

Access and Sensitive Features Appraisal : England Coast Path on Walney Island

Programme	<i>Coastal Access</i>
Proposal title	<i>Walney Island (Cumbria)</i>
Aim and location	This appraisal presents Natural England's assessment of the proposals to establish the England Coast Path on Walney Island as necessary under the relevant legislation including: • Assessment of impacts on SSSIs and the requirement to fulfil Natural England's duties under S28G of the 1981 Wildlife and Countryside Act 1981 (as amended) to take reasonable steps, consistent with the proper exercise of our functions, to further the conservation and enhancement of the SSSI; • Assessment of impacts on European designated sites (SPA, SAC, RAMSAR) under the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations"); • Species protected under the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010. This appraisal should be read in conjunction with Natural England's Report to the Secretary of State for Walney Island, which sets out for approval by the Secretary of State our proposals for the England Coast Path and associated Coastal Margin on this stretch of coast.
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1.1.1 This Access and Sensitive Features Appraisal is published alongside Natural England's Report to the Secretary of State, which sets out for approval by the Secretary of State our proposals for the England Coast Path and associated Coastal Margin on this stretch of coast.

1.1.2 Natural England's Report to the Secretary of State is published on our web pages as a series of three separate documents, the Overview Report, Chapter 1 and Chapter 2.

1.1.3 Overview Report

The Overview Report explains the overall context for the report and includes background information which is helpful in understanding our proposals. It also provides key information concerning specific aspects of our proposals, including roll-back and access restrictions or exclusions.

A further series of maps is included in the Overview, detailing the location and extent of various restrictions and exclusions that have been proposed, often in connection with the conclusions of this appraisal.

1.1.4 Proposals

Chapters 1 to 2 are called the proposals. These set out and explain the access provisions we propose for each length of coast to which they relate.

Each chapter is accompanied by detailed maps of the relevant length of coast. The maps are numbered according to the part of the chapter to which they relate. For example, maps 1a to 1e illustrate the proposals in chapter 1.

Where this document refers to trail sections (e.g. WNI-2-S030), please refer to the maps in the chapters of Natural England's Report to the Secretary of State for the locations of these trail sections.

1.1.5 Map showing area subject to Coastal Access Proposals for Walney Island



1.2 Proposed new access provisions

- 1.2.1 Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. The duty is in two parts: one relating to securing a long-distance walking route around the whole coast: the England Coast Path; the other relating to a margin of coastal land (the coastal margin) associated with the route where people will be able to spread out and explore, rest or picnic in appropriate places.

The following access proposals have been devised to ensure no unacceptable impacts on the integrity of the nature conservation interests across Walney Island.

- 1.2.2 The coastal access project team (“the project team”) has drawn up Natural England’s proposals, including the new access provisions summarised below and described in detail in Chapters 1 and 2 of the Coastal Access Report to the Secretary of State. The proposals have 7 components of which the first 4 are subject to Secretary of State approval:

- A long-distance walking route to form part of the England Coast Path;
- A coastal margin;
- Direction(s) to exclude or restrict access;
- A winter route diversion at North Scale and Biggar;
- Physical barriers to discourage access to land adjoining the route / coastal margin in certain places
- Other access infrastructure
- Public information boards and / or notices.

1.2.3 Route proposal (England Coast Path)

Natural England proposes that the centre of the line shown on the maps in Chapters 1 and 2 should be the England Coast Path for this length of coast.

The majority of the route is on public rights of way, areas with existing *de facto* access or public roads. The main exception is a new section of path around the east of Walney airfield (trail sections WNI-1-S010 to WNI-1-S013, map 1b, Chapter 1).

The proposed route, if approved, will be able to roll back to a new alignment in response to coastal erosion and other geomorphological processes.

If this is necessary, a new route would be identified by a Natural England access officer after detailed discussions with the relevant experts and with any potentially affected owners or occupiers.

This appraisal does not assess the potential impacts on the designated sites of such future rollback route options. Where there are risks of impacts on the sites, Natural England would assess them according to the circumstances at the time and subject them to the same tests under the Habitats Regulations etc. as the initial proposals.

Secretary of State approval is not required for changes made using roll-back powers, providing that such powers have previously been approved in the affected area. Much of the coast around Walney Island is low-lying and subject to ongoing natural change; for this reason, we have proposed roll-back provision over significant parts of the stretch. Refer to the section details table in each of the two chapters for more information.

Any other future changes to the route would require approval from the Secretary of State – see part 8 of the Overview Report.

All future changes, including the implementation of any approved roll-back measures, would require the review of this Access and Sensitive Features Appraisal, including consideration of any changes in the interim and any new evidence available.

The proposed alignment for the route has been carefully planned, to take into account the potential impact on interest features of the designated sites. In various locations around the coast the proposed trail

alignment is slightly further inland than might otherwise have been the case, if no nature conservation sensitivities had been identified. In most instances, this simple measure is calculated to prevent any impacts, without any additional requirement for restrictions on access. These areas are described in paragraphs 1.2.11 to 1.2.18 below.

1.2.4 Coastal Margin

Under the legislation the following land would become part of the coastal margin by default as a consequence of the route proposal:

- Land within 2 metres of the route to either side; and
- All other land seaward of the route as far as the furthest extremity of the foreshore (mean low water on the seaward side).

In places the project team proposes that a suitable physical feature should form the landward boundary of the coastal margin instead of the default boundary 2m landward of the route. This is in order to provide clarity where practicable about the extent of access rights. Typically the boundary in such cases would be a fence, wall, hedge or ditch adjacent to the route.

In a few locations along this part of the coast, additional land on the landward side of the trail would also form part of the margin, either by default (as it is of a recognised coastal land type) or because specific proposals have been made to add it to the coastal margin (with the consent of the owner). Such effects are often not visible on the maps appended to the report chapters, due to the scale of the maps, but are detailed in the relevant chapter of the report.

Unless the project team proposes access restrictions or exclusions (see 3 below), the coastal margin described above would be subject to public rights of access on foot, other than any parts of it that fall into categories of excepted land defined by the legislation. These would include:

- Any land covered by buildings or the curtilage of buildings;
- Any land used as a park or garden; and
- Arable land so long as it is cultivated or otherwise disturbed at least every 12 months.

The coastal margin also includes areas of land mapped as open country under the Countryside and Rights of Way Act 2000 (CROW) or is registered common land, both of which have open access rights. On commencement of coastal access rights, any existing CROW access rights relating to land in the coastal margin will be replaced by coastal access rights. This will include the removal of the national CROW restriction to keep dogs on leads between March 1st and July 31st.

1.2.5 Directions to exclude / restrict access

If Natural England identifies areas that require some form of intervention, we can propose that public access rights to parts of the coastal margin are excluded by direction:

- Under s24 of CROW, for the purposes of management of the land in question;
- Under s25A of CROW, for the purposes of avoiding danger to the public; and
- Under s26 of CROW, for the purpose of conserving nature conservation (or heritage) interests of the land in question.

Local restrictions and exclusions, under s26, are made when we consider necessary, based on the best available evidence, to protect sensitive features. If new evidence emerges concerning the distribution of birds on the sites and/or their sensitivity to public access on foot we can review the situation and add or revoke local restrictions as necessary to ensure continued protection.

Review is a statutory requirement for all directions that would exclude access annually for any period of more than five years and in this case would entail a Habitat Regulations Assessment.

In conjunction with the access restrictions relating to those with dogs, Natural England intends to work with local authorities and the 'Islands and Bays of Barrow and Furness' Coastal Team to identify any parts of Walney's west coast that might be suitable as a dog-exercise zone. This measure is specifically

designed to improve adherence to access restrictions in other areas, by those with dogs (by providing a nearby, readily accessible alternative), and follows best practice developed nationally.

The directions to exclude or restrict access in order to protect the interest features of the designated sites are summarised in paragraphs 1.2.11 to 1.2.18 below. Full details of the proposed directions to exclude and restrict access are also provided in both the Overview report (including maps) and chapters 1 and 2.

1.2.6 Winter route diversions

Two winter route diversions are proposed, as described in paragraphs 1.2.11 and 1.2.16 below, to reduce disturbance to roosting and foraging waders and wildfowl.

1.2.7 Physical barriers to access

Where the risk of disturbance to features of interest or to the integrity of the site as a whole is seen as significant, the project team propose to erect new fences and screens designed to discourage people from leaving the proposed route and entering land from which new access rights have been excluded. See paragraph 1.2.12 below.

1.2.8 Infrastructure

There will be new access infrastructure to facilitate public access along the route over this entire stretch of the England Coast Path, as indicated on the maps in Chapters 1 and 2.

The initial purchase and installation costs for signs and infrastructure required will usually be met by Natural England as part of the establishment works to prepare the route for use. The local authority will maintain this infrastructure in line with standards that apply to all National Trails, with ongoing funding from Natural England.

Final determination of infrastructure design and installation will be carried out at the time of establishment and will be subject to a separate appraisal of the potential impacts on nature conservation interests of the sites and on European Protected Species once final details are known. However, at this stage a set of provisional designs and an outline installation methodology have been identified to allow as complete an appraisal as possible of the anticipated infrastructure component of the England Coast Path proposal. This provides a baseline and acts a reference document against which the significance of variations from the plan can be considered. Installation of all infrastructure items associated with establishment of the approved coastal access proposals will be governed by method statements and by the standard assent process. Method statements will cover the following, as a minimum:

- Timing of works to avoid seasonal sensitivities;
- Reasonable avoidance measures, or licensing requirements, for European Protected Species
- Means of access, minimising vehicular access and including use of low ground-pressure vehicles on soft terrain;
- Storage of plant and materials;
- Pollution prevention and control;
- Biosecurity.

1.2.9 Public information

People are more likely to support and observe the new access arrangements if they are clearly explained and justified. To this end the project team proposes that there should be information boards in places along the route where people join the trail and/or arrive at key locations, to make them aware of the extent of their rights, the nature conservation interests and how to further the conservation effort. Where existing information boards are satisfactory for this purpose they would be retained. Where they are not, new ones would be provided as part of the England Coast Path establishment works.

The exact location and content of the signs and information boards would be determined in consultation with staff within Natural England, Cumbria County Council, land managers and other local interests.

The initial purchase and installation costs for signs and information boards would be met by Natural

England's coastal access project team as part of the establishment works to prepare the route for use. The local authority would then maintain them in line with standards that apply to all National Trails, with ongoing funding from Natural England.

1.2.10 Localised summary of proposals

Below are summarised our access proposals, including mitigation measures where required.

Refer to Sections 2 & 3 below, for explanation of reasons behind mitigation proposals.

The geographic features and areas described below are shown on the map 1.2.21 on page 12 and on the maps appended to Natural England's published coastal access proposals, as indicated in each part.

1.2.11 Jubilee Bridge to Lenny Hill

(i) Jubilee Bridge to North Scale

Trail sections WNI-1-S001 to WNI-1-S007 (Map 1a, Chapter 1).

The route follows existing promenade, roadside pavement and minor roads as far as North Scale. Beyond this point, as far as the northern side of North Scale, it follows existing walked routes and public rights of way on, or just above, the foreshore. We have considered any sensitivities in this area, alongside the current and predicted access levels, and have concluded that no additional mitigation measures are required.

(ii) North Scale to Lenny Hill

Trail section WNI-1-S008 (Map 1b, Chapter 1).

The route between North Scale and Lenny Hill has been aligned along the top of the foreshore, just outside the boundary of the National Nature Reserve (NNR). The option of a more landward route was considered, but not taken forward (see table 1.2.2 in the main report chapter). We considered the option of aligning the route through fields above the foreshore. However, having taken into account factors including the existing use of the foreshore, the management of the fields in question and the requirement to strike a fair balance in our proposals, we have proposed the foreshore route. In doing so, we have considered any sensitivities in this area, and the likelihood that use of the foreshore will increase slightly. Taking into account local sensitivities and the management objectives for this area, we believe that it will be necessary to exclude access to part of the ordinary route as described below:

- A long-term access exclusion to trail section WNI-1-S008 and the adjoining coastal margin, as indicated by map H of the Overview. This exclusion is proposed under s26(3)(a) of CROW, to reduce the risk of disturbance to assemblages of waders and wildfowl foraging on this shore and will be in effect between September 1st and March 31st each year (the months when records show that assemblages of waders and wildfowl are present in significant numbers). When this exclusion is in operation, an alternative route at the centre of the line shown as route sections WNI-1-A001 to WNI-1-A007 on maps 1a and 1b will be in operation. Appropriate signage and on-site interpretation will advise and direct people along the alternative route.

We have also acknowledged that this route will be affected by high tides and have included the provision of a more landward optional alternative route, as described above. This, in itself, is one of the factors that mitigates against any potential impacts, since some walkers will opt to use the optional alternative route (public highway and public right of way) at times other than around high tides. Roll-back has been proposed in connection with this part of the main route; if the foreshore route becomes less viable in the future, as a result of coastal change, we will discuss other options with the affected landowners.

1.2.12 Lenny Hill to Walney Airfield and North Walney NNR)

Trail sections WNI-1-S009 to WNI-1-S020 (Maps 1b and 1c, Chapter 1).

The route of the England Coast Path, east of Walney Airfield, comes inland slightly and follows the airfield perimeter fence. This is to avoid disturbing roosting and foraging waders and wildfowl on North End Marsh. From part way along the airfield north-eastern perimeter, the route largely stays within the NNR as far as the NNR boundary on the western side of the airfield.

New screening will be installed between the trail itself and the marsh. This is intended to have two effects: reduction of any visual impact (birds seeing walkers and being put to flight) and reduction of likelihood that dogs will leave the area of the path and run widely over the saltmarsh. The screening will be required in just a few key locations, where the otherwise continuous band of thick and thorny scrub is incomplete. To assist visitor management in this area it is proposed that these screens will also provide viewing areas onto the marsh. The approximate locations are shown on map 1b. See appendix 2 for full details of our proposals and mitigation in this area.

In order to prevent disturbance to vegetated shingle and sand dune habitats (interest features of the Morecambe Bay SAC), and to prevent disturbance to roosting and breeding birds, the route of the England Coast Path does not go to the north end of the North Walney NNR. Instead it follows a loop using existing well walked paths.

The route of the England Coast Path, west of the airfield, comes slightly inland to avoid areas of vegetated shingle (features of the Morecambe Bay SAC).

Taking into account local sensitivities and the management objectives for this area, we believe that it will be necessary to restrict access to part of the ordinary route as described below:

- A long-term access restriction requiring dogs to be kept on leads on, and in the seaward and landward margin adjacent to, trail sections WNI-1-S010 to WNI-1-S020 (and on the northern part of trail section WNI-1-S021, covered by the paragraph below), as indicated by map H of the Overview. This exclusion is proposed under s26(3)(a) of CROW in order to avoid disturbance to birds and will be in effect all year round. See appendix 2 for full details of our proposals and mitigation in this area.

Natural England acknowledges that some areas of saltmarsh and mudflat is not suitable for public access and believe that it will be necessary to exclude access to part of the margin as described below:

- A long-term access exclusion on areas of saltmarsh and mudflat to the east of North Walney NNR, as indicated by map F of the Overview. This exclusion is proposed under s25A of CROW and will be in effect all year round. This exclusion will not affect the route itself.

1.2.13 North Walney NNR to Rape Haw (South End)

(i) North Walney NNR to Earnse Point

Trail sections WNI-1-S020 to WNI-1-S025 (Maps 1c and 1d, Chapter 1).

The route follows existing surfaced and well-used paths between the NNR boundary on the western side of the airfield and the car park at Earnse Point. We have considered any sensitivities in this area, alongside the current and predicted access levels, and have concluded that no additional mitigation measures are required.

(ii) Earnse Point to Hare Hill

Trail sections WNI-1-S026 to WNI-1-S034 (Maps 1d and 1e, Chapter 1).

Trail sections WNI-2-S001 to WNI-2-S023 (Maps 2a, 2b, 2c and 2d, Chapter 2).

There are several important bird roosts along this part of Walney West Shore. The route in this area is aligned on existing surfaced and well-used routes at first, then at the seaward edge of the fields, only dropping to the top of the foreshore, for a distance of approximately 150m where necessary. This area of coast is eroding quickly in places so, where possible, the path will be aligned several metres away from the coast / cliff edge. This will put additional distance between walkers and high tide bird roosts. The project team consider that pedestrian access on the line of the trail will increase slightly following the introduction of coastal access rights. This increase in use is likely to occur nearer to the southern end of the island, which currently has lower levels of access. We expect to see a negligible increase in use of the coastal margin. It is possible that providing an easily walkable route along the coast might lead to less use of the shore at higher states of the tide as it will be easier to walk on the coast path than along the shore. There is not expected to be anything other than a negligible change overall to the current levels of access (whether de jure or de facto) as a consequence of these proposals and for that reason we have not proposed any restrictions, exclusions or other mitigation in this area.

(iii) Hare Hill to Rape Haw

Trail sections WNI-1-S023 to WNI-2-S025 (Map 2d, Chapter 2).

The trail largely follows existing walked routes (de facto access) and a private road with permissive access. The project team expects a small increase in levels of access on the trail and parts of the margin here.

