



**Assessment of Coastal Access proposals under
regulation 63 of the
Habitats Regulations 2017 (as amended)
(‘Habitats Regulations Assessment’)**

**Assessment of England Coast Path proposals between
St Mawes and Cremyll**

**On Fal & Helford Special Area of Conservation,
Polruan to Polperro Special Area of Conservation,
Plymouth Sound & Estuaries Special Area of Conservation,
and Falmouth Bay to St Austell Bay Special Protection
Area**

20 June 2019



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Summary

1) Introduction

This is a record of the Habitats Regulations Assessment ('HRA') undertaken by Natural England (in its role of competent authority) in accordance with the assessment and review provisions of the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations').

Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. This assessment considers the potential impacts of our detailed proposals for coastal access from St Mawes to Cremyll on the following sites of international importance for wildlife:

- Fal and Helford Special Area of Conservation (SAC)
- Polruan to Polperro SAC
- Plymouth Sound and Estuaries SAC
- Falmouth Bay to St Austell Bay Special Protection Area (SPA)

This assessment should be read alongside Natural England's related Coastal Access Reports which between them fully describe and explain its access proposals for the stretch as a whole. The Overview explains common principles and background and the reports explain how we propose to implement coastal access along each of the constituent lengths within the stretch.

<https://www.gov.uk/government/publications/england-coast-path-from-st-mawes-to-cremyll-comment-on-proposals>



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II) Background

The main wildlife interests for this stretch of coast are summarised in Table 1 (see section B1 for a full list of qualifying features).

Table 1: Summary of the main wildlife interest

Interest	Description
Non-breeding waterbirds	Significant wintering populations of black-throated diver, great northern diver and Slavonian grebe occur in the offshore waters between the Helford and Fowey estuaries. These offshore waters are utilised by the birds for feeding and roosting.
Coastal habitats and plants	All of the terrestrial sites considered contain the rare plant shore dock <i>Rumex rupestris</i> and areas of its shoreline / cliff supporting habitat. The coast between Polruan and Polperro additionally contains important areas of vegetated cliffs that display transitions from shoreline vegetation to clifftop grassland, as well as areas of dry heath.
Intertidal and subtidal habitats	The Fal / Helford and Plymouth estuarine systems are important for both their geomorphological and biological interest. The ria (drowned river valley) systems contain an array of habitats of varying substrate, tidal zone / depth and salinity which support a wide range of communities representative of marine inlets and shallow bays.

III) Our approach

Natural England's approach to ensuring the protection of sensitive nature conservation features under the Coastal Access Programme is set out in section 4.9 Coastal Access: Natural England's Approved Scheme 2013 [Ref 1].

Our final published proposal for a stretch of England Coast Path is preceded by detailed local consideration of options for route alignment, the extent of the coastal margin and any requirement for restrictions, exclusions or seasonal alternative routes. The proposal is thoroughly considered before being finalised and initial ideas may be modified or rejected during the iterative design process, drawing on the range of relevant expertise available within Natural England.

Evidence is also gathered as appropriate from a range of other sources which can include information and data held locally by external partners or from the experience of local land owners, environmental consultants and occupiers. The approach includes looking at any current visitor management practices, either informal or formal. It also involves discussing our emerging conclusions as appropriate with key local interests such as land owners or occupiers, conservation organisations or the local access authority. In these ways, any nature conservation concerns are discussed early and constructive solutions identified as necessary.



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The conclusions of our assessment are certified by both the member of staff responsible for developing the access proposal and the person responsible for considering any environmental impacts. This ensures appropriate separation of duties within Natural England.

IV) Aim and objectives for the design of our proposals

The new national arrangements for coastal access will establish a continuous well-maintained walking route around the coast and clarify where people can access the foreshore and other parts of the coastal margin. These changes will influence how people use the coast for recreation and our aim in designing our detailed proposals has been to secure and enhance opportunities for people to enjoy their visit whilst ensuring appropriate protection for affected European sites.

