



Marine
Management
Organisation

Screening Opinion

Harbours Act 1964 (Schedule 3) & Marine Works (Environmental Impact Assessment) Regulations 2007

Title: Dover Harbour Board – Outer Wave Screen

Applicant: Dover Harbour Board

MMO Reference: HRO/2021/00006

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1. Proposal

Royal Haskoning DHV submitted a notice of intention to apply for a Harbour Revision Order (“HRO”) to the Marine Management Organisation (“MMO”) on 18 June 2021, to authorise a project on behalf of the applicant Dover Harbour Board (“DHB”). The applicant is proposing the creation of a new outer wave screen at Dover Harbour.

The applicant stated they would be applying for a HRO under Section 14 of the Harbours Act 1964.

The applicant has also acknowledged that a marine licence would be required under Part 4 of the Marine and Coastal Access Act 2009 for the project and has also thereby requested a screening opinion under the Marine Works (Environmental Impact Assessment) Regulations 2007 (“MWRs”).

Project Background

In March 2016, DHB was granted a marine licence consenting the construction of the Dover Western Docks Revival (DWDR) Scheme. An associated HRO was laid before parliament on 16 March 2012 for the same scheme.

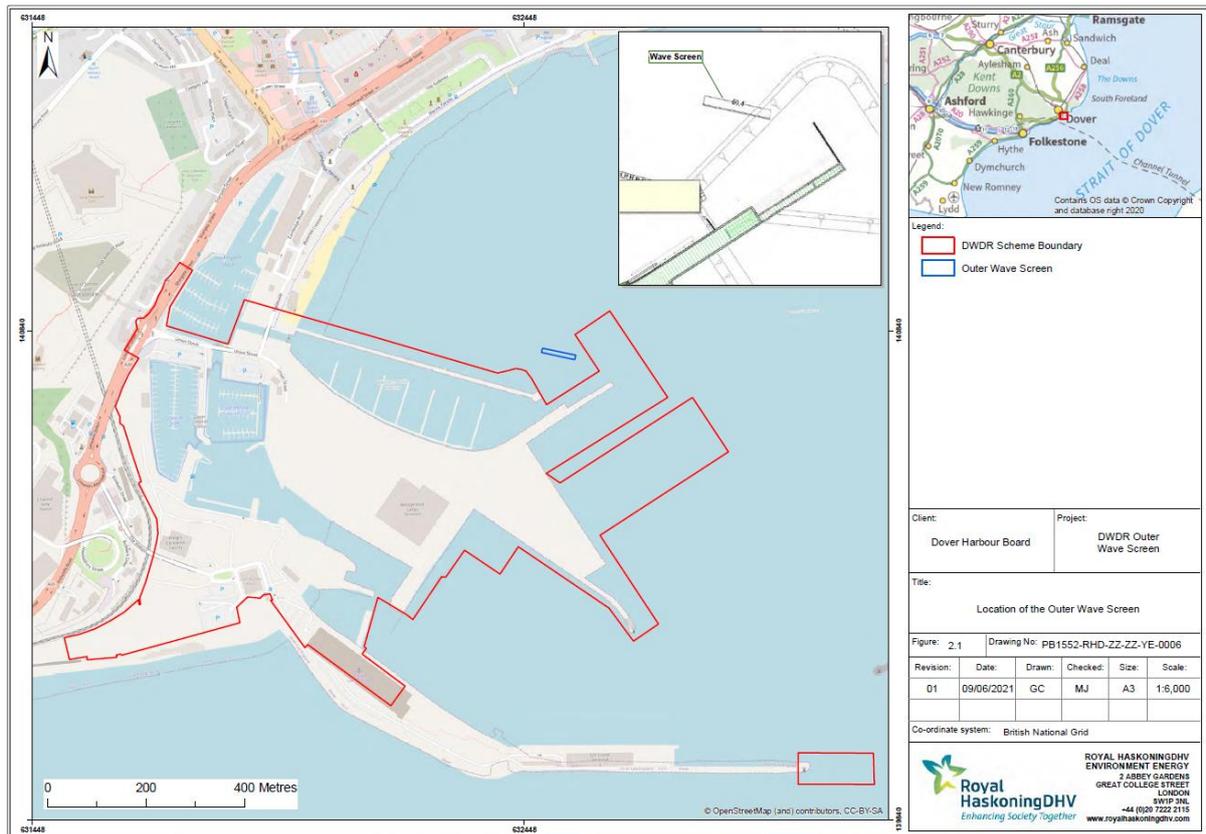
The scheme included the construction of a new marina pier and curve as well as the relocation of Dover’s cargo terminal and distribution centre. Following construction of the marina and adjacent pier, DHB identified that wave heights within the new marina under south westerly storm conditions, in combination with high water, were leading to unacceptable movement of the floating pontoons within the marina. DHB tried to rectify this problem by means of the construction of a 14.4m long inner wave screen at the entrance to the marina, in the aperture between the Marina Curve and the new Marina Pier. The inner wave screen was successfully constructed in 2020.