Taking into account local sensitivities and the management objectives for this area, we believe that it will be necessary to exclude access to the margin and restrict access (requiring dogs to be kept on leads) on the trail, as described below:

- A long-term access exclusion to land north of South Walney Nature Reserve, adjacent to parts of trail sections WNI-2-S023 to WNI-2-S025 as indicated by map I(i) of the Overview. This exclusion is proposed under s26(3)(a) of CROW, to avoid disturbance to birds and will be in effect all year round.
- A long-term access restriction requiring dogs to be kept on a lead on parts of trail sections WNI-2-S023 to WNI-2-S025, as indicated by map I(i) of the Overview. This restriction is proposed under s26(3)(a) of CROW to avoid disturbance to birds and will be in effect all year round.

1.2.14 South Walney Nature Reserve

The proposed route for the England Coast Path crosses the island north of the South Walney Nature Reserve, between Hare Hill and Rape Haw. We concluded that we could not strike the required fair balance between the interests of the reserve occupiers (Cumbria Wildlife Trust) and the public by proposing that the route should enter the reserve. Our proposals have the effect that all land to the south of the trail, including the entire reserve, will fall within the coastal margin. In the case of South Walney Nature Reserve, the project team concluded that new coastal access provisions would need to be excluded for the long-term from all land within the reserve boundary. This is on the grounds of land management, so as to protect the ability of Cumbria Wildlife Trust to manage the reserve, the arrangements for which include charging for entry. Even in the absence of a s24 land management direction, it would be considered essential to exclude those with dogs from the reserve, so as to protect the special sensitive features of the site (and in line with current management arrangements). If, in the future, the situation changes, for example, if the Wildlife Trust stop charging for entry, we would need to review the grounds for excluding public access. In this instance, it will be necessary to fully consider the need for a direction under s26 of CROW, in order to continue the protection of sensitive features. (See Chapter 2 of the proposals, and accompanying maps).

Taking into account the above considerations, we have proposed to exclude new access rights completely from the reserve, as follows:

- A long-term access exclusion across South Walney Nature Reserve, as indicated by map E of the Overview. This exclusion is proposed under s24 of CROW, to enable existing management and charging arrangements to continue and will be in effect all year round.

1.2.15 Rape Haw to Creephaw Marsh

Trail sections WNI-2-S026 to WNI-1-S029 (Maps 2d and 2e, Chapter 2).

The main route initially follows a track at the top of the foreshore, as far as Scar End Point. Here it re-joins the minor road, which it then follows as far as the northern edge of Creephaw Marsh.

Taking into account local sensitivities and the management objectives for this area, we believe that it will be necessary to restrict access to the margin and on the trail as described below:

- A long-term access restriction requiring dogs to be kept on a lead on trail sections WNI-2-S026 & WNI-2-S027 (in addition to trail sections WNI-2-S023 to WNI-2-S025, as detailed further above) and over those parts of the coastal margin from the South Walney Nature Reserve boundary to Creephaw Marsh, adjacent to trail sections WNI-2-S026 to WNI-2-S029, which are not covered by the proposed s25A exclusion mentioned below, as indicated by map I(i) of the Overview. These restrictions are proposed under s26(3)(a) of CROW to avoid disturbance to birds and will be in effect all year round.

Natural England acknowledges that some areas of saltmarsh and mudflat are not suitable for public

access and believe that it will be necessary to exclude access to part of the margin as described below:

- A long-term access exclusion to some areas of intertidal flats and saltmarsh adjacent to trail on this length of coast, as indicated on map G in the Overview. This exclusion is proposed under s25A of CROW and will be in effect all year round. This exclusion will not affect the route itself.

1.2.16 Creephaw Marsh to Biggar

Trail sections WNI-2-S030 to WNI-1-S036 (Maps 2e and 2f, Chapter 2).

The main route follows existing paths, more obvious in the south of this area, over an often narrow strip of common land between the saltmarsh and adjacent fields. There are significant concerns in this area, and it seems likely that access levels would see a medium increase without any additional measures being put in place. Taking into account local sensitivities and the management objectives for this area we believe that it will be necessary to restrict access to the margin and on the trail at Biggar Sands as described below:

- A seasonal access restriction between April 1st and August 31st annually requiring dogs to be kept on a lead on trail sections WNI-2-S030 to WNI-2-S035 and the associated coastal margin from Creephaw Marsh to just north of Biggar village, as indicated on map I(i) in the Overview. These restrictions are proposed under s26(3)(a) of CROW, to avoid disturbance to ground nesting birds.
- A seasonal access exclusion to part of the ordinary route during the winter to reduce the risk of disturbance to assemblages of waders and wildfowl foraging on this shore. This exclusion would operate between September 1st and March 31st each year (the months when records show that assemblages of waders and wildfowl are present in significant numbers). When this exclusion is in operation, an alternative route at the centre of the line shown as route section WNI-2-A002 on map 2e (Chapter 2) will be in operation.

Natural England acknowledges that some areas of saltmarsh and mudflat is not suitable for public access and believe that it will be necessary to exclude access to part of the margin as described below:

- A long-term access exclusion to some areas of intertidal flats and saltmarsh adjacent to trail on this length of coast, as indicated on map G in the Overview. This exclusion is proposed under s25A of CROW and will be in effect all year round. This exclusion will not affect the route itself.

1.2.17 Biggar to Jubilee Bridge

(i) Biggar to Tummer Hill

Trail sections WNI-2-S037 to WNI-1-S040 (Maps 2f and 2g, Chapter 2).

Taking into account local sensitivities and the management objectives for this area, we believe that it will be necessary to restrict access to the margin and on the trail as described below:

- A long-term access restriction requiring dogs to be kept on a lead on parts of the coastal margin from just north of Biggar village to Tummer Hill, which are not covered by the proposed s25A exclusion mentioned below, as indicated on map I(ii) in the Overview. These restrictions are proposed under s26(3)(a) of CROW to avoid disturbance to birds and will be in effect all year round.

Natural England acknowledges that some areas of saltmarsh and mudflat are not suitable for public access and believes that it will be necessary to exclude access to part of the margin as described below:

- A long-term access exclusion to some areas of intertidal flats and saltmarsh adjacent to trail on this length of coast, as indicated on map G in the Overview. This exclusion is proposed under s25A of CROW and will be in effect all year round. This exclusion will not affect the route itself.

(ii) Tummer Hill to Jubilee Bridge

Trail sections WNI-2-S041 & WNI-1-S042 (Map 2g, Chapter 2).

The route follows existing promenade, roadside pavement and minor roads as far as Jubilee Bridge. We have considered any sensitivities in this area, alongside the current and predicted access levels, and have concluded that no additional mitigation measures are required.

1.2.18 Piel and Sheep Islands (Map G, Overview Report)

Piel and Sheep Islands fall within the coastal margin. However, there will be no new access rights to the saltmarsh and intertidal flat between Walney, Piel and Sheep Islands.

Existing dog controls on Piel Island (made under the Clean Neighbourhoods and Environment Act 2005) require that people in control of a dog must put and keep the dog on a lead when told to by an authorised officer. These measures will remain in place once coastal access rights come into force. In the event that Barrow Borough Council might decide to relax or remove these measures, we will consider a similar restriction relating to new coastal access rights, in order to prevent disturbance to breeding and roosting birds. We have considered any sensitivities around Sheep Island, alongside the current and predicted access levels, and have concluded that no additional mitigation measures are required.

1.2.19 Reviewing Restrictions and Exclusions

The land described above that is subject to restrictions and exclusions under s24 (land management) or s25A (unsuitable for public access) in most cases would also require restrictions to protect the interest features of the designated sites. We do not need to propose s26(3)(a) restrictions or exclusions if the land is already subject to s24 or s25A exclusions, as the measures required to protect the interest features are already in place.

If, in the future, any of the s24 or s25A exclusions are deemed to be unnecessary and removed or relaxed, Natural England would undertake a further assessment to ascertain whether s26(3)(a) exclusions are required in those areas to protect the interest features.

1.2.20 Reviewing and altering our proposals in future

To the best of our knowledge, the measures described in this document comprise all those that are necessary to ensure protection of sensitive features in light of the access proposal. Where there are unforeseen changes, the access arrangements described in these proposals can be revised as necessary following due procedures, including assessing possible impacts on sensitive features.

1.2.21 Map showing proposed route of the England Coast Path with areas referred to in paragraphs 1.2.10 to 1.2.18 labelled for reference



Section 2: CURRENT AND PREDICTED CHANGE IN PUBLIC USE OF AREA

Note that the predictions of change in use following the introduction of new rights, as detailed in the third column below, are initially defined prior to the consideration of any access restrictions, exclusions or other management measures. Where we have subsequently identified some form of mitigation, we go on to explain the expected effect - i.e. the predicted change in levels of use based on our overall proposals.

Path Section	How do visitors already use the site (or sites?)	How is the new access proposal likely to affect use of this site (or sites) by the public?
Jubilee Bridge to Lenny Hill	Heading north from the Jubilee Bridge there is a promenade along the coast. The promenade is well used by pedestrians; it leads to a section of public right of way (PROW) on the shore next to North Scale which is regularly used. After this there is an unofficial path along the top of the shore, linking with the public footpath at the northern side of Lenny Hill. The proposed route is just outside the boundary of the National Nature Reserve (NNR) in this area. Some parts of this route are difficult to walk around high tide or during wet weather, as the shore is muddy and there are areas of saltmarsh and creeks to cross. There is anecdotal evidence of this route being used regularly, although overall levels of use are not thought to be high.	Small increase in levels of use (trail & margin) The promenade is well-used and the project team expect a negligible increase in levels of access on this part of the coast. There may be a small increase on the foreshore between North Scale and the Lenny Hill public footpath. We also expect a small increase in use on the optional alternative route, which consists of existing pavements and a public footpath. The provision of an optional alternative (high tide) route, as outlined in Section 1, will tend to minimise any change in the levels of access on the main route around high tide.
Lenny Hill to Walney Airfield and North Walney National Nature Reserve (NNR)	The majority of land within the NNR, above mean high water, already benefits from open access rights under CROW. The reserve has lots of visitors, predominantly locals, and is well-used by dog walkers. Visitor use is heaviest on the western side of the reserve, where there is easy access from Earnse Point car park, and several trails have been created. The eastern side of the reserve is quieter, with no obvious use along the eastern perimeter of the airfield, above the saltmarsh, north of the Lenny Hill public footpath.	Negligible change in use across most of the margin within or adjacent to the NNR. Large increase in use on the trail around the eastern edge of the airfield. Small increase in use on the trail through the remaining parts of the NNR. With the introduction of coastal access rights the project team expect a large increase in use on the line of the trail around the eastern edge of the airfield, as there is currently no legal access in this area. Proposals for careful trail alignment and screening in this area lead us to expect negligible change in use on the coastal margin to the eastern side of the airfield. The rest of the proposed route for the England Coast Path follows existing well used promoted routes. It cuts across the island some 750m north of the airfield, rather than following the coastline around the entirety of the north end of the island. This area is already predominantly accessible under CROW; therefore we expect the introduction of coastal access rights to generate a negligible change in levels or patterns of use in this area.
North Walney NNR to Rape Haw (South)	The western coast of the island is well used by walkers, including those with dogs, particularly around Vickerstown and near the car parks. There is an existing PROW between Earnse Point and Sandy Gap, and well-used tracks south of this.	Small increase in use (trail) Negligible change in use (margin) The project team consider that levels of use will see a small increase, following the introduction of coastal access rights. This increase in use is likely to occur

End)	Further south along the west coast, as far as Hare Hill, levels of use by walkers decrease. From Hare Hill to Rape Haw, the proposed route of the trail is fairly well used currently, although there is much less use of the majority of the margin associated with this part of the trail (outside of the South Walney Nature Reserve).	nearer to the Nature Reserve, at the southern end of the island, which currently has lower levels of access. We expect to see a negligible increase in use of the coastal margin.
South Walney Nature Reserve	South Walney Nature Reserve is located on the southern tip of the island and is managed by Cumbria Wildlife Trust. The reserve has several circular routes for visitors to use. The Wildlife Trust charges for entry to the reserve, although local people and Wildlife Trust members currently gain entry free of charge. The reserve has around 6,000 visitors a year. The reserve is closed to the public between 5pm and 9am every day and this is enforced by a warden presence currently.	Negligible change in use The proposed line of the England Coast Path does not enter South Walney Nature Reserve. However, the area of the Nature Reserve will form part of the coastal margin by default (since it will all fall between the trail and the seaward extent of the foreshore). Because of the proposed exclusions, as indicated in Section 1 above, the overview report and chapters 1 and 2, the project team do not expect that the introduction of coastal access rights will have any impact in this area.
Rape Haw to Creephaw Marsh	On the east side of the island, between the nature reserve and Creephaw Marsh, pedestrian use is fairly low, except for a track on the seaward side of the South End Caravan Park, which is well-used by residents and visitors. The Cistercian Way is marked on the Ordnance Survey (OS) map as following the road here, although there are no way markers or signs promoting the trail on the ground.	Small increase in use (trail) Negligible change in use (margin) The route heading north from South End Caravan Park will follow the road, apart from a short section on a track just to the seaward side of the Caravan Park. As this track is regularly used by residents of the caravan park, the project team expect the introduction of coastal access rights to lead to nothing more than a small increase in levels of use in this area. The introduction of coastal access rights is likely to lead to an increase in the use of the road by walkers; levels of use by cars, cycles and similar are unlikely to change. There is thought to be little recreational use of the margin on this part of the coast (predominantly saltmarsh and flat), other than the semi-organised, occasional groups walking to Piel Island. Since we have proposed that new access rights should be excluded from the majority of the coastal margin in this area, we expect a negligible change in levels of use here.
Creephaw Marsh to Biggar	From Creephaw Marsh to Biggar there are two small peninsulas. There is a strip of CROW open access land on common land around the coast here. The southern peninsular shows evidence of some levels of reasonable regular usage by a path on the ground which is mostly well-defined, particularly at the southern end. The northern peninsular appears to have little pedestrian use around it and is difficult to walk in places due to deep creeks, mud and flooding at high tide.	Large increase in use (trail) Small increase in use (margin) Between Creephaw Marsh and Sandy Nook, any unmanaged introduction of coastal access rights would be likely to lead to a large increase in levels of access in this area – particularly on the trail itself. However, careful management of the trail, along with proposed exclusion and ready availability of an alternative route (along the road), leads us to expect a medium increase during summer months and negligible change during winter months. Between Sandy Nook and Biggar, the line of the England Coast Path will follow the road. Access to

		the coastal margin is difficult due to terrain, fences and buildings – and new rights will be excluded from the majority of the margin. The project team expect to see only a small increase in people accessing the margin in the majority of this area, with any increase likely to be confined to times of lower tide during the summer.
Biggar to Jubilee Bridge	From Biggar to Vickerstown levels of access on the marsh are thought to be low; it seems likely that most walkers follow the road in this area. There is a public right of way shown on the OS map across the marsh between Biggar and Vickerstown, however it would be dangerous and difficult to walk the route, due to many deep channels in the marsh; there is no evidence on the ground to suggest that this route is used regularly, if at all. From Vickerstown to Jubilee Bridge there is some existing public access within the intertidal zone, although most pedestrians are thought to follow the roadside pavement.	Small increase in use (trail) Small increase in use (margin) The proposed line of the England Coast Path will be on the seaward edge of the road between Biggar and the A590. The road is used by pedestrians currently but some increase in levels of use might be expected on the trail itself. From the A590 to Jubilee Bridge the proposed route of the England Coast Path follows roadside pavements; we expect to see a negligible increase in levels of use here. Whilst most parts of the associated coastal margin are little-used currently, and whilst we do not expect that situation to change, there may be a few parts of the margin on this length of coast where a small increase in levels of use may be seen.
Piel Island	In line with the approved Scheme, the proposals for the England Coast Path do not include a route around Piel Island. However, the island will fall within the coastal margin by default (since it will fall between the trail itself and the seaward extent of the foreshore). Currently, access to the island is mainly by boat, although it is possible to walk there with knowledge of the intertidal area.	Negligible change in use The saltmarsh and intertidal area on this part of the coast is not thought to be widely accessed for recreation currently and the introduction of new rights would perhaps not change that situation greatly. However, on grounds of public safety, Natural England proposes to exclude coastal access rights to much of the area between Piel Island and Walney through the use of powers under s25A of CROW (as we consider this area to be unsuitable for any new public access rights). On this basis, we expect to see a negligible change in levels and patterns of access over this part of the margin, arising from our proposals.
Sheep Island	In line with the approved Scheme, the proposals for the England Coast Path do not include a route around Sheep Island. However, the island will fall within the coastal margin by default (since it will fall between the trail itself and the seaward extent of the foreshore). Currently, it is possible to walk to Sheep Island, although levels of access are thought to be low.	Negligible change in use The project team propose to exclude coastal access rights to the marsh around Sheep Island through the use of powers under s25A of CROW. In the absence of new or additional rights to walk to Sheep Island, we conclude that a negligible change in levels of access over the island itself is likely.