Objectives for design of our detailed local proposals have been to:

- avoid exacerbating issues at sensitive locations by making use of established coastal paths
- where there is no suitable established and regularly used coastal route, develop proposals that take account of risks to sensitive nature conservation features and incorporate mitigation as necessary in our proposals
- clarify when, where and how people may access the foreshore and other parts of the coastal margin on foot for recreational purposes
- work with local partners to design detailed proposals that take account of and complement efforts to manage access in sensitive locations
- where practical, incorporate opportunities to raise awareness of the importance of this stretch of coast for wildlife and how people can help efforts to protect it.

V) Conclusion

We have considered whether our detailed proposals for coastal access between St Mawes and Cremyll might have an impact on (one or more of) Fal and Helford SAC, Polruan to Polperro SAC, Plymouth Sound and Estuaries SAC, and Falmouth Bay to St Austell Bay SPA. In Part C of this assessment we identify some possible risks to the relevant qualifying features and conclude that proposals for coastal access will not have a significant effect on these sites, with the exception of some small loss of habitat as a result of installing new access infrastructure (affecting vegetated sea cliffs within Polruan to Polperro SAC). This impact is subjected to appropriate assessment within Part D, where it is concluded that there is no adverse effect on site integrity.

VI) Implementation

Once a route for the trail has been confirmed by the Secretary of State, we will work with Cornwall Council to ensure any works on the ground are carried out with due regard to the conclusions of this appraisal and relevant statutory requirements.



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VII) Thanks

The development of our proposals has been informed by input from people with relevant expertise within Natural England and other key organisations. The proposals have been thoroughly considered before being finalised and our initial ideas were modified during an iterative design process. We are grateful to the organisations and local experts whose contributions and advice have helped to inform development of our proposals.



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PART A: Introduction and information about the England Coast Path

A1. Introduction

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: we call this the England Coast Path; the other relating to a margin of coastal land associated with the route where in appropriate places people will be able to spread out and explore, rest or picnic.

To secure these objectives, we must submit reports to the Secretary of State for Environment, Food and Rural Affairs recommending where the route should be and identifying the associated coastal margin. The reports must follow the approach set out in our methodology (the Coastal Access Scheme), which – as the legislation requires – has been approved by the Secretary of State for this purpose.

Where implementation of a Coastal Access Report would be likely to have a significant effect on a site designated for its international importance for wildlife, called a 'European site'¹, the report must be subject to special procedures designed to assess its likely significant effects.

The conclusions of this screening are certified by both the member of staff responsible for developing the access proposal and the person responsible for considering any environmental impacts. This ensures appropriate separation of duties within Natural England.

Natural England's approach to ensuring the protection of sensitive nature conservation features under the Coastal Access Programme is set out in section 4.9 of the Coastal Access Scheme [Ref 1].

A2. Details of the plan or project

This assessment considers Natural England's proposals for coastal access along the stretch of coast between St Mawes and Cremyll. Our proposals to the Secretary of State for this stretch of coast are presented in a series of reports that explain how we propose to implement coastal access along each of the constituent lengths within the stretch. Within this assessment we consider each of the relevant reports, both separately and as an overall access proposal for the stretch in question.

Maps showing the proposed coast path stretch in relation to the European sites considered in this assessment can be found in Appendix 1.

Our proposals for coastal access have two main components:

- alignment of the England Coast Path; and,
- designation of coastal margin.

¹ Ramsar sites are treated in the same way by UK government policy



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England Coast Path

A continuous walking route around the coast – the England Coast Path National Trail - will be established by joining up existing coastal paths and creating new sections of path where necessary. The route will be established and maintained to National Trail quality standards. The coastal path will be able to 'roll back' as the occasional cliffs on this stretch erode or slip, solving long-standing difficulties with maintaining a continuous route on this stretch of coast.