Following a review of the performance of the inner wave screen DHB has identified that further wave attenuation measures would be required. DHB now propose the construction of an outer wave screen. This outer wave screen is not covered by the works consented by the 2012 HRO, therefore a new HRO application has been proposed. The outer wave screen is proposed to be approximately 70m in length which is designed to protect the entrance to the marina from wave energy reflected from the north-eastern corner of the harbour at high water. The construction of the wave screen will comprise contiguous tubular steel piles and approximately 61 piles will be required, with a diameter of approximately 1.1m. Due to the location the piles will be driven from a floating or jack up barge.

2. Location

The Dover Harbour Board – Outer Wave Screen is located within Dover Harbour, Kent, displayed in Figure 1 below.

Figure 1: Map of the proposed outer wave screen (blue) placed in the context of the DWDR scheme boundary.



3. Environmental Impact Assessment (EIA)

Council Directive 2011/92/EU (as amended) on the assessment of the effects of certain public and private projects on the environment (“the EIA Directive”) aims to protect the environment and the quality of life by ensuring that projects which are likely to have significant environmental effects by virtue of their nature, size or location are subject to an EIA before permission is granted.

Schedule 3 of The Harbours Act 1964 requires the MMO to screen any HRO which would authorise, either directly or indirectly, a project which causes a physical intervention in the marine environment.

The MMO considers the proposed works to be an Annex II project under the EIA Directive 2011/92/EU, specifically:

10 (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works; and

10 (e) 'Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I).

The MMO also considers the proposed works to fall under the following paragraphs of Schedule A2 of the MWRs:

63. Construction of harbours and port installations including fishing harbours (unless included in Schedule A1).

69. Coastal work to combat erosion and maritime works capable of altering the coast through the construction of, for example, dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.

The MMO must determine that an EIA is required in relation to the proposed works, if it is concluded that the project in question is likely because of its size, nature or location, to have significant effects on the environment; an assessment of the potential impacts is set out below:

EIA Screening Opinion

Potential adverse effects were identified in a number of different areas. The first potential adverse impact would be to navigation, including increased risk of collision and subsequent leakage of chemicals or fuels, however as the applicant is the local navigation authority it is within their power to manage and restrict vessel access to the works area, minimising this risk. It is also proposed that bunding and/or storage facilities for wastes, fuels, oils and chemicals will be used, as well as only using coatings and treatments which are suitable for the marine environment, further reducing the risk of pollution to the marine environment from other sources.

It was also identified that the project would produce noise impacts through percussive piling works which have the potential to act cumulatively with piling work within the DWDR scheme. It has been identified that the Port Vessel Berth piling works within the DWDR scheme are in close proximity to the proposed outer wave screen works.

However the applicant has stated that the works would not be carried out simultaneously, thereby negating any significant in combination or cumulative impacts due to noise.

Some of the proposed works for the project may occur at the same time as some other aspects of the DWDR scheme which are further away from the project. This noise pressure could act upon migratory fish species during migration to the River Dour and to people staying in nearby hotels or residential buildings.

To mitigate impacts caused by underwater noise it is proposed to use vibro-piling in the first instance, only switching to percussive piling where it is required to meet the necessary depth. Above water noise impacts will be mitigated by limiting piling time to 0800 to 1800 Monday to Friday and 0800 to 1230 on Saturday, thereby mitigating the noise pollution affecting local residents in Dover and surrounding area. The

proposed works will also take place within a major working port, therefore mobile receptors will be habituated to a certain level of background noise.

These measures, combined with the fact that piling works are only due to take place for only four weeks in a major working port, sufficiently mitigates risks.

Potential impacts to the historic environment have also been identified. During the DWDR scheme archaeological surveying of the area was undertaken which identified a number of unidentified anomalies near to the footprint of the works, however none were identified within the footprint. It is proposed that the project would be carried out in accordance with the agreed written scheme of investigation used during the DWDR scheme. It is considered that this is appropriate to mitigate against potential heritage impacts.

No other potential significant adverse impacts were identified.

It is therefore the opinion of the MMO that the proposed works as described is **screened out** of requiring an EIA under the Harbours Act 1964 or the MWRs.

As the applicant has acknowledged, the proposed works as described will also require a marine licence under Part 4 of the Marine and Coastal Access Act 2009. Any application for marine licence must be submitted at the same time as any application for a Harbour Revision Order under the Harbours Act 1964.

Daniel Jose
Marine Case Officer

A handwritten signature in cursive script that reads "Daniel Jose".

12 October 2021