Access case officer

Signed:



Name:

Kevin Vigars

Date:

21/09/2016

Section 3: POTENTIAL IMPACTS ON SENSITIVE FEATURES RESULTING FROM THE NEW COASTAL ACCESS PROPOSALS

3.1 Scope of and approach to the appraisal of sensitive features

Natural England has determined that the proposed line of the England Coast Path and its associated Coastal Margin is located within or adjacent to, and has the potential to affect, a number of sites designated under national and international legislation for their nature conservation interest. These sites are:

- **Morecambe Bay SPA**
- **Morecambe Bay RAMSAR**
- **Morecambe Bay SAC**
- **Morecambe Bay & Duddon Estuary pSPA**
- **Duddon Estuary SPA**
- **Duddon Estuary RAMSAR**
- **Duddon Estuary SSSI**
- **South Walney & Piel Channel Flats SSSI**
- **North Walney NNR**

This appraisal represents Natural England's assessment of the proposals as necessary under the relevant legislation including:

- *Assessment of impacts on SSSIs and the requirement to fulfil Natural England's duties under S28G of the 1981 Wildlife and Countryside Act 1981 (as amended) to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.*
- *Assessment of impacts on European designated sites (SPA, SAC, RAMSAR) under the Conservation of Habitats and Species Regulations 2010 (the "Habitats Regulations");*
- *Species protected under the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010*

In each case the assessment has been conducted in relation to the conservation objectives for the designated site. (<http://publications.naturalengland.org.uk/category/6490068894089216>)

The interest features of the relevant sites and their sensitivity to the Coastal Access proposals are discussed in this Section.

Mitigation measures:

The coastal access proposals have been through an iterative process as part of scheme development and modified to avoid and reduce potential significant effects on the designated nature conservation interest while still meeting the requirements of the approved Coastal Access Scheme.

It is recognised that without appropriate mitigation built into the proposals, significant effects on the sensitive interest features could arise from the Coastal Access Scheme. This is particularly the case in relation to the default assumption of the England Coast Path running as close to the shore as physically possible, and with the consequential introduction of access rights over the associated coastal margin. The mitigation measures

which are integral to the proposals include:

- Careful alignment of the route itself, to avoid sensitive interest features;
- Informal management measures (interpretation, signs, gates etc);
- Formal legal restrictions or exclusions on new access rights.

The provisions of the Coastal Access Scheme do not affect existing requirements as set out under designated site

legislation in particular the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way (CROW) Act 2000 to avoid damaging the interest features of designated sites. Consequently users of the England Coast Path and associated Coastal Margin are still required to adhere to the requirements of this legislation. Of particular relevance is the requirement not to cause disturbance to bird species which form part of the interest of these designated sites. Section 28P of the CROW Act sets out the provision for enforcement of offences which can include fines and Civil Sanctions.

3.2. Details of Designated Sites and Interest Features

Table 3.2.1 – Interest features of the Designated Sites - Birds

*** part of pSPA seabird or waterbird assemblage**

Feature	Designated Site									Potential for interaction with our proposals	
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR	
Arctic tern; <i>Sterna paradisaea</i> (breeding)				✓*		✓	✓				Yes – see table 3.5.2a
Bar-tailed godwit; <i>Limosa lapponica</i> (non-breeding)		✓		✓		✓			✓		Yes – see table 3.5.1d
Black-headed gull: <i>Larus ridibundus</i> (breeding)							✓				Yes – see table 3.5.2a
Black-headed gull: <i>Larus ridibundus</i> (non-breeding)				✓*							Yes – see table 3.5.1b
Black-tailed godwit , <i>Limosa limosa islandica</i> (non-breeding)				✓					✓		Yes – see table 3.5.1d
Common Gull, <i>Larus canus</i> (non-breeding)				✓*							Yes – see table 3.5.1b
Common redshank; <i>Tringa totanus</i> (non-breeding)		✓	✓	✓		✓	✓		✓	✓	Yes – see table 3.5.1d
Common shelduck; <i>Tadorna tadorna</i> (breeding)							✓				Yes – see table 3.5.2a
Common shelduck; <i>Tadorna tadorna</i> (non-breeding)		✓		✓		✓	✓		✓		Yes – see table 3.5.1c
Common tern; <i>Sterna hirundo</i> (breeding)				✓			✓				Yes – see table 3.5.2a

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Feature	Designated Site										Potential for interaction with our proposals	
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR		
Cormorant; <i>Phalacrocorax carbo</i> (non-breeding)				✓*		✓						Yes – see table 3.5.1b
Dunlin; <i>Calidris alpina alpina</i> (non-breeding)		✓		✓		✓	✓		✓			Yes – see table 3.5.1d
Eider; <i>Somateria mollissima</i> (breeding)						✓						Yes – see table 3.5.2a
Eider; <i>Somateria mollissima</i> (non-breeding)						✓			✓			Yes – see table 3.5.1b
Eurasian curlew; <i>Numenius arquata</i> (non-breeding)		✓		✓		✓	✓		✓			Yes – see table 3.5.1d
Eurasian oystercatcher; <i>Haematopus ostralegus</i> (breeding)							✓					Yes – see table 3.5.2a
Eurasian oystercatcher; <i>Haematopus ostralegus</i> (non-breeding)		✓		✓		✓	✓		✓			Yes – see table 3.5.1d
European golden plover; <i>Pluvialis apricaria</i> (non-breeding)		✓		✓								Yes – see table 3.5.1a
Goldeneye; <i>Bucaphala clangula</i> (non-breeding)				✓*								No - spends little time in the areas affected by the proposals
Great White Egret; <i>Ardea alba</i> (non-breeding)				✓*								No – not usually present in this part of the designated site

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Feature	Designated Site									Potential for interaction with our proposals		
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR		
Green Winged Teal; <i>Anas carolinensis</i> (non-breeding)				✓*								No – not usually present in this part of the designated site
Greenshank; <i>Tringa nebularia</i> (non-breeding)				✓*								Yes – see table 3.5.1d
Grey plover; <i>Pluvialis squatarola</i> (non-breeding)				✓		✓						Yes – see table 3.5.1d
Herring gull <i>Larus argentatus</i> (breeding)				✓		✓						Yes – see table 3.5.2a
Herring gull <i>Larus argentatus</i> (non-breeding)				✓*		✓						Yes – see table 3.5.1b
Lapwing; <i>Vanellus vanellus</i> (breeding)							✓					Yes – see table 3.5.2a
Lapwing; <i>Vanellus vanellus</i> (non-breeding)				✓*					✓			Yes – see table 3.5.1a
Lesser black-backed gull; <i>Larus fuscus</i> (breeding)				✓		✓						Yes – see table 3.5.2a
Lesser black-backed gull; <i>Larus fuscus</i> (non-breeding)				✓		✓			✓			Yes – see table 3.5.1b
Light bellied brent goose (non-breeding)				✓*								Yes – see table 3.5.1a
Linnet; <i>Carduelis cannabina</i> (breeding)							✓					Yes – see table 3.5.2b
Little egret; <i>Egretta garzetta</i> (non-breeding)				✓								Yes – see table 3.5.1e
Little Stint; <i>Calidris minuta</i> (non-breeding)				✓*								Yes – see table 3.5.1d

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Feature	Designated Site									Potential for interaction with our proposals		
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR		
Little Tern; <i>Sternula albifrons</i> (breeding)				✓			✓					Yes – see table 3.5.2a
Mallard ; <i>Anas platyrhynchos</i> (non-breeding)		✓		✓*								Yes – see table 3.5.1c
Mediterranean gull; <i>Larus melanocephalus</i> (non-breeding)				✓								No – not usually present in this part of the designated site
Northern pintail; <i>Anas acuta</i> (non-breeding)		✓	✓	✓		✓	✓		✓	✓		Yes – see table 3.5.1c
Pink-footed goose; <i>Anser brachyrhynchus</i> (non-breeding)		✓		✓		✓			✓			Yes – see table 3.5.1a
Red breasted merganser; <i>Mergus serrator</i> (breeding)							✓					Yes – see table 3.5.2a
Red breasted merganser; <i>Mergus serrator</i> (non-breeding)		✓		✓*			✓		✓			No - spends little time in the areas affected by the proposals
Red knot; <i>Calidris canutus</i> (non-breeding)		✓	✓	✓		✓	✓		✓			Yes – see table 3.5.1d
Ringed plover; <i>Charadrius hiaticula</i> (breeding)							✓					Yes – see table 3.5.2a
Ringed plover; <i>Charadrius hiaticula</i> (non-breeding)		✓		✓		✓	✓		✓	✓		Yes – see table 3.5.1d
Ring necked duck; <i>Aythya collaris</i> (non-breeding)				✓*								No – not usually present in this part of the designated site

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Feature	Designated Site									Potential for interaction with our proposals		
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR		
Ruff; <i>Philomachus pugnax</i> (non-breeding)				✓								Yes – see table 3.5.1d
Sanderling; <i>Calidris alba</i> (non-breeding)				✓			✓					Yes – see table 3.5.1d
Sandwich tern; <i>Sterna sandvicensis</i> (Breeding)		✓	✓	✓		✓	✓					Yes – see table 3.5.2a
Sedge warbler; <i>Acrocephalus schoenobaenus</i> (breeding)							✓					Yes – see table 3.5.2b
Spotted redshank; <i>Tringa erythropus</i> (non-breeding)				✓*								No – not usually present in this part of the designated site
Snipe; <i>Gallinago gallinago</i> (breeding)							✓					Yes – see table 3.5.2a
Stonechat ; <i>Saxicola torquata</i> (breeding)							✓					Yes – see table 3.5.2b
Turnstone; <i>Arenaria interpres</i> (non-breeding)		✓		✓		✓			✓			Yes – see table 3.5.1d
Whooper swan <i>Cygnus cygnus</i> (non-breeding)				✓								Yes – see table 3.5.1a
Wigeon; <i>Anas penelope</i> (non-breeding)				✓*								Yes – see table 3.5.1a
Internationally important seabird assemblage of over 20,000 individuals (breeding)				✓								Yes – see tables 3.5.1b and 3.5.1c
Internationally important waterbird assemblage of over 20,000 individuals (non-breeding)		✓	✓	✓		✓	✓		✓	✓		Yes – see tables 3.5.1a – 3.5.1e

Feature	Designated Site										Potential for interaction with our proposals	
		Morecambe Bay SPA	Duddon Estuary SPA	Morecambe Bay & Duddon Estuary pSPA		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe Bay RAMSAR	Duddon Estuary RAMSAR		
SSSI - Assemblage of breeding birds: red-breasted merganser, shelduck, lapwing, ringed plover, snipe, stonechat, sedge warbler, linnet, black-headed gull, common tern, arctic tern, little tern, oystercatcher							✓					Yes – see tables 3.5.2a and 3.5.2b

Table 3.2.2 Interest Features of Morecambe Bay SAC, South Walney & Piel Channel Flats SSSI, Duddon Estuary SSSI (excluding birds)

Feature		Morecambe Bay SAC		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe bay RAMSAR		Duddon Estuary RAMSAR	Potential for interaction with our proposals
Estuaries		✓		✓	✓					No – feature not present around Walney
Mudflats and sandflats not covered by seawater at low tide		✓		✓	✓					Yes – see table 3.5.3
Large shallow inlets and bays		✓			✓					No – feature not present around Walney
Perennial vegetation of stony banks		✓		✓	✓					Yes – see table 3.5.3
<i>Salicornia</i> and other annuals colonising mud and sand		✓		✓	✓					Yes – see table 3.5.3
Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)		✓		✓	✓					Yes – see table 3.5.3
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)		✓		✓	✓					Yes – see table 3.5.3
Fixed coastal dunes with herbaceous vegetation (grey dunes)		✓		✓	✓					Yes – see table 3.5.3
Humid dune slacks		✓		✓	✓					Yes – see table 3.5.3
Sandbanks which are slightly covered by sea water all the time		✓		✓	✓					No – As this feature is covered by sea water all the time it is unlikely to be accessible or attractive to walkers.
Coastal lagoons		✓								Yes – see table 3.5.3
Reefs		✓		✓						Yes – see table 3.5.3
Embryonic shifting dunes		✓		✓						Yes – see table 3.5.3
Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>)		✓								Yes – see table 3.5.3
Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>)		✓								Yes – see table 3.5.3
Great Crested Newt; <i>Triturus cristatus</i>		✓								No – feature not present around Walney

Feature		Morecambe Bay SAC		South Walney & Piel Channel Flats SSSI	Duddon Estuary SSSI		Morecambe bay RAMSAR		Duddon Estuary RAMSAR	Potential for interaction with our proposals
Natterjack toad; <i>Bufo calamita</i>					✓				✓	Yes – see table 3.5.5
Sand dune invertebrate assemblage				✓	✓					Yes – see tables 3.5.4 and 3.5.5
Vascular plant assemblage: Shingle				✓						Yes – see table 3.5.4
Vascular plant assemblage: Sand Dune / Saltmarsh / Artificial Substrate					✓					Yes – see table 3.5.5
Coastal geomorphology of England: Barrier Island				✓	✓					Yes – see table 3.5.4 & 3.5.5

3.2.3 Additional Features of concern

Feature	Status	See Table
Grey seal	Grey seals are protected in UK waters by the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007, Conservation of Habitats and Species Regulations 2010, Wildlife and Countryside Act 1981 and the Conservation of Seals Act 1970. South Walney has the only large grey seal haul-out in the north west of England. Seals numbers peak at low tides with up to 180 animals on the beach at one time. The seal haul-out is mainly concentrated along the foreshore on the eastern side of the spit at Shelly Bars.	3.5.6

3.3 Concerns about existing public use and action already taken to address these (summary)

3.3.1 South Walney Nature Reserve

This site is particularly important for breeding and roosting waders and wildfowl and undisturbed vegetated shingle habitat. It supports the only large grey seal haul-out in the north west of England. The main concerns are that visitors to the site cause disturbance resulting in reduced breeding success of ground nesting birds, disturbance to roosting birds in winter, and damage by trampling to sensitive vegetation.

Access has been managed by Cumbria Wildlife Trust since the early 1960s. They currently employ a full time Warden and assistant Voluntary Warden, who both live on site, in addition to a team of volunteers. Visitor management includes the provision of waymarked routes which vary seasonally to protect nesting birds, closing the reserve to the public between 5pm – 10am, talking to visitors about minimising their impact on the wildlife of the site, and patrolling the reserve to ensure visitors compliance with the access policy. Visitors must remain on the waymarked paths and dogs are not allowed on the reserve. Bicycles and motorised vehicles are not allowed beyond the reserve carpark.

As a result of these measures, and particularly the presence of wardening staff year round, the level of harmful disturbance has been reduced. However, disturbance events do still occasionally occur, resulting in reduced breeding success of ground nesting species and damage to sensitive habitats.

3.3.2 North Walney National Nature Reserve

The NNR is well used by walkers and dog walkers. Currently much of the reserve is subject to open access rights under CROW.

People walking along the shingle will tend to disturb breeding and roosting birds and may damage the fragile shingle and strandline vegetation. On the beach, loose dogs in particular, cause regular disturbance of roosting and feeding wading birds – forcing them to use valuable energy to take avoiding action.

There is an existing issue with vehicular access along a shingle bank from Earnse Bay car park into the reserve, and onto the intertidal areas, causing shingle compaction, preventing vegetation from establishing, as well as causing direct damage and disturbance to fragile species. This issue is to be addressed partly through the Dunes of Barrow project; project objectives include the de-compaction of some of the tracked areas and hence the recovery of rare vegetated shingle communities. The police are active in helping to enforce the prevention of unauthorised vehicles on the beach.

Dogs can damage natterjack breeding ponds, not least by stirring up sediments that will blanket and kill toad spawn; management of the NNR has included the erection of fencing around some breeding ponds, so as to deter dogs and grazing animals from entering. They could also spread the Chytrid fungus which is prevalent in natterjack populations in Cumbria but can result in catastrophic declines in the population.

There is evidence of existing access along the landward edge of North End Marsh. There is not a promoted route in this area, and there is concern about the impact that trampling of vegetation by walkers is having on the fragile habitat, as well as disturbance to roosting birds, particularly around higher tides.

3.3.3 Walney West Coast

There are high tide roosts along the west coast and the area is heavily used for dog walking. There is concern about disturbance to roosting and breeding birds along this coast. The Morecambe Bay Partnership Recreational Bird Disturbance Report (Footprint Ecology 2015) mentions this site as an area of concern, and recommends closing the unofficial car parks towards the southern end of the island.

Natural England is currently (at the time of writing) developing a project which will aim to engage and identify user groups across the west shore of Walney who, it is hoped, will form the basis of a 'Friends' group. The intention is for the group to become a catalyst for supporting projects identified within the 'Islands and Bays of Barrow and Furness' Coastal Communities Team Economic Plan (<http://www.coastalcommunities.co.uk/coastal-teams/the-islands-and-bays-of-barrow-and-furness/>) that looks to address not only recreational disturbance but wider social and economic issues. Providing better facilities and running events or activities for dog walkers is part of a longer term approach to raise awareness of environmental issues and to encourage local people to get involved in protecting and enhancing the species and habitats which contribute to making Walney such a special place.

3.4 Potential concern about new access proposal (summary)

Improvements in the accessibility to the coast of Walney Island for walkers, unless carefully designed with the necessary precautions, could lead to:

- Changes to the populations and distribution of ground-nesting birds on the saltmarsh, shoreline and adjoining fields, in respect of which there is a body of evidence that suggests that significant increase in public access at sensitive times / locations may reduce breeding success, through repeated disturbance, or physical trampling;
- Changes to the populations and distribution of wintering birds on the saltmarsh, shoreline and adjoining fields, in respect of which there is a body of evidence showing that the presence of people or dogs at sensitive times / locations may affect fitness due to reduced feeding/resting time and/or loss of suitable available habitat for these activities;
- Disturbance to/decline of Natterjack toad populations caused mainly by dogs in breeding pools, due to potential spread of disease and death of eggs and toadlets arising from silt deposition and trampling;
- Trampling of sensitive features causing damage and destruction.