Coastal Margin

An area of land associated with the proposed trail will become coastal margin, including all land seawards of the trail down to mean low water.

Coastal margin is typically subject to new coastal access rights, though there are some obvious exceptions to this. The nature and limitations of the new rights, and the key types of land excepted from them, are explained in more detail in Chapter 2 of our Coastal Access Scheme [Ref 1]. Where there are already public or local rights to do other things, these are normally unaffected and will continue to exist in parallel to the new coastal access rights. The exception to this principle is any pre-existing open access rights under Part 1 of the Countryside and Rights of Way Act 2000 (CROW) over land falling within the coastal margin: the new coastal access rights will apply in place of these.

Where public access on foot already takes place on land within the margin without any legal right for people to use the land in this way, the new coastal access rights will secure this existing use legally. Access secured in this way is subject to various national restrictions. It remains open to the owner of the land, should they wish, to continue tolerating other types of established public use not provided for by coastal access rights.

Maintenance of the England Coast Path

The access proposals provide for the permanent establishment of a path and associated infrastructure. The England Coast Path will be part of the National Trails family of routes, for which there are national quality standards. Delivery is by local partnerships and there is regular reporting and scrutiny of key performance indicators, including the condition of the trail.

Responding to future change

The legal framework that underpins coastal access allows for adaptation in light of future change. In such circumstances Natural England has powers to change the route of the trail and limit access rights over the coastal margin in ways that were not originally envisaged. These new powers can be used, as necessary, alongside informal management techniques and other measures to ensure that the integrity of the site is maintained in light of unforeseen future change.



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Establishment of the trail

Establishment works to make the trail fit for use and prepare for opening will be carried out before the new public rights come into force on this stretch. Details of the works to be carried out and the estimated cost are provided in the access proposals. The cost of establishment works will be met by Natural England. Works on the ground to implement the proposals will be carried out by Cornwall Council subject to any further necessary consents being obtained, including to undertake operations on a SSSI. Natural England will provide further advice to the local authority carrying out the work as necessary.

Local context

The 2009 Legislation refers to the continuous trail with its associated margin and other access rights as being the England Coast Path. Where appropriate we have used existing established coastal trail routes and these will already be known by different local and regional names, such as the South West Coast Path (SWCP). However there will be places where the established trail and the proposed new Coast Path route diverge. So to avoid confusion as to which route is being proposed under the 2009 Legislation in this report, it is intended to remain with the terminology used in the Act namely the England Coast Path. It is recognised and welcomed that other local established route names will continue to be used on the ground.

The proposed route between St Mawes and Cremyll almost entirely follows the well-established SWCP with only minor route deviations. It is not anticipated there will be any significant changes to current levels or patterns of usage of either the path or land that falls within the proposed margin (much of which is already designated as Open Access). The SWCP is already a National Trail and is a high quality, well maintained walking route with a strong, internationally recognised identity, and its inclusion as part of the England Coast Path is not expected to significantly change how this stretch of coast is used for recreation.



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PART B: Information about the European Site(s) which could be affected

B1. Brief description of the European Sites(s) and their Qualifying Features

Fal and Helford SAC

This site is a ria (drowned river valley) system that supports a wide range of communities representative of marine inlets and shallow bays. The rias of the Fal and Helford have only a low freshwater input and as a result the area contains a range of fully marine habitats from extremely sheltered in the estuarine inlets to the wave-exposed, tide-swept rocky shores of the open coast. There is a diverse algal flora and a number of warm-water species are present. It supports extensive and rich sediment communities, as well as rocky shores and subtidal rock and boulder communities. The site also contains a large, dispersed population of shore dock *Rumex rupestris*.

Most of the shores of the Fal and Helford rias, and their upper reaches, are fringed by sandflats and mudflats. There is a narrow saltmarsh zonation typical of rias, from pioneer to upper marsh, and transitions to woodland where the fringing trees overhang the tidal river, an unusual juxtaposition of vegetation in the UK.

