the North-West Irish Sea SPA [004236], Skerries Islands SPA [004122], and Rockabill to Dalkey Island SAC [003000].

The NIS included a series of mitigation recommendations where potentially significant adverse impacts were identified. The NIS concludes that considering the mitigation measures proposed, and based on the best scientific knowledge available, there will be no significant adverse impacts on the integrity of the concerned Natura 2000 Sites. By association and given the nature of the mitigation proposed, the measures would ensure the integrity of the QIs and SCI first and foremost but also contribute generally to the protection of biodiversity interests and ocean health.

There will be no significant impact on marine activities or uses in the maritime area from this maintenance dredging.

The dredge waste is to be dredged, dried and transported abroad to a suitably licensed land-based facility.

**Ports, Harbours and Shipping Policy 8**

*Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impact must, in order of preference,"*

- a) minimise,*
- b) mitigate, or*
- c) if it is not possible to mitigate the significant adverse impacts, proposals must set out the reasons for proceeding.*

Not applicable. This is an application for maintenance dredging. There will be no significant impacts on licensed disposal areas from these activities.

**Ports, Harbours and Shipping Policy 9**

*Proposals for the management of dredged material must demonstrate that they have been assessed against the waste hierarchy.*

Dredged waste is to be managed per the internationally agreed waste management hierarchy.

The dredge waste is to be dredged, dried and transported abroad to a suitably licensed land-based facility.

**Ports, Harbours and Shipping Policy 10**

*Proposals identifying new dredge disposal sites which are subject to best practice and guidance from previous studies should be supported where:*

*competent authority decisions incorporate necessary compliance assessments associated with authorisations and they contribute to the policies and objectives of this NMPF.*

*Proposals must include an adequate characterisation study, be assessed against the waste hierarchy and must be informed by consultation with all relevant stakeholders.*

There are no new dredge disposal sites proposed.

**[3.2] Conclusion**

It is considered that the maintenance dredging works proposed at Balbriggan Harbour are fully consistent with the objectives of the NMPF and contributes towards the policies and objectives of the framework.

## [4] References

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning.

Fingal County Council (2023). Fingal Development Plan 2023-2029.

Government of Ireland (2021) Project Ireland 2040 National Marine Planning Framework (NMPF). Department of Housing, Local Government and Heritage.