Studies of waterbird population trends in the north-west suggest that there are declines in some populations,

which differ from national trends, indicating that site-specific factors are influencing bird numbers (Holt et al., 2016; Ross-Smith et al., 2015). It has been suggested that high levels of recreational activity in some areas may be causing these declines (Holt et al., 2016; Still et al. 2015). A recent study considered the risks to wintering waterbirds on coastal SPAs from the presence of housing developments, a proxy measure for recreational activity (Ross et al. 2013). Key variables were measured and weighted for all the 39 English coastal SPAs. The study noted that 63% of bird roosts within Duddon Estuary and 44% of roosts in Morecambe Bay were within 200m of a path network suggesting that these were potentially vulnerable to disturbance. A study has been undertaken to assess the potential impacts of recreational disturbance to birds in Morecambe Bay (Liley et al. 2015).

3.5 Assessment of potential impacts on the interest features of Morecambe Bay & Duddon Estuary pSPA, Morecambe Bay SPA, Duddon Estuary SPA, South Walney & Piel Channel Flats SSSI, Duddon Estuary SSSI, Morecambe Bay RAMSAR, Duddon Estuary RAMSAR: breeding and non-breeding birds.

3.5.1 Non-Breeding Birds

For the purposes of this assessment, non-breeding birds have been grouped as follows:

- Non-breeding waterbirds – Saltmarsh and Farmland feeding and intertidal roosting species
- Non-breeding waterbirds – Diving & surface feeding and inshore roosting species
- Non-breeding waterbirds – In-Shore/Saltmarsh feeding waterfowl
- Non-breeding waterbirds - Intertidal feeding species roosting on beaches and saltmarshes
- Non-breeding waterbirds; Saltmarsh feeding and inland roosting

Morecambe Bay and the Duddon Estuary are important sites for wintering birds with over 200,000 birds, mainly waders and wildfowl, present during winter, as well as thousands of migrating waders on passage in spring and autumn.

Walney Island, which sits partially within both Morecambe Bay and the Duddon Estuary, supports nationally important numbers of wintering waders and wildfowl.

Three documents inform this assessment; the Morecambe Bay Wader Roost Study (Pete Marsh, Jean Roberts & Graeme Skelcher 2012), which identifies key roost sites in Morecambe Bay (eight of which are within the scope of this assessment), the Morecambe Bay Partnership Recreational Bird Disturbance Study (Liley et al. 2015) and High-tide Waterbird mapping in the Duddon Estuary, England, (Lucy Ryan, Liverpool University 2013). We have also used Wetland Bird Survey (WeBS) data.

Table 3.5.1a Non-breeding waterbirds – Saltmarsh and Farmland feeding and intertidal roosting species

Features: whooper swan; pink-footed goose; lapwing; golden plover; internationally important waterbird assemblage (in-part).

Current conservation status and use of the site

This group of species mainly feed on the marshes and adjacent farmland and roost on the intertidal or areas of pioneer saltmarsh. They are present on site from September until April when they migrate to their breeding grounds.

Pink footed goose: most of the birds on Walney are found on North Walney

Lapwing: roosts on Eastern Marsh, Sheep Island, and the Tummerhill area.

Whooper Swan: – occurs on Walney but not in large numbers

Golden Plover: occurs across north and south Walney

Ecological sensitivity and scope for interaction with the proposals

The ecological sensitivities for this feature relate to the areas of marshes and flats found around Walney Island and on the adjacent farmland. These areas provide the birds with safe roosting (intertidal flats) and feeding (saltmarsh and farmland). Lapwing and golden plover follow a similar pattern but with roost areas including the saltmarshes as well as the intertidal.

These species are sensitive to the loss of habitat and reduced survival and fecundity as a consequence of disturbance of feeding and roosting birds. Sensitivity to disturbance by people on foot varies between species, for example light bellied brent goose can be disturbed at distances of up to 500m (Owen 1977), wigeon can be disturbed at distances of 230m (Watmough 1983) and golden plover can be displaced at distances of 45 m (cited in Smit & Visser 1993).

As a result there is risk of interaction through disturbance from modified public use of the coastal zone arising from Coastal Access from both the default line of the England Coast Path and the associated coastal margin. This has the potential to impact on both habitat extent and availability for these species both while feeding and roosting. A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

The proposed route alignment and restrictions / exclusions have taken into account the location of these species and the sensitivity of these species to disturbance both with regards to foraging and roosting areas.

These measures include:

Route alignment and management

The route of the England Coast Path will avoid the key roosting areas for light bellied brent goose, wigeon and lapwing (Eastern marshes, Tummer Hill area, South End, Sheep Island and Piel Island).

The exception is the route just south of Biggar, where walkers on the route may cause disturbance to nearby roosts. For this reason the route in this location will be available during the summer only, with an access exclusion in place from 1st September to 31st March, accompanied by an alternative route which follows the road. Establishment works in connection with the new England Coast Path in this area will be limited to those necessary to create a path suitable for the majority of the time between April and August, when the path around the marsh edge will be legally accessible (even during this period, higher tides might steer walkers towards an optional alternative route, also along the nearby road). Vegetation management of the path will be scheduled carefully, with first cuts occurring at the end of March each year, and last cuts around late July. This again will ensure that the path is relatively accessible during the summer months whilst deterring greater use of the area than is happening currently, during the winter months. The need for drainage along the narrow 'green lane' (Section WNI-2-S035, map 2e) will be reviewed; if further works are deemed necessary in the future, to improve usability of this part of the path during summer months, this Access and Sensitive Features Assessment will be reviewed at the same time. Appropriate signage will be installed at either end of this part of the route, explaining the need for the winter exclusion (and summer restriction, requiring dogs to be kept on leads).

Further north, between the village of North Scale and the south-eastern corner of Walney airfield, the proposed route for the ECP is aligned on the top of the foreshore for a short distance. Absence of reliable information about the presence of various bird species in this area (roosting/feeding) have led us to take a precautionary approach; we have also proposed a winter exclusion to the trail and the adjoining margin here, during the period 1st September to 31st March, which will be accompanied by an alternative route (using roadside pavements, the access lane to Walney Airfield and an existing public right of way along the northern edge of Lenny Hill - see main report maps 1a & 1b). We aim to undertake appropriate monitoring in this area, in order to gather data on both species present and the extent to which their behaviour is affected by existing access on the foreshore. Dependant on the findings of this monitoring, we may review the details of the proposed access management measures.

The roosts on North Walney NNR are not expected to be affected by our proposals. The proposed route through the NNR generally uses existing promoted or popular routes. The main exception to this is the proposed entirely new route around the eastern side of the airfield. This new route will be aligned on ground above the marsh, closely following the airfield perimeter fence, and is effectively screened from the marsh along most of its length

already by dense vegetation. We are proposing to fill the main gaps in this natural barrier with a combination of establishing vegetation and artificial barriers (which will incorporate small 'windows', allowing walkers to view wildlife on the marsh without causing any disturbance). The creation of this new route should help to reduce existing access on the marsh itself (by providing a preferable alternative to those who are already in the habit of walking along this part of Walney's coast). These measures will be backed up by the installation of appropriate signs, explaining the sensitivities and requiring dog-walkers to keep their dogs on the lead throughout the reserve. See appendix B for more information about our mitigation in this area. Existing open access rights across the reserve will be replaced by new coastal access rights (and the existing requirement to keep dogs on leads for part of the year will be replaced by a similar year-round access restriction). Other than the south-eastern corner of the reserve, as described above, we do not expect to see other than a small increase in access levels on the trail following the commencement of new rights. We expect a negligible change in access levels in the coastal margin across the whole NNR.

Coastal Margin

Access restrictions or exclusions are proposed for large parts of the coastal margin where these birds roost and feed – South Walney (all of the land and intertidal areas south of the South End Caravan Park) and all of the marshes and most of the intertidal mud and sand flats to the east of Walney. 'Dogs on lead' restrictions are proposed to apply all year round across the North Walney NNR and on most of those parts of the south-eastern coast not covered by other exclusions. So we do not expect to see an increase in disturbance in these areas. See Overview Report, Section 9 for maps showing restrictions and exclusions.

Sheep and Piel Islands

We do not expect to see any change in levels of access on Sheep and Piel Islands as a result of our proposals. Both fall within the coastal margin, however, access to the margin between Walney and Sheep and Piel Islands will be excluded under S25a of CROW, as being unsuitable for public access. Based on the prediction of no change in levels of access, Natural England has concluded that no additional access restriction on coastal access rights is required, over and above the existing requirement to keep dogs on leads on Piel Island. If this existing requirement is relaxed in the future for any reason, and if a subsequent review of this ASFA indicates that this would lead to issues with sensitive features, we will be able to impose a new restriction on coastal access rights.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered unlikely that changes in use patterns as a consequence of Natural England's coastal access proposals will result in regular displacement of birds away from key areas, or have negative impacts on feeding or roosting behaviour.

CONCLUSION - *Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on the interest features listed at the top of this part (table 3.5.1a) is not likely.*

Table 3.5.1b Non-breeding waterbirds – Diving & surface feeding and inshore roosting species

Features: Cormorant; black-headed gull; common gull; herring gull; lesser black-backed gull; eider; internationally important waterbird assemblage (in-part); internationally important seabird assemblage (in part).

Current conservation status and use of the site

These species feed offshore, though in the case of the gulls often in inshore waters, but roost onshore.

Black-headed gull, common gull, herring gull, lesser black-backed gull: roost on South Walney nature reserve

Eider: roost in nationally important numbers at Western Shore, South End, Shelly Bars and Lagoons. Also occur at Piel Island, Eastern marshes, Sheep Island, Tummer Hill Marsh and North Walney.

Cormorant: roost around South Walney Nature Reserve

Ecological sensitivity and scope for interaction with the proposals

While feeding these species are removed from areas of interaction with the Coastal Access proposals, however, while resting and preening these species are found on areas of foreshore where they are at risk of disturbance and displacement by people and their dogs exercising rights of access to the coastal margin.

Cormorants need to use land both to rest and preen as other species do, but also to dry their feathers as unlike the feathers of most other birds (and as an aid to their foraging behaviour) their outer feathers are 'wetable' and not water resistant and consequently have to be dried out to keep them in good condition.

While under some conditions black-headed and herring gulls are very tolerant of people, particularly where exploiting anthropogenic food supplies, when preening and roosting they are less tolerant of disturbance and as with the other species may be displaced from roosting and preening sites at considerable distance. Of these three species Cormorant are the most disturbance sensitive and can be displaced by people or dogs at distances of over 150m.

Non-breeding eider are particularly sensitive during June-August when in moult or flightless. During this period their foraging efficiency is reduced and much resource is directed to feather growth.

Disturbance from roost areas reduces time spent maintaining feather condition and resting, and results in increased energy expenditure as birds relocate to alternative areas. Coastal access provision therefore has the potential to impact on both habitat extent and availability for these species both while preening in flocks and roosting.

A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

Risk of impact for these species is highest in areas where the line of the England Coast Path passes close to the shoreline in areas where birds will gather to preen and roost. In the case of the gulls this is predominantly around high water but in the case of cormorant may be at any state of the tide as the bird's foraging behaviour is determined by accessibility of fish.

The proposed route alignment, management, restrictions and exclusions for the North, East and South of Walney **as described in table 3.5.1a** above have taken into account the location of these species and their sensitivity to disturbance.

The route on the west of Walney from Earnse Point to Hare Hill (near South End Caravan Park) is aligned predominantly at the seaward edge of the fields, rather than on the shore. This area of coast is eroding quickly so, where possible, the path will be aligned several metres away from the coast / cliff edge. This will put additional distance between walkers and high tide bird roosts. The project team consider that pedestrian access on the line of the trail might see a small increase following the introduction of coastal access rights. This increase in use is likely to occur nearer to the southern end of the island, which currently has lower levels of access. We expect to see a negligible change in use of the coastal margin (mostly foreshore, which is already used by walkers and others). As with the north-eastern coast, the creation of this new route should help to reduce existing access on the intertidal area and top of the foreshore (by providing a preferable alternative to those who are already in the habit of walking along Walney's west coast).

The distances between the path and the sensitive preening and roosting areas are such that, for the majority of the time, the measures provide the required level of confidence that the birds will continue with their normal preening and roosting routine and will not be displaced to areas of sub-optimal habitat. Of particular importance is the route alignment, which avoids the entire South Walney nature reserve, and the restrictions to the margin, which will ensure no increase in disturbance within the nature reserve and on the eastern marshes.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered unlikely that changes in use patterns as a consequence of Natural England's coastal access proposals will result in regular displacement of birds away from

key areas.
CONCLUSION - <i>Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.</i>

Table 3.5.1c Non-breeding waterbirds – In-Shore/Saltmarsh feeding waterfowl
Features: Northern Pintail; shelduck; wigeon; mallard; Internationally important waterbird assemblage (in-part); internationally important seabird assemblage (in part).
Current conservation status and use of the site
These species feed on the foreshore and marshes and roost offshore or on the marsh edge. For these species the key period of sensitivity is from Sept – March. Shelduck: occurs in nationally important numbers around the South of Walney Island, including the roost sites on Piel Island, Eastern marsh, Sheep Island and Tummerhill area. Also occurs at North Walney. Northern Pintail: occurs around Walney although not in nationally or internationally important numbers, roosts on Piel Island, Eastern marsh, Sheep Island. Wigeon: roosts on Eastern Marsh – one of the two most important sites for this species in Morecambe Bay Light bellied brent goose: occurs in nationally important numbers on Eastern Marsh and Piel Island, also found at South End and Western Shore Mallard: occurs throughout the eastern side of Walney
Ecological sensitivity and scope for interaction with the proposals
These species form a grouping that feed either on the foreshore or on saltmarshes, and roost on offshore or on areas of undisturbed marsh. Most species exhibit a dispersed distribution with small numbers of individuals being found widely across the area, however, pintail will form into larger flocks some of which roost along undisturbed lengths of shore and some of which roost on the tidal estuarine waters by day, moving onto the marshes to feed at night. As species widely distributed across the saltmarshes and intertidal areas around Walney all these species may be affected by disturbance as a consequence of the Coastal Access proposals. Sensitivity to disturbance varies between species, with shelduck disturbed at distances of up to 300m, and pintail which can be disturbed at distances of 200m or more. These species are generally sensitive to people and dogs as a consequence of being a quarry species. Disturbance in these species may affect ability to feed and rest, and may be most damaging at times of hard frost when food resources are limited and energy requirements are highest. As a result there is risk of interaction through disturbance from modified public use of the coastal zone arising from Coastal Access from both the proposed line of the England Coast Path and the associated coastal margin. This has the potential to impact on both habitat extent and availability for these species both while feeding and roosting. A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.
Any likely impact and mitigation
The proposed route alignment, management, restrictions and exclusions for the North, East and South of Walney as described in table 3.5.1a above have taken into account the location of these species and their sensitivity to disturbance with regards to foraging and roosting areas. The route on the west of Walney from Earnse Point to Hare Hill (near South End Caravan Park) is aligned predominantly at the seaward edge of the fields, rather than on the shore. This area of coast is eroding quickly so, where possible, the path will be aligned several metres away from the coast / cliff edge. This will put additional distance between walkers and high tide bird roosts. The project team consider that pedestrian access

on the line of the trail might see a small increase following the introduction of coastal access rights. This increase in use is likely to occur nearer to the southern end of the island, which currently has lower levels of access. We expect to see a negligible change in use of the coastal margin (mostly foreshore, which is already used by walkers and others). As with the north-eastern coast, the creation of this new route should help to reduce existing access on the intertidal area and top of the foreshore (by providing a preferable alternative to those who are already in the habit of walking along Walney's west coast).

The distances between the path and the sensitive roosting / feeding areas are such that, for the majority of the time, the measures provide the required level of confidence that the birds will continue with their normal feeding and roosting routine on the marshes and will not be displaced to areas of sub-optimal habitat. Of particular importance is the route alignment and the restrictions to the margin, which will ensure no increase in disturbance over the majority of the saltmarshes to the east of Walney.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered unlikely that changes in use patterns as a consequence of Natural England's coastal access proposals will result in regular displacement of birds away from key areas.

The ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect is not likely.

CONCLUSION - Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.

Table 3.5.1d Non-breeding waterbirds: intertidal feeding species roosting on beaches and saltmarshes

Features: Ringed plover; grey plover; Eurasian oystercatcher; Eurasian curlew; bar-tailed godwit; common redshank; dunlin; black-tailed godwit; greenshank; ruff; little stint; red knot; sanderling; turnstone; internationally important waterbird assemblage (in-part).

Current conservation status and use of the site

These species can all be found feeding on intertidal areas of Morecambe Bay and aggregate into discreet roost sites at particular points along the foreshore or the seaward edge of the marshes to roost. The distribution of these roosts is determined by factors which include lack of disturbance, low vegetation and good visibility. Because the roosts act a focal point for birds from a large foraging area they are particularly sensitive.

For wintering non-breeding waders the key period of sensitivity is from September to March. For species on passage (ringed plover and sanderling), the key period of sensitivity extends to mid-April.

Dunlin: occurs in nationally important numbers at South End and also present at Western Shore, Shelly Bars, Piel Island, Eastern Marshes, Sheep island and Tummer Hill Marsh and North Walney. Feeds on mud and sand flats.