Polruan to Polperro SAC

This site comprises approximately 10 km of largely south-facing coastal cliff. The cliff habitats are influenced by the complex variation in rock types and structure at this location. They support a variety of maritime rock crevice and ledge communities with transitions to maritime grasslands.

Areas of heath vegetation are also present, characterized by western gorse *Ulex gallii*, with heather *Calluna vulgaris* and bell heather *Erica cinerea* occurring locally. In places the lower cliffs and backshore are influenced by freshwater seepages, flushes and springs which support a significant population of shore dock *Rumex rupestris*.

Plymouth Sound and Estuaries SAC

The site includes the rias (drowned river valleys) of the rivers Tavy, Tamar, Lynher and Yealm. The first three of these join at the wide, rocky inlet of Plymouth Sound and the Yealm enters the adjacent Wembury Bay. The Plymouth Sound complex has a high diversity of habitats and communities characteristic of different salinities, and some of these support extremely rich marine flora and fauna. Notable habitats include intertidal and subtidal limestone reefs; offshore subtidal tide-swept reefs; tide-swept limestone channels; and subtidal sediments. The well-developed salinity gradient supports Atlantic salt meadow together with natural transitions to brackish and freshwater communities. The site also is one of the chief rocky-shore strongholds for shore dock *Rumex rupestris* on the UK mainland.

Falmouth Bay to St Austell Bay SPA

The site is located on the south coast of Cornwall, covering 25,898 ha of the marine environment incorporating five shallow, sandy bays; Falmouth Bay, Gerrans Bay, Veryan Bay, Mevagissey Bay and St Austell Bay. It also includes Carrick Roads, an estuarine area which meets the sea between Falmouth

and St Mawes, and part of the tidal Helford River. It supports wintering populations of black-throated diver, great northern diver and Slavonian grebe.

The site has the largest population of wintering black-throated divers in the UK, making this the most important site for this species. It is the only SPA in England classified for wintering great northern diver. The site holds 1.4% of the GB total for Slavonian grebe.

Table 2: Qualifying features

Qualifying feature	Fal and Helford SAC	Polruan to Polperro SAC	Plymouth Sound and Estuaries SAC	Falmouth Bay to St Austell Bay SPA
H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks	✓		✓	
H1130. Estuaries	✓		✓	
H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats	✓		✓	
H1160. Large shallow inlets and bays	✓		✓	
H1170. Reefs	✓		✓	
H1330. Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)	✓		✓	
S1102. <i>Alosa alosa</i> ; Allis shad			✓	
S1441. <i>Rumex rupestris</i> ; Shore dock	✓	✓	✓	
H1230. Vegetated sea cliffs of the Atlantic and Baltic coasts		✓		
H4030. European dry heaths		✓		
A002. Black-throated divers, <i>Gavia arctica</i> . Non-breeding				✓
A003. Great northern divers, <i>Gavia immer</i> . Non-breeding				✓
A007. Slavonian grebes, <i>Podiceps auritus</i> . Non-breeding				✓



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B2. European Site Conservation Objectives (including supplementary advice)

Natural England provides advice about the Conservation Objectives for European Sites in England in its role as the statutory nature conservation body. These Objectives (including any Supplementary Advice which may be available) are the necessary context for all HRAs.

The overarching Conservation Objectives for every European Site in England are to ensure that the integrity of each site is maintained or restored as appropriate, and that each site contributes to achieving the aims of the Habitats Regulations, by either maintaining or restoring (as appropriate):

- The extent and distribution of their qualifying natural habitats,
- The structure and function (including typical species) of their qualifying natural habitats,
- The supporting processes on which their qualifying natural habitats rely,
- The supporting processes on which the habitats of their qualifying features rely,
- The population of each of their qualifying features, and
- The distribution of their qualifying features within the site.

