

T: +44 (0)300 244 5046
E: ms.marinelicensing@gov.scot

Aideen McFerran
RPS Consulting UK & Ireland
Elmwood House
74 Boucher Road
Belfast
Co. Antrim BT12 6RZ

Date: 5 August 2022

Dear Ms McFerran,

SCREENING OPINION UNDER THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED)

Thank you for your screening opinion request dated 20 May 2022 in regards to the proposed replacement of the existing seawall at the northern seaward section of Largs Bay from the RNLi slipway to Aubrey Crescent (“the Proposed Works”) by North Ayrshire Council (“the Applicant”).

The Scottish Ministers consider the Proposed Works to fall under paragraph 10(m) of schedule 2 of The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (as amended) (“the 2017 MW Regulations”), with the Proposed Works meeting the corresponding threshold described in column 2 of schedule 2. Consequently, the Scottish Ministers are obliged to adopt a screening opinion as to whether the Proposed Works are, or are not, an Environmental Impact Assessment (“EIA”) project under the 2017 MW Regulations.

Under regulation 10(5) of the 2017 MW Regulations, the Scottish Ministers have consulted with NatureScot (operating name of Scottish Natural Heritage), the Scottish Environment Protection Agency (“SEPA”), North Ayrshire Council and Historic Environment Scotland (“HES”) as to their view on whether the Proposed Works are an EIA project. Copies of the consultation responses received are attached for your review (Appendix I).

When making a determination as to whether schedule 2 works are an EIA project, the Scottish Ministers must take into account such of the selection criteria set out in schedule 3 of the 2017 MW Regulations as are relevant to the Proposed Works. In this regard, the Scottish Ministers have considered the following:

Characteristics of the works

The Proposed Works will extend 300m along the existing seawall with the replacement structure extending to a footprint of 0.24ha (2,400 sqm) and a height equal to the existing seawall, varying from approx. 1.0m to 4.0m. The extent of the Proposed Works to be undertaken below Mean High Water Springs ('MHWS') is c.0.227ha. This will involve the removal of existing steps and installation of new steps along the seawall structure; the installation of precast concrete caisson units to be infilled with granular material as a means to facilitate subsequent installation of new concrete seawall units; the use of granular backfill material between the existing seawall and the new replacement structure with suitable drainage installed and concrete or asphalt material used to surface the said backfill; and the reinstatement or installation of a new handrail along the promenade. The total length of time to complete the Proposed Works is estimated to be between 4-6 months depending on tidal restrictions.

A rock breaker will initially be mounted on a small excavator working from the beach side to partially remove the existing concrete steps and handrail. At the same time, to prevent undermining during excavation activities, sheet piles will be installed along the front of the existing seawall using a vibratory hammer. In the event the vibratory piling method is unsuitable due to the ground conditions at the deeper sediment level, impact piling will be used as an alternative method. Next, beach material will be excavated to facilitate the placement of the concrete caisson units. A foundation for the replacement seawall structure will be excavated to low water level and a lean mix concrete added. The precast concrete caisson units will then be installed on top of this material by a crane or telehandler and the new concrete seawall units will be placed on top. An excavator working from the promenade side will place and compact backfill between the existing seawall and the replacement seawall structure and scour protection of suitably sized and graded rock will be layered to the front of the replacement seawall structure. All excavation activities and scour protection installation will be undertaken by an excavator working from the beach side.

Location of the works

The Proposed Works are located along the intertidal zone at the northern seaward section of Largs Bay between Aubrey Crescent and the RNLI slipway. The Proposed Works are within proximity of a number of designated sites, including the Largs Coast, Southannan Sands, Ballochmartin, Kames Bay and Renfrewshire Heights Site of Special Scientific Interests ("SSSI") and the Renfrewshire Heights and Inner Clyde Special Protection Area ("SPA"). The Proposed Works do not form part of a designated nature conservation area in the Local Development Plan for North Ayrshire or Scotland's National Marine Plan.

The screening opinion request submitted by the Applicant does not consider there to be any significant impacts on ornithology based on monthly intertidal and nearshore bird surveys conducted during April – September 2021. The screening opinion request notes that significant impacts on hen harrier, which is a qualifying species of the Renfrewshire Heights SPA located 5km from the Proposed Works, is likely to be minimal given the location of the Proposed Works does not form a suitable habitat for such species. The Redshank, as a qualifying feature of the Inner Clyde SPA, is also unlikely to be significantly impacted by the Proposed Works given its distance from the site. Potential impacts of the Proposed Works on Protected Marine Features resulting from habitat loss of the upper shoreline have been identified within the screening opinion request. The results indicate no presence of any Priority Marine Features likely to be significantly impacted by the Proposed Works and that the risk of spreading invasive non-native species is low.

NatureScot have noted that the Proposed Works will not impact any designated site and therefore they have not raised any concerns in this regard. Similarly, HES considered that the Proposed Works will not have any significant impact on historic environment interests and therefore in their view an EIA is not required.

Characteristics of the potential impact

The new seawall replacement structure will have similar construction, level and wave reflective properties to the existing seawall, therefore the significance of the impact on any coastal or hydrodynamic processes is unlikely. The Proposed Works will be undertaken during low tide when there is no water within the intertidal zone, therefore minimising the potential impacts of pollution on the water environment and reducing the significance of any noise generated by the piling and demolition phases of the Proposed Works, which may impact the marine environment.

North Ayrshire Council were of the view that the scale, location and character of the Proposed Works is unlikely to result in any significant environmental impact. SEPA have also confirmed that with respect to interests relevant to its remit the Proposed Works do not require an EIA.

Conclusion

In view of the findings above, the Scottish Ministers are of the opinion that the Proposed Works **are not** an EIA project under the 2017 MW Regulations and, therefore, an EIA **is not** required to be carried out in respect of the Proposed Works.

If you increase, alter or extend the Proposed Works, you are advised to contact Marine Scotland - Licensing Operations Team again to confirm if the screening opinion is still valid.

A copy of the screening opinion has been forwarded to North Ayrshire Council. The screening opinion has also been made publicly available through the [Marine Scotland Information](#) website.

If you require any further assistance or advice on this matter, please do not hesitate to contact me.

Yours sincerely

Amy Alexander
Marine Scotland - Licensing Operations Team