Eurasian oystercatcher: occurs in nationally important numbers at Shelly Bars and Piel Island and also present at Western Shore, South End, Eastern Marshes, Sheep Island and Tummerhill Marshes, North Walney. Feeds on mussels on rocky skears and bivalves and other invertebrates on sandflats.

Common redshank: occurs in nationally important numbers at the lagoons at South Walney and also present at Western Shore, Eastern Marshes, Sheep Island, Tummer Hill Marsh and North Walney. Feeds in soft mud often at the saltmarsh edge and in creeks.

Sanderling: occurs in nationally important numbers on the western shore and is also present occurs at South End, Shelly Bars, Eastern Marshes and North Walney. Feeds along waterline on sandy shores.

Turnstone: occurs in nationally important numbers at roost sites across the south of Walney (Western Shore, South End, Shelly Bars, Tummer Hill Marsh and North Walney). Feeds on rocky shores, which are found on the west of Walney)

Red knot: occur in internationally important numbers at Shelly Bars, Sheep Island, Western Shore, Piel Island and South End and are also present at South End, Eastern Marsh, Tummer Hill Marsh and North Walney roosts.

Feeds on sandy substrates often far out in Morecambe Bay.

Eurasian curlew: occurs at roost sites across Walney (Western Shore, Shelly Bars, Piel Island, Eastern Marshes, Sheep Island, Tummer Hill area and North Walney). Feeds on soft mud.

Bar-tailed godwit: occurs at roost sites across Walney (Western Shore, South End, Shelly Bars, Piel Island, Eastern Marshes, Sheep Island and North Walney). Feeds on sand flats.

Black-tailed godwit: Occurs at the roost sites on Piel Island. Feeds on soft sediments usually in fresh/brackish water.

Greenshank: feed and roost in the lagoons at South Walney

Ruff: feed and roost in the lagoons at South Walney

Little stint: feed and roost in the lagoons at South Walney

Grey plover: occurs at roost sites across Walney (Western Shore, South End, Shelly Bars, Eastern Marshes, Sheep Island, Tummer Hill area and North Walney). Feeds on sand and mud flats.

Ringed Plover: occurs at roost sites across Walney (particularly Western Shore, also South End, Shelly Bars, Eastern Marshes, and North Walney). Feeds on sand and mudflats.

Ecological sensitivity and scope for interaction with the proposals

For these species all parts of their life cycle from September to April are supported by land between the line of the England Coast Path and mean low water therefore there is potential for all aspects of their non-breeding ecology to be affected by the provisions of coastal access.

These impacts include reduction of foraging and roosting habitat as a result of disturbance; loss of foraging time due to disturbance with consequent impacts on individual fitness; increased energy expenditure associated with disturbance and modified distributions within site leading to indirect impacts on individual fitness realised through density-dependant foraging impacts and the increased dependence on sub-optimal habitat.

Disturbance distances vary between species, and according to activity, with species such as turnstone and bar tailed godwit in some circumstances tolerating people at distances of less than 30m while at roosting and tolerating closer approach when feeding, and up to 450m or more for species like curlew at roost effectively restricting their distribution to the least disturbed parts of Walney Island (eg. Smit & Visser 1993).

Maintaining low levels of disturbance is likely to be an important determinant both of population health and species distribution around Walney island.

As a result there is risk of interaction through disturbance from modified public use of the coastal zone arising from Coastal Access from both the default line of the England Coast Path and the associated coastal margin. This has the potential to impact on both habitat extent and availability for these species both while feeding and roosting. A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

The proposed route alignment, management, restrictions and exclusions for the north, east and south of Walney **described in table 3.5.1a above** have taken into account the location of these species and their sensitivity to disturbance with regards to foraging and roosting areas.

The route on the west of Walney from Earnse Point to Hare Hill (near South End Caravan Park) is aligned predominantly at the seaward edge of the fields, rather than on the shore. This area of coast is eroding quickly so, where possible, the path will be aligned several metres away from the coast / cliff edge. This will put additional distance between walkers and high tide bird roosts. The project team consider that pedestrian access on the line of the trail might see a small increase following the introduction of coastal access rights. This increase in use is likely to occur nearer to the southern end of the island, which currently has lower levels of access. We expect to see a negligible change in use of the coastal margin (mostly foreshore, which is already used by walkers and others). The creation of this new route should help to reduce existing access on the intertidal area and top of the foreshore (by providing a preferable alternative to those who are already in the habit of walking along Walney's west coast).

The distances between the path and the sensitive roosting / feeding areas are such that, for the majority of the time, the measures provide the required level of confidence that the birds will continue with their normal feeding and roosting routine on the marshes and will not be displaced to areas of sub-optimal habitat. Of particular importance is the route alignment, which avoids the entire South Walney nature reserve and the tip of North Walney, and the restrictions to the margin, which will ensure no increase in disturbance within the South Walney nature reserve and on the eastern marshes. On the west coast, we expect to see negligible change in access to the margin as a result of our proposals, and therefore no change in disturbance levels.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered unlikely that changes in use patterns as a consequence of Natural England's coastal access proposals will result in regular displacement of birds away from key areas.

The ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect is not likely.

CONCLUSION - Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.

Table 3.5.1e Non-breeding waterbirds: Saltmarsh feeding and inland roosting

Features: Little Egret

Current conservation status and use of the site

Little Egrets are commonly seen feeding on the marshes to the east side of Walney, taking fish and invertebrates from shallow water. It is thought that most of the birds feeding on Walney roost on the Furness Peninsular.

Ecological sensitivity and scope for interaction with the proposals

Little egrets typically feed along muddy creeks and river channels, roosting in trees or saltmarsh.

While feeding they exhibit a dispersed distribution with small numbers of individuals being found widely across the area.

There is risk of interaction through disturbance from modified public use of the coastal zone arising from Coastal Access from both the default line of the England Coast Path and the associated coastal margin. This has the potential to impact on both habitat extent and availability for this species both while feeding and roosting. A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

As little egrets are widely distributed across the saltmarshes and intertidal areas around the east side of Walney this species may be affected by disturbance as a consequence of the Coastal Access proposals.

The areas of habitat where this species feed and roost on Walney are the same as those used by the other wader and wildfowl species listed above. The proposed route alignment, management, restrictions and exclusions described in table 3.5.1a above have taken into account the location of this species and its sensitivity to disturbance with regards to foraging and roosting areas.

The distances between the path and the sensitive roosting / feeding areas are such that, for the majority of the time, the measures also provide the required level of confidence that the birds will continue with their normal feeding and roosting routine on the marshes and will not be displaced to areas of sub-optimal habitat.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered unlikely that changes in use patterns as a consequence of Natural England's coastal access proposals will result in regular displacement of birds away from

key areas.

The ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect is not likely.

CONCLUSION- Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.

3.5.2 Breeding Birds

For the purposes of this assessment and distinguishing their ecological requirements and the nature and location of possible impacts, breeding birds have been grouped as follows:

- Saltmarsh and Shingle breeding birds – Ground-nesting species
- Saltmarsh and Sand Dune breeding birds – Thick vegetation and scrub nesting species

Table 3.5.2a Saltmarsh and Shingle breeding birds – Ground-nesting Species

Features: ringed plover; lapwing; eurasian oystercatcher; herring gull; lesser black-backed gull; black-headed gull; common tern; arctic tern; little tern; Sandwich tern; snipe, eider; breeding seabird assemblage

Current conservation status and use of the site

These species all breed on the ground in areas of saltmarsh or shingle foreshore.

On Walney all the marshes and the foreshore are used to some degree by breeding bird species, however, the single most important site is South Walney Nature Reserve, which has populations of all the named species. This is due to management measures on the reserve which minimise disturbance to breeding birds.

South Walney supports one of the largest colonies of breeding herring and lesser black-backed gulls in the country. The gulls can breed anywhere across the grassland areas of the site. The main concentrations are found in Gull Meadow, between South East Point and Hilpsford Scar, and on the spit at Shelley Bars.

Eider nest throughout the grassland areas of South Walney, and little terns and common terns breed along the foreshore. The grassland areas also hold important numbers of breeding skylark. Oystercatcher and ringed plover breed in shingle habitat around the foreshore, concentrated mainly along the southern, eastern and western shore. Oystercatcher, large gulls including greater black-backed gull and eider also breed around the series of brackish and freshwater lagoons to the south and west of the Oyster Farm (Seasalter).

Ringed plover and oystercatcher should be using the west coast, but are not due to disturbance.

A number of the species that form part of the pSPA site classification are also at a critically low level, including all the terns, black headed gull, snipe and ringed plover, increasing the risk that relatively small impacts on productivity may result in site-wide impacts.

Ecological sensitivity and scope for interaction with the proposals

The ecological sensitivities for this feature relate to the areas of marshes and shingle, which provide the birds with habitat for nesting and chick rearing. During the breeding season birds are dependent on limited areas of habitat for an extended period that persists from establishment of breeding territory through to the fledging of young. During this period they are at risk from disturbance and destruction of nests, eggs and chicks. Damage can occur through both direct and indirect pathways. Direct pathways include disturbance leading to eggs or chicks chilling, trampling of nest eggs and chicks, or direct predation of nest or young by dogs. Indirect pathways include increased predation risk as adults being disturbed from the nest leaving the nest more vulnerable to predation.

Susceptibility to disturbance events varies through the breeding cycle. Early in the establishment of nests a single event may be sufficient to cause birds to relocate elsewhere and in some species can lead to breeding failure, through the breeding season birds will be more robust to disturbance as a result of increased investment in the

nest. Early on in the breeding season disturbance is likely to have an impact at greater distances as birds are less tolerant of disturbance. While disturbance thresholds vary between species and individuals many species will respond at distances of over 150m. When disturbed, adult birds will move away from the nest so as not to draw attention to it, leaving eggs / chicks exposed to the weather and predators. As a consequence the likelihood of nest failure is increased. Territory establishment may occur as early as March in some species such as Lapwing and Ringed plover and the breeding season may extend until mid-July, particularly for pairs that have lost broods and are relaying.

Early in the breeding season failure may result in pair relocation or re-nesting within an established territory. Some species such as Lapwing may be able to attempt multiple breeding attempts within one season other species have less capacity for repeat clutching and a single breeding failure may result in failure to recruit.

Most of the species nesting on saltmarsh and shingle are dispersed breeders with individual pairs occupying favoured territories. However, some species such as the terns and gulls are colonial nesting species where one disturbance event may lead to multiple breeding failures.

All areas supporting this interest feature lie in the coastal margin, with some areas potentially affected by disturbance from users of the England Coast Path itself.

While some areas that are important for open ground nesting species that currently have de facto access or Open Access provision currently, the single most important site – South Walney Nature Reserve - has no public access (apart from paying visitors who have to stick to waymarked paths) and there is a prediction for an increase in public use in the absence of restrictions.

As a result, there is risk of interaction through disturbance and damage to nests, eggs and chicks that arises from modified public use of the coastal zone as a consequence of Coastal Access, from both the default line of the England Coast Path and associated the associated coastal margin. This has the potential to impact on both habitat extent and availability for these species during the breeding season. A potential pathway therefore exists for an anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

The Coastal Access proposal has been developed to accommodate concerns relating to the disturbance to the breeding birds of the saltmarshes and shingle, in particular open ground nesting species. This includes route alignment and restriction / exclusions, in conjunction with physical measures (as previously described).

The proposed route of the England Coast Path does not enter South Walney Nature Reserve, but crosses from one coast to the other just north of the reserve northern boundary. The proposed alignment of the path dictates that the entire reserve falls within the coastal margin. However, we have proposed that an access exclusion will operate across the whole reserve, including the foreshore, all year round. This exclusion is proposed under s24 of CROW (grounds of land management – to enable Cumbria Wildlife Trust to continue to charge for entry to the reserve and consequently manage the reserve appropriately); it will allow existing management and protection for sensitive species breeding on the reserve to continue. If the proposed s24 exclusion is relaxed in the future, following any periodic review/change in management arrangements for the site, we will review this ASFA and consider whether further exclusions or restrictions under s26 of CROW are required. These measures will benefit all the named species and ensure that all of the breeding terns and gulls, and most of the breeding eider and shelduck on Walney Island are not affected by the coastal access proposals.

Access exclusions and restrictions on all the saltmarshes around Walney, and the requirement to keep dogs on leads near Biggar and on the North Walney NNR, will serve to protect breeding birds on these sites.

The route on the west of Walney from Earnse Point to Hare Hill (near South End Caravan Park) is aligned predominantly at the seaward edge of the fields, rather than on the shore. This area of coast is eroding quickly so, where possible, the path will be aligned several metres away from the coast / cliff edge. This will put additional distance between walkers and birds on the shingle. The project team consider that pedestrian access on the line of the trail might see a small increase following the introduction of coastal access rights. This increase in use is likely to occur nearer to the southern end of the island, which currently has lower levels of access. We expect to see a negligible change in use of the coastal margin (mostly foreshore, which is already used by walkers and others). The creation of this new route should help to reduce existing access on the intertidal area and top of the foreshore (by providing a preferable alternative to those who are already in the habit of walking along

Walney's west coast).

There are areas along the west coast where recent storms have thrown shingle up onto the land. Management of some of these areas is aimed at improving habitat for ground-nesting birds in particular. We have proposed restrictions and exclusions in relation to such an area, just north of the Cumbria Wildlife Trust reserve at South Walney, with a view to protecting the birds already breeding in this area and helping to ensure future success. We will put in place additional management measures in other areas of Walney's coastline at any point, if it becomes necessary to safeguard sites with significant potential for nesting.

Based on the balance of evidence available with regard to anthropogenic bird disturbance, and taking into account the specific details/measures built in to the proposal, it is considered likely that changes in use over the saltmarsh and shingle, as a consequence of Natural England's coastal access proposals, will be negligible and so will not result in regular displacement of birds away from key breeding areas. It seems likely that birds will continue with their existing nesting patterns and behaviours in the coastal margin and will not be displaced to areas of sub-optimal habitat.

The ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect is not likely.

CONCLUSION - Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.

Table 3.5.2b Saltmarsh and Sand Dune breeding birds – Thick vegetation and scrub nesting species

Features: Breeding birds sand dunes and saltmarsh assemblage (in Part): Stonechat, linnet, sedge warbler, reed bunting, grasshopper warbler, shelduck, wheatear

Current conservation status and use of the site

Included in the SSSI breeding bird assemblage are a number of species associated with sand dune and saltmarsh communities and which nest in low thick vegetation, such as grasshopper warbler and reed bunting, and coastal scrub, such as linnet and sedge warbler. Most of these species are passerines and can be found in areas of high-level saltmarsh where it grades into thicker mesotrophic grassland with scattered scrub or in areas of stable dune with gorse and scrub communities.

Also included in this assessment are shelduck and wheatear, which nest in holes in the ground.

Ecological sensitivity and scope for interaction with the proposals

As with the open ground nesting species these species are at risk from disturbance and nest destruction from coastal access, however, their association with areas of thicker vegetation and scrub lessens the risk of accidental nest damage as they are in 'unattractive' terrain. Many of the scrub nesting species also adopt thorny scrub such as gorse to nest in (for example, linnet), or wet areas (for example, grasshopper warbler).

Generally these species have lesser disturbance thresholds than many of the open ground nesting species, with disturbance thresholds of less than 30m (pers comm Bart Donato). Most of these species are multi-brooded, typically having two broods a year.

Disruption of nesting is most likely to be caused by dogs off leads.

Many nesting areas will be landward of the England Coast Path though they may be within the Coastal Margin on the landward side; however, in areas where the England Coast Path route is set back from the coast and passes through screening vegetation there may be interaction with these species.

As a result, there is risk of interaction through disturbance and damage to nests, eggs and chicks that arises from modified public use of the coastal zone as a consequence of Coastal Access, from both the default line of the England Coast Path the associated coastal margin. This has the potential to impact on both habitat extent and availability for these species during the breeding season. A potential pathway therefore exists for an

anthropogenic disturbance impact to occur, in the absence of any site-specific measures to manage visitors.

Any likely impact and mitigation

Around the saltmarshes of Walney most of these species are to be found in areas of high level marsh with scattered scrub and often quite rank vegetation. These areas are often on the higher parts of the marshes where they grade into agricultural land. In some cases this habitat falls landward of the proposed trail and not within the associated coastal margin. In other areas, such as Biggar Sands, the scrub habitat does fall within the coastal margin (on land with existing access rights under CROW); however, the scrub is generally thick and impenetrable. On the marshes and dunes which currently have Open Access rights under CROW legislation (North Walney NNR and the area around Biggar), the retention and extension of the requirement to keep dogs on leads will maintain protection against negative impacts associated with uncontrolled dogs.

The new route around the east side of Walney Airfield passes through areas which support these species, especially sedge warbler and reed bunting. There will be a 'dogs on leads' restriction in this area (trail and margin). Other proposed management measures are intended to minimise access through the scrub fringes, of which there is evidence currently. See appendix 2 of this document for more detail on our proposals and mitigation in this area. Whilst it seems likely that there will be a medium to large increase in levels of access on the proposed route itself (on the basis that this is an entirely new route), the overall suite of proposals, mitigation and management measures lead us to predict a negligible change in levels of access in the adjoining margin in this area, away from the trail.

Overall it is considered unlikely that the Coastal Access provisions will have any net impact on this interest feature.

CONCLUSION - Subject to the fully effective implementation of the proposed mitigation measures and details of route alignment and design as proposed - the ecological resources and functions provided by the site will continue unchanged and it is therefore concluded that a significant effect on these interest features is not likely.