Where Conservation Objectives Supplementary Advice is available, which provides further detail about the features' structure, function and supporting processes mentioned above, the implications of the plan or project on the specific attributes and targets listed in the advice will be taken into account in this assessment.

In light of the European Sites which could be affected by the plan or project, this assessment will be informed by the following site-specific Conservation Objectives, including any available supplementary advice.

Supplementary advice on the conservation objectives for these sites can be viewed at:

Fal and Helford SAC

<https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK0013112&SiteName=fal&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=>

Polruan to Polperro SAC

<http://publications.naturalengland.org.uk/file/4779753924198400>

Plymouth Sound and Estuaries SAC

<https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK0013111&SiteName=ply&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=>

Falmouth Bay to St Austell Bay SPA

<https://designatedsites.naturalengland.org.uk/Marine/MarineSiteDetail.aspx?SiteCode=UK9020323&SiteName=fal&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=>



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PART C: Screening of the plan or project for appropriate assessment

C1. Is the plan or project either directly connected with or necessary to the (conservation) management (of the European Site's qualifying features)?

The Coastal Access Plan is not directly connected with or necessary to the management of the European or Ramsar sites for nature conservation listed in B1 above.

Conclusion:

As the plan or project is not either directly connected or necessary to the management of all of the European site(s)'s qualifying features, and/or contains non-conservation elements, further Habitats Regulations assessment is required.

C2. Is there a likelihood [or risk] of significant [adverse] effects ('LSE')?

This section details whether those constituent elements of the plan or project which are (a) not directly connected with or necessary to the management of the European Site(s) features and (b) could conceivably adversely affect a European site, would have a **likely significant effect**, either alone or in combination with other plans and projects, upon the European sites and which could undermine the achievement of the site's conservation objectives referred to in section B2.

In accordance with case law, this HRA has considered an effect to be 'likely' if it '*cannot be excluded on the basis of objective information*' and is 'significant' if it '*undermines the conservation objectives*'. In accordance with Defra guidance on the approach to be taken to this decision, in plain English, the test asks whether the plan or project '*may*' have a significant effect (i.e. there is a risk or a possibility of such an effect).

This assessment of risk therefore takes into account the precautionary principle (where there is scientific doubt) and **excludes**, at this stage, any measures proposed in the submitted details of the plan/project that are specifically intended to avoid or reduce harmful effects on the European site(s).

Each of the project elements has been tested in view of the European Site Conservation Objectives and against each of the relevant European site qualifying features. An assessment of potential effects using best available evidence and information has been made.

C2.1 Risk of Significant Effects Alone

The first step is to consider whether any elements of the project are likely to have a significant effect upon a European site ‘alone’ (that is when considered in the context of the prevailing environmental conditions at the site but in isolation of the combined effects of any other ‘plans and projects’). Such effects do not include those deemed to be so insignificant as to be trivial or inconsequential.

In this section, we assess risks to qualifying features, taking account of their sensitivity to coastal walking and other recreational activities associated with coastal access proposals, and in view of each site’s Conservation Objectives.

For the purposes of this assessment, the qualifying features of the European Sites listed in B1 have been grouped in Table 3 as ‘feature groups’ in order to simplify the screening assessment in Table 4. Each feature group comprises habitats / species that share similar ecological sensitivities to aspects of the coastal access proposals. As a number of SAC features comprise many sub-features that occupy different habitat zones then similar sub-features have also been considered here as feature groups.