3.5.3 Assessment of potential impacts on the interest features of Morecambe Bay SAC

Features

- Mudflats and sandflats not covered by seawater at low tide
- Perennial vegetation of stony banks
- Salicornia and other annuals colonising mud and sand
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- Sand Dunes:
 - Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
 - Fixed coastal dunes with herbaceous vegetation (grey dunes)
 - Humid dune slacks
 - Embryonic shifting dunes
 - Atlantic decalcified fixed dunes (*Calluno-Ulicetea*)
 - Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)
- Coastal lagoons
- Reefs

SAC qualifying features which are not present within or adjacent to the proposal and so not considered in this assessment -

- Sandbanks which are slightly covered by water at all times
- *Estuaries*
- *Large Shallow Inlets and Bays*

Qualifying species: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II: Great crested newt *Triturus cristatus* – not present on Walney Island so not considered in this assessment.

Current conservation status and objectives for the site

Morecambe Bay is a large, very shallow, predominantly sandy bay at the confluence of four principal estuaries, the Leven, Kent, Lune and Wyre. The Duddon Estuary is within the SAC but north of the bay itself, although directly connected to it by Walney Channel. At low tide vast areas of intertidal sandflats are exposed, with small areas of mudflat, particularly in the upper reaches of the associated estuaries.

Mudflats and sandflats not covered by seawater at low tide

Collectively these form the largest single area of continuous intertidal mudflats and sandflats in the UK and the best example of muddy sandflats on the west coast. At low water, large areas of sandflats are exposed, and these range from the mobile fine sands of the outer Bay to more sheltered sands in the inner areas. With increasing shelter in the Bay's adjoining estuaries, finer sediments settle out and form extensive mudflats, supporting a particularly rich and diverse range of infaunal species. North Morecambe Bay also supports area of seagrass beds mainly to the east of the Walney Channel.

Perennial vegetation of stony banks

Walney Island on the shores of Morecambe Bay is a barrier island fringed by shingle with a partial sand covering. Two areas of exposed vegetated shingle occur at the extremes of the barrier. The southern area has been highly modified by eutrophication from a large gull colony, resulting in communities that are unusually species-rich for pioneer shingle vegetation. There is also vegetated shingle on Piel Island. Sea sandwort *Honckenya peploides*, sea bindweed *Calystegia soldanella*, sea rocket *Cakile maritima*, sea kale *Crambe maritima* and yellow horned poppy *Glaucium flavum* are found on the shingle on North Walney and Piel Island.

Salicornia and other annuals colonizing mud and sand

Two types of pioneer saltmarsh are represented at Morecambe Bay in north-west England. Pioneer glasswort *Salicornia spp.* saltmarsh occurs intermittently along the coastline of the bay, forming a transition from the extensive intertidal sand and mudflats to the distinctive saltmeadows at this site. The sea pearlwort *Sagina maritima* community occurs in open pans on the upper marsh.

Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

Morecambe Bay is characteristic of saltmarshes in north-west England, with large areas of closely grazed upper marsh. The saltmarshes on Walney are ungrazed. The mid-upper marsh vegetation is strongly dominated by the saltmarsh-grass/fescue *Puccinellia/Festuca* communities, of which over 1,000 ha occur here, and by smaller areas of saltmarsh rush *Juncus gerardii* community. NVC type SM18 *Juncus maritimus* community is also more strongly represented here than elsewhere in England. The plant species include both southern elements, such as lesser centaury *Centaureum pulchellum*, and northern elements, such as saltmarsh flat-sedge *Blysmus rufus* and few-flowered spike-rush *Eleocharis quinqueflora*.

Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes), Fixed coastal dunes with herbaceous vegetation (grey dunes), Humid dune slacks, Embryonic shifting dunes, Atlantic decalcified fixed dunes (*Calluno-Ulicetea*), Dunes with *Salix repens ssp. argentea* (*Salicion arenariae*)

Shifting dune vegetation forms a major component of the active sand dune systems at the entrance to Morecambe Bay on Walney Island and the Duddon Estuary at Sandscale Haws. The prograding shingle spits at either end of Walney Island support dune systems at South Walney nature reserve and North Walney national nature reserve. Species associated with these shifting dunes include sea holly *Eryngium maritimum*, sea spurge *Euphorbia paralias*, Portland spurge *Euphorbia portlandica* and sea bindweed *Calystegia soldanella*.

Sandscale Haws at the entrance to the Duddon Estuary supports the largest area of calcareous fixed dunes in

Cumbria, which contrast with the acidic dunes at the adjacent North End Haws on Walney Island. South End Haws on Walney Island supports a smaller area of fixed dunes. North Walney and Sandscale in particular show well-conserved structure and function. The fixed dunes support a rich plant diversity including wild pansy *Viola tricolor*, lady's bedstraw *Galium verum*, common restharrow *Ononis repens* and the uncommon dune fescue *Vulpia membranacea* and dune helleborine *Epipactis dunensis*.

Reefs Morecambe Bay supports beds of intertidal and subtidal mussels *Mytilus edulis* on exposed 'scars' of boulder and cobble, and small areas of reefs with furoid algal communities and other biogenic reef species such as *Sabellaria alveolata* (Honeycomb Worm). Great examples of honeycomb worm reef have been seen at Heysham Flat. Of particular note is the rich community of sponges and other associated fauna on tide-swept subtidal pebbles and cobbles at the southern end of Walney Channel.

Conservation Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats

Ecological sensitivity and scope for interaction with the proposals

All the habitats below are also important for the role they play in supporting the bird populations already discussed in this document. If the habitats are damaged they will be unable to support these populations.

Mudflats and sandflats not covered by seawater at low tide. (Intertidal mudflats and sandflats); *Salicornia* and other annuals colonising mud and sand As this feature is not covered by sea water at low tide it would be accessible to walkers and therefore at risk from the effects of trampling including possible sensitive areas of seagrass.

Perennial vegetation of stony banks; Fixed dunes with herbaceous vegetation ("grey dunes"); Atlantic decalcified fixed dunes (*Calluno-Ulicetea*); Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*); Humid dune slacks These features are sensitive to both nutrient enrichment from dogs and the physical effects of direct damage from trampling leading to changes in vegetation composition and direct loss of habitat.

Atlantic salt meadows (*Glauco-Puccinellietalia maritima*); Atlantic salt meadows This habitat is the predominant habitat along the eastern shore of Walney Island. The constituent plant communities are sensitive to harvesting, trampling and abrasion. Access infrastructure such as footbridges may reduce and damage the area of saltmarsh, both in terms of construction impacts and permanent footprint and use of the structures.

Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); Embryonic shifting dunes These features are sensitive to nutrient enrichment from dogs leading to changes in vegetation composition; this is particularly an issue due to the otherwise very nutrient-poor conditions. The pioneer plants are very vulnerable to trampling damage with a loose substrate being all that anchors them down.

Coastal Lagoons The nutrient status of the lagoons is critical to their interest. Changes to the bird usage of the lagoons due to disturbance would have implications on their nutrient levels. Trampling around the margins of the lagoons could damage the specialised species that are adapted to the unusual brackish conditions.

Reefs: Biogenic Stony reef supporting biogenic reef structures such as honeycomb worm reef are sensitive to trampling damage due to walkers or vehicles/machinery.

Any likely impact and mitigation

Mudflats and sandflats not covered by seawater at low tide. (Intertidal mudflats and sandflats); *Salicornia* and other annuals colonising mud and sand– Pioneer saltmarsh communities are found on the eastern side of Walney Island, and seagrass is present at Snab Sands. In this area the majority of the intertidal area is covered by s25A restrictions on access due to the unsuitability of the ground for public access. Along the proposed route, much of the area where this habitat is present, due to the soft mud, would not be attractive to walkers or easily

accessible in any event.

Perennial vegetation of stony banks; Fixed dunes with herbaceous vegetation ("grey dunes"), Atlantic decalcified fixed dunes (*Calluno-Ulicetea*), Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*); Humid dune slacks, Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes); Embryonic shifting dunes

The England Coast Path will avoid the areas of vegetated shingle at the north and south ends of Walney.

The dunes at South Walney will not be accessible under the coastal access proposals, as they will be subject to a S24 access exclusion.

The North Walney NNR is already much used by walkers, and has open access rights under CROW. The path will follow existing well walked routes through the dune habitats. Open Access rights will be replaced by new Coastal Access, within the margin. Given the existing popularity of the site for walkers, we expect a negligible change in levels of access over the site, as a result of our proposals. The coastal access proposals incorporate infrastructure, signposting and interpretation designed to encourage walkers to remain on paths, thus avoiding or potential impacts.

Atlantic salt meadows (*Glauco-Puccinellietalia maritima*); The overwhelming majority of the saltmarsh area around Walney Island will be covered by S25a access exclusions, as Natural England considers that they are unsuitable for a new right of public access. The England Coast Path avoids all areas of saltmarsh except for a small section of route at Biggar, which follows the landward edge of the marsh for some 400m, on land which currently has open access rights under CROW (as registered common land) and at least partially following an existing walked route. The route in this location will be available during the summer only, with an access exclusion in place from 1st September to 31st March, accompanied by an alternative route which follows the road. Establishment works in connection with the new England Coast Path in this area will be limited to those necessary to create a path suitable for the majority of the time between April and August, when the path around the marsh edge will be legally accessible (even during this period, higher tides might steer walkers towards an optional alternative route, also along the nearby road).

Reefs: biogenic This features is found in the tidal to intertidal zones. It is therefore located well away from the main coastal access route and is not easily accessible. Increased levels of access are therefore unlikely to have an effect on this feature.

All these habitats are also important for the role they play in supporting the bird populations already discussed in this document. If the habitats are damaged they will be unable to support these populations.

CONCLUSION – Subject to the effective implementation of all the proposed mitigation measures and details of route alignment and design as proposed - No likely significant effect on the interest features of Morecambe Bay SAC

3.5.4 Assessment of potential impacts on the interest features of South Walney & Piel Channel Flats SSSI and Morecambe Bay RAMSAR– features not covered by SPA and SAC assessments above.

Features

- Vascular plant assemblage: Shingle
- Invertebrate assemblage: Sand Dune
- Coastal geomorphology of England: Barrier Island

Vascular plant assemblage: Shingle

Current conservation status and use of the site

The shingle vascular plant assemblage is found mainly on the south end of Walney Island and Piel Island. It comprises purple ramping fumitory *Fumaria purpurea*, lax-flowered sea lavender *Limonium humile*, oysterplant *Mertensia maritime* and Dune Fescue *Vulpia fasciculata*. Lax-flowered sea lavender is found on the mid and

upper marshes right along the whole of the east coast of Walney Island.
Ecological sensitivity and scope for interaction with the proposals
These vascular plants would be sensitive to trampling as a result of increased public access.
Any likely impact and mitigation
The line of the main England Coast Path avoids the shingle habitat. The habitat falls within the coastal margin and, in some places, is subject to access exclusions under S24 and S26. The restrictions, along with visitor management measures such as signposting and interpretation will significantly reduce the risk from trampling. Whilst the shingle habitat around Piel Island will fall within the coastal margin, we expect no more than a negligible change in levels of access in this area. The island is already regularly visited by the public, mostly arriving by ferry from the mainland. New access rights will be excluded from the intertidal area between Walney and Piel, making it very unlikely that walkers will try to access Piel in this way, if they are not already doing so.
Invertebrate assemblage: Sand Dune
Current conservation status and use of the site
Broad assemblage type: F11 unshaded early successional mosaic, F111 bare sand and chalk, F112 open short sward. High quality invertebrate assemblage including scarce species with high habitat fidelity, including many scarce <i>Lepidoptera</i> .
Ecological sensitivity and scope for interaction with the proposals
The invertebrate assemblage requires a high diversity of habitats. The diversity and extent of these habitats will not be affected by these proposals and consequently the proposals are unlikely to have any effect on the invertebrate assemblage.
Any likely impact and mitigation
No impact likely so no mitigation measures required.
Coastal geomorphology of England: Barrier Island
Feature Description
Walney Island is a barrier island, a type of large offshore bar. There are few features of this type in Britain, and Walney Island is exceptional in being the produce of erosion and reworking of glacial sediments rather than coastal deposition. The spits at the northern and southern ends of Walney Island represent the ends of the offshore bar. The two spits differ from one another. South End Haws consists of shingle and lacks dunes, whereas North End Haws is constructed from sand and has sand dunes. Both spits are important because they are set in a tidal environment where the tidal range is in excess of four metres.
Any likely impact and mitigation
The England Coast Path is unlikely to affect the coastal morphology, either during construction or use. The path is unsurfaced, and does not enter the areas of sand dune where walkers may cause erosion of the dunes. Public access to the coastal margin is unlikely to have an impact on the coastal morphology. As no impact is likely, no mitigation is required.
CONCLUSION – Subject to the effective implementation of route alignment and design as proposed - no significant impacts on the interest features of South Walney & Piel Channel Flats SSSI and Morecambe Bay Ramsar.

3.5.5 Assessment of potential impacts on the interest features of Duddon Estuary SSSI and Duddon Estuary RAMSAR– features not covered by SPA and SAC assessments above.

Features

- Vascular plant assemblage: Sand Dune / Saltmarsh / Artificial Substrate
- Sand dune invertebrate assemblage : Sand Dune
- Natterjack toad *Epidalea calamita*
- Coastal geomorphology of England: Barrier Island

Vascular Plant Assemblage:

Current conservation status and use of the site

The vascular plant assemblage is found on the saltmarshes (east side of Walney) and dunes (North Walney). It comprises dune helleborine *Epipactis dunensis*, seaside centaury *Centaureum littorale*, coralroot orchid *Corallorhiza trifida*, green flowered helleborine *Epipactis phyllanthes*, variegated horsetail *Equisetum variegatum*, Lax-flowered sea lavender *Limonium humile*, round leaved wintergreen *Pyrola rotundifolia*, dune fescue *Vulpia membranacea*, and Isle of Man cabbage *Coinceya monensis monensis*.

Ecological sensitivity and scope for interaction with the proposals

These features are sensitive to both nutrient enrichment from dogs leading to changes in vegetation composition and the physical effects of direct damage from trampling.

Any likely impact and mitigation

Saltmarshes All of the saltmarshes within the Duddon Estuary SSSI on Walney Island will be covered by S25a access exclusions, as they are unsuitable for public access.

Dunes The North Walney NNR is already well used by walkers, and benefits from existing open access rights under CROW. The path will follow existing well-walked routes through the dune habitats. These existing rights will be replaced by new coastal access rights, within the NNR. However, we expect a negligible change in levels of access in dune areas, as a result of our proposals.

Invertebrate assemblage:

Current conservation status and use of the site

Broad assemblage type: F11 unshaded early successional mosaic, F111 bare sand and chalk, F112 open short sward. High quality invertebrate assemblage including scarce species with high habitat fidelity.

Ecological sensitivity and scope for interaction with the proposals

The invertebrate assemblage requires a high diversity of habitats. The diversity and extent of these habitats will not be affected by these proposals and consequently the proposals are unlikely to have any effect on the invertebrate assemblage.

Any likely impact and mitigation

No impact likely so no mitigation measures required.

Natterjack Toad:

Current conservation status and use of the site

The Duddon Estuary is one of the most important areas in Britain for this species and contains between 18- 25%

of the U.K. population, which in turn is equivalent to 50% of the Cumbrian Natterjack Toad population.

Natterjack toads breed in ephemeral pools in the sand dunes on wet grassland on North Walney NNR.

Ecological sensitivity and scope for interaction with the proposals

Pools used by breeding natterjacks are typically shallow, often temporary pools in dune systems or heathland. There is evidence that dogs swimming in such sites can have an impact. The Wildlife Access Advisory Group Guidance¹ indicates that unrestricted access may have an impact upon the Natterjack toads during the breeding season and on the conservation grazing regime.

Edgar (2002) addresses the potential implications (for amphibians and reptiles in the UK) of increased access associated with the introduction of CROW. Other work includes three direct studies (from outside the UK) addressing the effects of disturbance on individual species.

Additional new material comes from the UK Biodiversity Action Plan (BAP). In 2005 lead partners involved in the UK BAP were asked to report on their species and habitats and the reporting included identifying current or emerging threats. From this reporting work the Natterjack toad is cited as having current threats potentially relating to access. Edgar (2002) considers amphibians are generally immune to most public access effects during their terrestrial lives, but the necessity for all species to utilise ponds for breeding purposes exposes them to a greater range of pressures. Because adult natterjack toads are nocturnal and spend the day within burrows (often >20cm deep), Edgar considers impacts from human disturbance, even from trampling by humans or grazing animals, to be minimal. However they are vulnerable in the breeding season. At this time they prefer temporary ponds and the shallow water meaning their spawn is vulnerable, especially to dogs running through the ponds. Dogs entering the pools disturb the silt which then rests on the spawn strings leading to the development of a fungus *Saprolegnia* spp (A. Kimpton pers. comm.) Infrastructure installation may have a detrimental effect on the natterjack population through disturbance or accidental killing through trapping toads by leaving holes exposed or squashing toads sheltering in material stacks.

Potential to facilitate the spread of Chytrid fungus *Batrachochytrium dendrobatidis* between ponds or between populations around the Cumbrian coast. The Chytrid fungus *Batrachochytrium dendrobatidis* has been linked to the decline of many amphibian species around the world. The fungus could potentially be transferred from site to site on walkers' footwear and by dogs.

Any likely impact and mitigation

The main cause of disturbance to Natterjack toads as described above is access, particularly by dogs and also installation of infrastructure.

The route of the England Coast Path in the vicinity of the Natterjack breeding pools follows existing well walked routes. The NNR currently has open access rights under CROW, although these will be replaced by new Coastal Access rights. However, we do not expect levels of access in these areas to increase as a result of the Coastal Access proposals.

Both the coast path and the associated coastal margin will be subject to year-round 'dogs on leads' restrictions, throughout the reserve. The coastal access proposals will incorporate infrastructure, signposting and interpretation to persuade walkers to remain on existing promoted routes in the main, and to avoid or reduce any potential impacts.

Most natterjack populations in the UK which have been tested for the Chytrid fungus have tested positive. (Cunningham, A.A. and Minting, P.. National survey of *Batrachochytrium dendrobatidis* infection in UK amphibians, 2008. Final report. Institute of Zoology.) In the UK no mass mortalities have yet been linked to the Chytrid fungus. Given that the England coast path will be on well walked routes in the areas where Natterjacks are present, we do not consider that our proposals will increase the risk of spreading the Chytrid fungus. Should the current understanding of the risks change, and if in future there is a need to avoid access in areas with Natterjack toads in order to reduce the spread of Chytrid, will take whatever measures are appropriate and necessary. These may include further access management measures, additional restrictions or exclusions – or possibly a change to the proposed route. We will consider the impact of the installation of all infrastructure items associated with the establishment of the approved coastal access proposals, and apply reasonable avoidance measures such as timing of works to avoid seasonal sensitivities. We will apply for a European Protected Species

licence if necessary. Installation of all infrastructure items associated with the establishment of the approved coastal access proposals will be governed by method statements, which will themselves be subject to further Habitats Regulations Assessment. Method statements will cover the following, as a minimum: • Timing of works to avoid seasonal and any other identified sensitivities; • Details of access arrangements for installation of infrastructure, minimising the needs for and extent of vehicular access and where necessary including use of low ground-pressure vehicles on soft terrain; • Storage of plant and materials to ensure no risk to sensitive habitats and species; • Pollution prevention and control measures to be employed at all times; • Biosecurity measures to be integral to all working methods.
Coastal geomorphology of England: Barrier Island
Feature Description
North Walney is also of geomorphological interest. It represents the northern end of a barrier island of which there are few examples in Britain. Walney Island is exceptional in being the product of erosion and reworking of glacial sediments, rather than coastal deposition. The spits at Walney Island are important in several respects: 1. They represent the distal features of the offshore bar and occur in a macro-tidal location; 2. They differ in both form and sediments - North End Haws is fed by sandy sediments in the intertidal zone and has small dunes on its surface, whereas South End Haws comprises mainly shingle with limited dune development; 3. They are associated with 'scars' (boulder and cobble-dominated areas of the intertidal zone) which are a characteristic form of this coast. The sites at Walney Island are important both in their own right and for comparative studies with other barrier island type features.
Any likely impact and mitigation
The England Coast Path is unlikely to affect the coastal morphology, either during construction or use. The path is unsurfaced, and does not enter the areas of sand dune where walkers may cause erosion of the dunes. Public access to the coastal margin is unlikely to have an impact on the coastal morphology. As no impact is likely, no mitigation is required.
CONCLUSION – <i>Subject to the effective implementation of all the proposed mitigation measures and details of route alignment and design as proposed – No significant impacts on the interest features of Duddon Estuary SSSI and Duddon Estuary RAMSAR.</i>

3.5.6 Additional Features of concern

Grey Seal:
Current conservation status and use of the site
Grey seals <i>Halichoerus grypus</i> are among the rarest seals in the world: the UK population represents about 40% of the world population and 95% of the EU population. South Walney has the only large grey seal haul-out in the north west of England. Seals numbers peak at low tides with up to 180 animals on the beach at one time. The seal haul-out is mainly concentrated along the foreshore on the eastern side of the spit at Shelly Bars. In 2015, grey seals bred on South Walney for the first time.
Ecological sensitivity and scope for interaction with the proposals
Seals are at risk of disturbance from people and dogs.

The seal haul-out on Walney is located in the Cumbria Wildlife Trust reserve. The England Coast Path does not enter the nature reserve, and the entire reserve and coastal margin is subject to a year round access exclusion under S24 of CROW.
Any likely impact and mitigation
Because the seals haul out and breed in an area from which all new coastal access rights will be excluded on a long-term basis, our proposals are unlikely to impact on this species.
CONCLUSION – Subject to the effective implementation of all the proposed mitigation measures and details of route alignment and design as proposed – No significant impacts on Grey Seals

3.6 References

- BirdLife International. 2015. European Red List of Birds. Office for Official Publications of the European Communities, Luxembourg.
- Cook A.S.C.P., Barimore C., Holt C.A., Read W.J. & Austin G.E. (2013). *Wetland Bird Survey Alerts 2009/2010: Changes in numbers of wintering waterbirds in the Constituent Countries of the United Kingdom, Special Protection Areas (SPAs) and Sites of Special Scientific Interest (SSSIs)*. BTO Research Report 641. BTO, Thetford. <http://www.bto.org/volunteer-surveys/webs/publications/webs-annual-report>
- Delany, S.; Scott, D. 2006. *Waterbird population estimates*. Wetlands International, Wageningen, The Netherlands.
- del Hoyo, J., Elliott, A., and Sargatal, J. 1996. *Handbook of the Birds of the World, vol. 3: Hoatzin to Auks*. Lynx Edicions, Barcelona, Spain.
- Eaton, M.A., N.J. Aebischer, A.F. Brown, R.D. Hearn, L. Lock, A.J. Musgrove, D.G. Noble, D.A. Stroud & R.D. Gregory. 2015. Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man. *British Birds* 108: 708-746.
- Edgar, P. (2002). The effects of public access on amphibians and reptiles. an assessment of the potential effects of increased public access due to the introduction of the countryside and rights of way act 2000. (ed[^](eds. CCW Contract Science, Bangor.
- Eileen C. Rees, Jennifer H. Bruce, George. T. White (2005). *Factors affecting the behavioural responses of whooper swans (Cygnus c. cygnus) to various human activities*. Biological Conservation, 121, 369–382.
- Guillemain, M., Blanc, R., Lucas, C. & Lepley, M. (2007). *Ecotourism disturbance to wildfowl in protected areas: historical, empirical and experimental approaches in the Camargue, Southern France*. Biodiversity and Conservation, 16, 3633-3651.
- Holt, C.A., Bull, A.J. & Frost, B. (2016) Desk-based Review and Analysis of Changes in Non-breeding Bird Populations on the SSSI Estuaries of North West England. Report for Natural England.
- Lily et al (2015), Morecambe Bay Partnership Recreational Bird Disturbance Study
- Marsh P, Roberts J & Skelcher G (2012) Morecambe Bay Wader Roost Study
- Nagy, S., Flink, S. and Langendoen, T. 2014. Waterbird trends 1988-2012: Results of trend analyses of data from the International Waterbird Census in the African-Eurasian Flyway. Wetlands International, Ede.
- Natural England 2016 Desk Based Review and Analysis of Changes in Non-Breeding Bird Populations on the SSSI Estuaries of North West England
- Ryan L, Liverpool University (2013). High-tide Waterbird mapping in the Duddon Estuary, England,
- Skov, H.; HeinÄnen, S.; Aydelis, R.; Bellebaum, J.; Bzoma, S.; Dagys, M.; Durinck, J.; Garthe, S.; Grishanov, G.; Hario, M.; Kieckbusch, J. K.; Kube, J.; Kuresoo, A.; Larsson, K.; Luigujoe, L.; Meissner, W.; Nehls, H. W.; Nilsson, L.; Petersen, I. K.; Roos, M. M.; Pihl, S.; Sonntag, N.; Stock, A.; Stipniece, A. 2011. Waterbird Populations and Pressures in the Baltic Sea. Nordic Council of Ministers, Copenhagen.
- Smit, C. J. & Visser, G. J. M. Effects of disturbance on shorebirds: a summary of existing knowledge from the Dutch Wadden Sea and Delta area. Wader Study Group Bulletin 68, 6-19 (1993).
- WAAG - Wildlife and Access Advisory Guidance part 1 and 2. NECR012 and NECR013
- Wetlands International. 2014. Waterbird Population Estimates. Available at: <http://wpe.wetlands.org>. (Accessed: 12 June 2014).

Wetlands International. 2015. Waterbird Population Estimates. Available at: wpe.wetlands.org. (Accessed: 17/09/2015).

Section 4: FINAL CONCLUSIONS

THIS FINAL STAGE SHOULD ONLY BE COMPLETED AFTER THE ACCESS CASE OFFICER AND RESPONSIBLE OFFICER HAVE REACHED AGREEMENT, OR FOLLOWING ESCALATION TO THE ACCESS AND NATURE CONSERVATION REVIEW PANEL

4.1: FINAL CONCLUSIONS – HABITATS REGULATIONS ASSESSMENT FOR EUROPEAN SITES

An assessment of the proposals is required under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) to identify potential impacts on the interest features of the European sites as listed above. Under the Habitats Regulations an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

- Natural England has concluded that the proposals are not directly connected with or necessary to the management of the European sites.

The following presents Natural England's conclusions of the HRA screening exercise to determine whether the proposals are likely to have significant effect(s), alone or in-combination, on the relevant European designated sites. The screening exercise under the Habitats Regulations to determine likely significant effect has taken into account the mitigation (reduction and avoidance) measures that have been built into the proposals through the iterative process of scheme development, as described in Section 3 above and elsewhere in Natural England's published report.

The screening exercise has been carried out in relation to the conservation objectives for the sites and in accordance with the precautionary principle which underpins the Habitats Regulations.

Screening for Likely Significant Effect under Habitats Regulations – alone

In relation to the new access proposals summarised in Sections 1 and 2 above and detailed elsewhere in Natural England's published proposals for the ECP, Natural England has assessed the proposals (Section 3) and concluded on the best available evidence and information that:

- | | |
|---|--|
| | A. It can be excluded that the new access proposal, taken alone, will have any effect on any of the features listed in section 3 above for which the European site has been designated or classified, for the following reasons: |
| X | B. While it cannot be excluded that the new access proposal taken alone will have an effect, it is not considered that the effect is likely to be significant, for the reasons given in section 3 above. |
| | C. It <u>cannot</u> be excluded that the new access proposal, taken alone, will have a significant effect on the following feature(s) for which the European site has been designated or classified, for the following reasons: |

Screening for Likely Significant Effect under Habitats Regulations – in combination

Other relevant plan or project	Is each other plan or project clear and specific enough for a	Where the answer in Column 2 is Yes, what effect is it considered the other plan or project is likely to have in its own right
--------------------------------	---	--

	judgement to be made at this stage about the probability or risk of its having any <i>similar</i> effect on the features in question?	on the features in question? Enter <u>one</u> of the following values, with brief reasons: • No effect • A non-significant effect • A significant effect Where the answer in Column 2 is No, enter "Not applicable" in this column.
North West Coast Connections – National Grid Southern part of the route corridor runs through or adjacent to the SPAs, pSPA, SAC and Ramsars in Morecambe Bay and Duddon Estuary. Final route or method of cable not yet confirmed. But likely to include Pylon replacement or under grounding. Land connection point with tunnel under Morecambe Bay and including an island within Morecambe Bay for the tunnel section.	Yes – We are aware of plans for the proposed infrastructure development. This is currently at pre - application stage and is a nationally significant infrastructure project (NSIP).	Current NWCC route proposed does not cross the ECP route. But has the potential to disturb SPA features and possible impacts to SAC features due to pylon and infrastructure location.
Port Meridan Project (MMO License till October 2019 and planning permission also granted) Construction of a pipeline across the Walney Channel from Roosecote through Walney Island and into the intertidal area on the west coast Walney to allow transportation of gas from offshore to onshore via a vessel. Onshore infrastructure required at Roosecote to be built.	Yes	Licenses and permissions have been granted and were subject to an Appropriate Assessment as a likely significant effect was identified to occur to features in Morecambe Bay SAC and Morecambe Bay SPA and Ramsar. Main effects were to birds that could be disturbed and displaced during construction and that habitat (SAC or SPA supporting habitat) could be lost or altered. The Appropriate Assessment concluded that as the work plan is to be submitted to NE and MMO prior to any works, appropriate mitigation (such as below) can be implemented as no adverse effect on the integrity of the SPA was concluded but there the chance of small residual effects. Application of additional species specific survey work pre construction to improve siting of the pipeline to avoid sensitive features including seagrass beds; management and protection of topsoils, vegetation and flora during construction to improve recovery of feature; timing of construction phases to reduce disturbance to key bird period; use of screening and other appropriate site specific mitigation to reduce impact to birds ie low level lightening and application of appropriate pollution and biosecurity measures during construction.
Gateway Gas Storage	Yes	Licenses and permissions have been granted

Project (MMO License till Dec 2018) Construction of 2 pipelines and a cable across the Walney Channel from Roosecote through Walney Island and into the intertidal area on the west coast Walney to connect gas storage caverns under the sea to gas terminal at Roosecote. Onshore infrastructure required at Roosecote to be built.		and were subject to an Appropriate Assessment as likely significant effects were identified to occur to features in Morecambe Bay SAC and Morecambe Bay SPA and Ramsar. The main impacts are that birds would be disturbed and displaced during construction and that habitat could be lost or altered. The Appropriate Assessment concluded that with appropriate mitigation in place the project would not have an adverse effect on the integrity of the SPA. Permission was therefore given subject to several conditions including but not limited to supporting the application of the mitigation measures listed within the proposal such as additional species specific survey work pre construction to improve siting of the pipeline to avoid sensitive features including seagrass beds; management and protection of topsoils, vegetation and flora during construction to improve recovery of feature; timing of construction phases to reduce disturbance to key bird period; use of screening and other appropriate site specific mitigation to reduce impact to birds ie low level lightening and application of appropriate pollution and biosecurity measures during construction
Shoreline Management Plans	No - The Shoreline Management Plan is a long term high-level strategic plan with insufficient detail at a location or site-specific level at this stage. The Plan has itself been subject to HRA. Current and future schemes and projects arising as part of the delivery of the SMP could be relevant where sufficient detail is available. Such schemes and projects would themselves be subject to HRA.	Not Applicable
Local Plans Barrow Borough Council	No – The local plan is currently being finalised having gone through a consultation phase. The Local Plan is a long term high-level strategic plan with insufficient detail across the area	Not Applicable

	or at site-specific level at this stage. The Plan has itself been subject to HRA. Current and future schemes and projects arising as part of the Local Plan could be relevant where sufficient detail is available. Such schemes and projects would themselves be subject to HRA.	
United Utilities Long Sea Outfall Maintenance License. (2025) Allows UU to conducting specific maintenance tasks across 116 outfall locations across the north west – 31 fall within or have potential to impact on Morecambe Bay and Duddon Estuary Designated sites	Yes	Licenses have been granted and were subject to an AA as likely significant effects were identified to occur to features in Morecambe Bay SAC and Morecambe Bay SPA and Ramsar. Impacts to SPA features and SAC features for Morecambe Bay and Duddon Estuary were identified including damage or alteration to SAC features including saltmarsh and disturbance or displacement of SPA features. Permission was granted for a license due to the requirement the works be undertaking only in the specified manner prescribed within Natural England's advice for each outfall site which required, where appropriate, specific mitigation including prescribe vehicle type use, restricted timings of activities where required depending upon task, protective matting use etc. At specific sites for specific activities UU must consult NE and discuss if further site specific mitigation if the work is possible – 15 of the outfalls identified in area Morecambe Bay and Duddon Estuary designated sites were identified as high risk due to sensitive to bird disturbance (roosting, breeding or feeding).
Seasalter Maintenance Activities – consent (2023) Improvements to leased area within north Morecambe Bay for trestles including access required to move and maintain trestles.	Yes	Consent has been granted and was subject to an Appropriate Assessment as likely significant effects were identified to occur to features within Morecambe Bay SPA. The main impacts were potential disturbance and displacement of both Morecambe Bay SPA and Ramsar features. Consent was given as movement of trestle was to be planned for outside of the wintering seasons to reduce the impact to foraging birds known to utilise the trestle area.
Operational Windfarms and Cables	Existing windfarms and proposals in the area which have been	Not applicable

	identified as having a potential effect on European interest features have been subject to HRA and effects mitigated as necessary.	
Planned Windfarms and Cables – Walney Extension	Yes	Licenses have been granted and were delivered as a Nationally Significant Infrastructure Project subject including an Appropriate Assessment as likely significant effects were identified to occur to features in Morecambe Bay SAC and Morecambe Bay SPA and Ramsar. Remaining works offshore to be started in March 2017.

Conclusions of screening in combination

Having considered the best available evidence and information on any other qualifying plans or projects that might operate in combination with the new access proposal detailed in sections 1 and 2, Natural England has concluded that **it can be excluded** that the new access proposal, in combination with any such qualifying plans or projects, will have a significant effect on any of the features for which the European site has been designated or classified, for the following reasons:

As finalised work plans for the path and other projects are yet to be started or undertaken this will allow consideration of further requirements for appropriate mitigation to be employed on a case specific basis. These mitigation measures which may include timing of construction/installation activities etc will mean that the residual effects from these projects will not result in cumulative impacts that could impact SPA features.

Overall Screening Decision for European site/features

Accordingly, taking into account the preceding screening both alone and, where appropriate, in combination, Natural England has concluded:

☒ **No likely significant effect** – the new access proposal may proceed as finally specified, subject to any separate considerations in relation to SSSI features etc (see below);

OR

☐ **Likely significant effect** - appropriate assessment is required to consider whether the new access proposal may proceed.

[Continued]

PART 4B: FINAL CONCLUSION – SSSIs**South Walney & Piel Channel Flats SSSI****Conclusion**

In the light of the analysis in section 3 and based on the best available evidence and information, Natural England has concluded that the new access proposal summarised in sections 1 and 2 above and detailed elsewhere in Natural England's published proposals for the ECP:

☒

complies with NE's duty to further the conservation and enhancement of the notified features of the SSSI, consistent with the proper exercise of its functions¹ - and accordingly the new access proposal may proceed as finally specified in this template

OR☐

would not comply with the duty referred to in (a) – and accordingly permission/ authorisation/ assent for the new proposal should not be given, for the following reasons:

Duddon Estuary SSSI**Conclusion**

In the light of the analysis in section 3 and based on the best available evidence and information, Natural England has concluded that the new access proposal summarised in sections 1 and 2 above and detailed elsewhere in Natural England's published proposals for the ECP:

☒

complies with NE's duty to further the conservation and enhancement of the notified features of the SSSI, consistent with the proper exercise of its functions² - and accordingly the new access proposal may proceed as finally specified in this template

OR☐

would not comply with the duty referred to in (a) – and accordingly permission/ authorisation/ assent for the new proposal should not be given, for the following reasons:

*[Continued]***PART 4C: FINAL CONCLUSION - Other features about which concerns have been expressed****Grey Seals****Conclusion**

In the light of the analysis in section 3, Natural England has concluded that:

☒

the appropriate balance has been struck by the new access proposal between NE's conservation and access objectives, duties and purposes - and accordingly the new access proposal should proceed as finally specified in this template

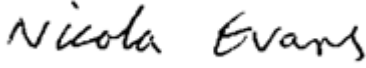
OR☐

the appropriate balance referred to above has not been struck – and accordingly the new access proposal should not proceed in the form specified in this template, for the following

¹ The reference in (a) above to Natural England's functions includes its balanced general purposes under the NERC Act 2006, any specific statutory duties it may have to deliver specific improvements to public access, and the access-related policies and priorities it has agreed with Defra.

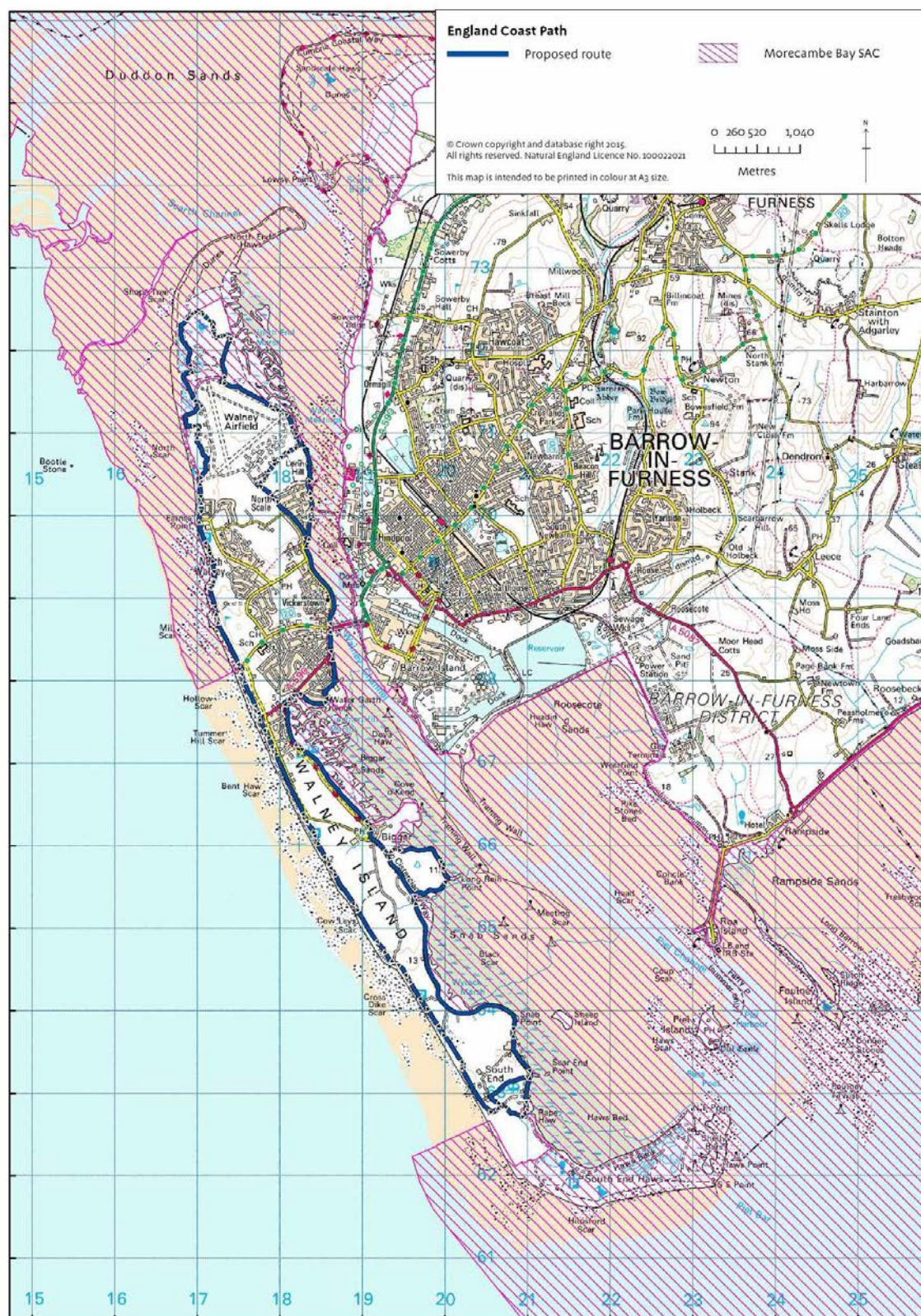
² The reference in (a) above to Natural England's functions includes its balanced general purposes under the NERC Act 2006, any specific statutory duties it may have to deliver specific improvements to public access, and the access-related policies and priorities it has agreed with Defra.

reasons:**SIGNATURE COVERING THE WHOLE OF PART 4:**

Responsible officer		
Name: Nicola Evans	Signed: 	Date: 21/09/2016
Name: Helen Rawson	Signed: 	Date: 21/09/2016

[illegible]

Morecambe Bay SAC



Duddon Estuary SPA & Morecambe Bay SPA



Duddon Estuary SSSI & South Walney and Piel Channel Flats SSSI



Duddon Estuary Ramsar, Morecambe Bay Ramsar & North Walney National Nature Reserve



Appendix 2 – East of Airfield Route Proposals

In order to create a circular route around the north end of the island, we have proposed a route which follows existing well-walked routes in the North Walney National Nature Reserve, and then a new trail around the eastern perimeter of the airfield. This is the most significant extension to the existing network of paths and access opportunities contained within our proposals; as it falls within the vicinity of acknowledged nature conservation sensitivities, we have detailed below our overall approach to this area, in terms of appraising risks and mitigating against likely effects.

Part of the new section of path runs close to the southern end of North End Marsh, in a location where there is a high tide roost. The roost is used by redshank, knot, oystercatcher and curlew, all of which are interest features of the Morecambe Bay and Duddon Estuary pSPA (data from High-tide Waterbird mapping in the Duddon Estuary, England. Lucy Ryan, University of Liverpool 2013).

The area where the new section of trail is proposed currently has relatively low levels of access, so our proposals will lead to a large increase access along the line of the new path.

Currently some people do walk along the back of North End Marsh, over ground that is often flooded at high tide. We consider that, once a new waymarked higher level route is in place, it will provide an easier and more pleasant option for walkers, and people will choose to walk on the new path rather than on the marsh. On this basis, we believe that although levels of access will increase along the line of the path, they may tend to decrease on the marsh itself, thus tending to reduce current levels of disturbance to birds overall.

The new section of path is 1.3km long, and for most of its length is between 20m and 280m from the edge of the marsh, with trees, scrub or tall vegetation between the path and the marsh.

However, there is one section of approximately 180m where the path is less than 20m from the edge of the marsh, and one section of 10m where the path is 3 – 4 m from the marsh. In this latter section, there are gaps in the current natural screening, making it likely that walkers would be seen by birds on the marsh.

In order to prevent disturbance to birds on the marsh, we propose to erect screening in the existing gaps where necessary. A combination of dense existing and re-establishing natural vegetation, along with solid barriers, will greatly reduce any visual disturbance effect, as well as reducing the ability of walkers or their dogs to leave the trail and descend onto the marsh. The installed barriers will include small viewing slits, allowing walkers to view the marsh and its birds, without disturbing them.

The new section of trail will have year round dogs on lead restriction, and the whole of North End marsh will have an access exclusion, as it is deemed unsuitable for public access.

We have developed a package of mitigation measures to ensure that people keep to the line of the trail and don't walk onto the marsh. See below and Map 1 for details:

- Clear signage to guide people off the marsh, towards promoted routes and away from the existing desire line, in three locations (points B, C and E on Map 1);
- At the northern end of the new trail we will install a new section of fencing to guide walkers through the kissing gate toward the England Coast Path (point D), and thus deter them from walking towards the marsh;
- New fencing will be erected at point C to guide general visitors towards the ECP and promoted routes on the NNR and away from the marsh, thus decreasing any current and potential disturbance;
- Cutting vegetation along the proposed route to create a clear path, close to the airfield perimeter fence line, so as to encourage all walkers to follow the ECP in preference to less suitable routes. We intend to begin management of the vegetation in this area well before the introduction of new access rights (subject to agreement with the landowner), so as to start to positively influence behaviour of those who walk in this general area, and also to encourage reestablishment of vegetation in existing gaps;
- We will further engage with the local wildfowling groups (we assume that they are responsible for some of the existing access in this area) to explain our proposals and to seek their assistance in moving existing access off the marsh and onto the proposed route of the ECP;
- The natural screening provided by scrub will be boosted at the locations where it is currently deemed to be less than sufficient by coordinated reestablishment of vegetation and installation of screens/viewing 'hide'

barriers (based on findings from site surveys, aerial photography, satellite imagery, as shown on map 1); and

- In order to further reduce disturbance to birds, we propose to put in place an access restriction requiring all dogs to be kept on leads on the ECP and throughout the NNR. We further propose to exclude new access rights completely, year-round and for the long term, from the adjoining saltmarsh in this area, on grounds that we do not consider this area suitable for a new right of access.

Infrastructure

Installation of all infrastructure items associated with the establishment of the approved coastal access proposals will be governed by method statements, which will themselves be subject to further environmental appraisal. Method statements will cover the following, as a minimum:

- Timing of works to avoid seasonal sensitivities;
- Means of access, minimising vehicular access and including use of low ground-pressure vehicles on soft terrain;
- Storage of plant and materials;
- Pollution prevention and control;
- Biosecurity.

Screening – Two sections of screening at 4m long each are required. We are currently investigating the best options in terms of longevity, maintenance, materials, suitability for the location and practicality. We are in discussions with RSPB, Natural Resources Wales and NNR staff from many sites to find the best design for this site.

The seaward side and the edges of the screens will be planted with suitable scrub (such as hawthorn, willow or reed depending on the ground conditions), where natural regeneration potential appears to be limited. Materials will be moved to their final position on foot after vehicular access to the area through an approved airfield gate.

Planting – one 6m long section is too narrow for a screen, and we will instead plant suitable vegetation (such as willow and reed) to screen the marsh from walkers on the proposed route. Vegetation will be planted before the trail is opened, to allow it to establish before people are using the route.

Fencing – the two new sections of fence will be of post and rail construction and both be 8m long. Access, where necessary to complete this installation, will be according to existing NNR management practices, through an approved airfield gate.

Path surface and width - The path will be unsurfaced, and a corridor of 1.5m width cleared where necessary through scrub and tall vegetation. (See map 1).

Sleeper Bridges - In places the route is very wet, and a number of bridges will be required, totalling approximately 75m in length (See Map 2). Bridges will be approximately 1m wide, and likely to be constructed from a combination of wood and recycled plastics. The overall surface area of those bridges proposed to be installed within the NNR and designated site is approximately 45 square metres.

Drainage - No additional drainage requirements have been identified (the drain shown on the maps, to the east of the runways, is not visible whilst walking). We have planned the proposed route taking into account issues of drainage (including drainage requirements of the adjacent airfield) and ground conditions, as well as the nature conservation sensitivities in this area.

Maintenance - Regular maintenance will be carried out (by Cumbria County Council and/or NNR staff), this includes vegetation management to ensure the line of the route stays open, replacement of screening and additional scrub establishment if required, and any maintenance to standard infrastructure items. As above, maintenance access will be according to existing NNR management practices.

Breeding birds

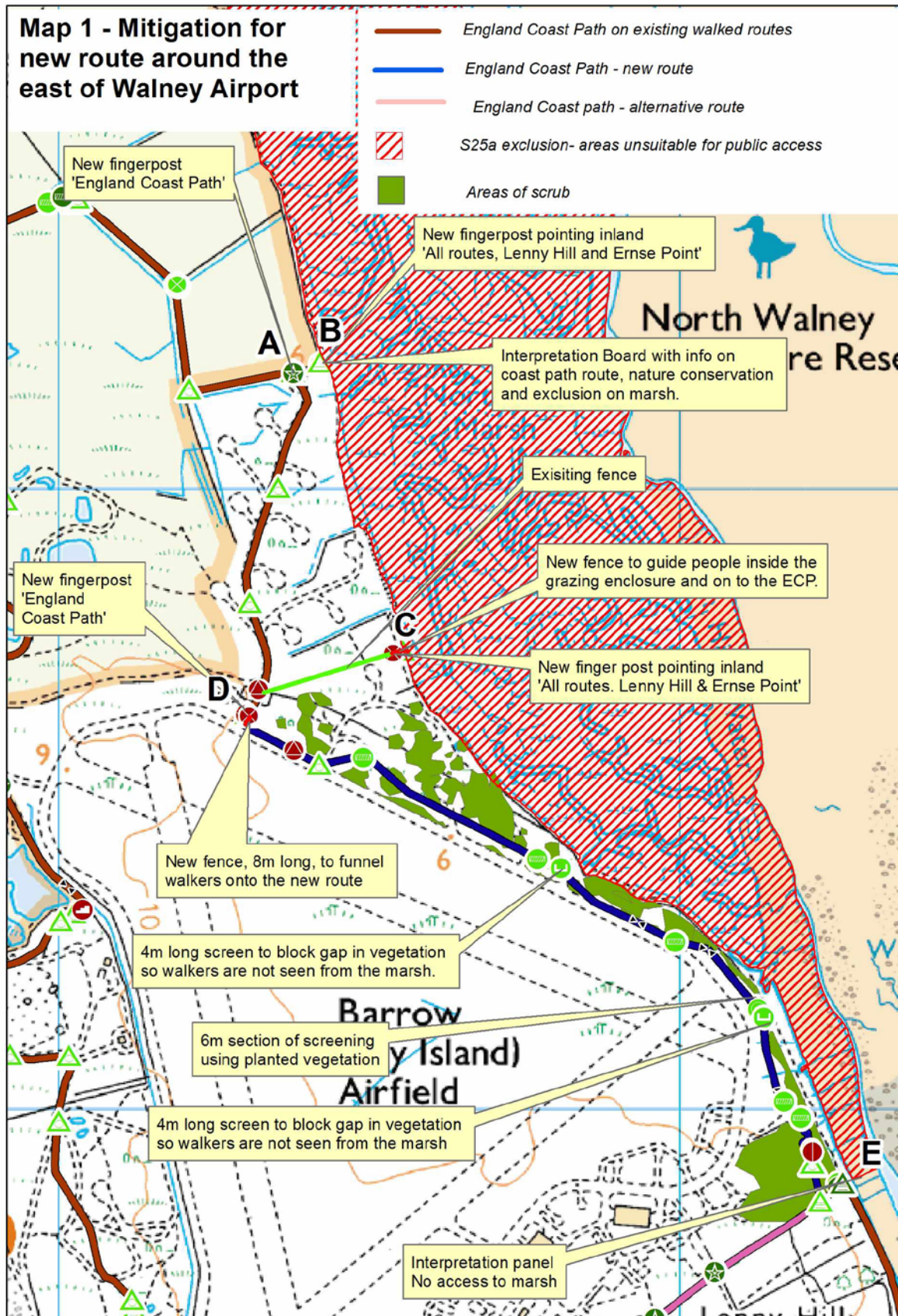
The new route is in an area where birds of the SSSI 'Breeding birds sand dunes and saltmarsh assemblage' nest (stonechat, linnet, sedge warbler, reed bunting, grasshopper warbler). Dogs off lead will cause disturbance to these species while they are nesting.

To reduce disturbance, there will be a year round access restriction, requiring that dogs are kept on leads, both on the route of the ECP, and in the adjacent accessible margin.

Conclusion

We consider that the package of measures described above will mean that the ecological resources and functions provided by the site will continue unchanged, and that a significant effect on the interest features is not likely.

Map 1 – proposals



Map 2 – sleeper bridges