Table 3: Feature groups

Feature group	Qualifying feature(s)
Shore dock	<i>Rumex rupestris</i> Shore dock (plus supporting habitat)
Open coastal habitats	Vegetated sea cliffs of the Atlantic and Baltic coasts; European dry heaths
Intertidal habitats	Specific habitat sub-features (of Fal and Helford / Plymouth Sound and Estuaries SAC features) occurring between Mean Low Water (MLW) and Mean High Water (MHW) – see Supplementary advice for details of sub-features
Subtidal habitats and species	<i>Alosa alosa</i> Allis shad; Specific habitat sub-features (of Fal and Helford / Plymouth Sound and Estuaries SAC features) occurring below MLW – see Supplementary advice for details of sub-features
Non-breeding waterbirds	<i>Gavia arctica</i> Black-throated divers; <i>Gavia immer</i> Great northern divers; <i>Podiceps auritus</i> Slavonian grebes

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Table 4: Assessment of likely significant effects alone

Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Shore dock	Trampling	Shore dock is somewhat resilient to trampling, however repeated trampling would have a long term effect due to physical damage to plants and possibly the substrate in which they grow.	<p>No appreciable risk</p> <p>The SWCP is already very well used and no significant increase in visitor numbers or changes to patterns of use along the path or the area of the margin is anticipated.</p> <p>The plant favours wet flushes, either on steep coastal slopes or at the base of cliffs that are either inaccessible or generally avoided by people using beaches for recreation.</p> <p>The shore dock features within all three SACs are currently assessed as favourable.</p>	No
Shore dock	Damage to habitat / functioning of habitat	Movement of freshwater and connectivity / functioning of supporting habitat on which shore dock is reliant may be adversely affected by path establishment works	No risk – there are no path establishment works proposed within SACs on the St Mawes to Cremyll stretch of the path	No
Open coastal habitats	Physical damage	Vegetation and underlying substrate may be damaged by an increase in footfall resulting from the coastal access proposals. Excessive erosion could lead to a reduction in the area of qualifying features. The risk of erosion is greatest on steep coastal slopes especially if the path and associated drainage were not maintained.	<p>No appreciable risk</p> <p>The SWCP will continue to be proactively managed to National Trail quality standards under our proposals. In places where the Coast Path traverses coastal slopes people tend to stick to well-defined paths because they provide the most suitable surface for walking. Maintaining an easy to use and follow path has proven to be an effective way of managing access in this situation.</p> <p>Open access rights already apply over most coastal slopes along this stretch of coast. Where coastal access rights will be secured by the access proposals, there are no practical differences to suggest</p>	No

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Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
			that the established patterns of use will be altered by this technical change.	
Open coastal habitats	Eutrophication	Composition of qualifying feature vegetation may be adversely affected through nutrient enrichment from an increase in dog faeces	No appreciable risk The SWCP is already very well used and no significant increase in visitor numbers (including dog walkers) or changes to patterns of use along the path or the area of the margin is anticipated	No
Open coastal habitats	Loss of habitat through installation of access management infrastructure	Habitat may be permanently lost or damaged due to the installation of new access management infrastructure	There will be a minor loss of land (<1 m ²) within vegetated sea cliff habitat in Polruan to Polperro SAC due to the installation of 2 waymarking posts. There is a low risk of significant effects to qualifying features.	Yes
Intertidal habitats	Trampling / damage to habitats	Intertidal habitat sub-features and associated sensitive communities may be damaged by an increase in footfall resulting from the coastal access proposals	No appreciable risk. The SWCP is already very well used and no significant increase in visitor numbers or changes to patterns of use along the path or the area of the margin is anticipated. The public already accesses much of the margin and shoreline, and the coastal access rights will simply confirm and secure the existing situation, with no significant changes to people's behaviour expected. The majority of intertidal sub-features of SAC features are located upstream away from the vicinity of the margin of the St Mawes to Cremyll stretch, and so outside of the scope of the coastal access proposals. The intertidal sub-features that are located within the vicinity of the margin - intertidal reef / rock, intertidal sandflats - are	No

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Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
			not considered in themselves to be sensitive to current or predicted levels of public access (intertidal rock and sand features being largely resilient to human footfall), and additionally do not contain sensitive species / species assemblages within these particular SAC localities along the St Mawes to Cremyll stretch of the ECP.	
Subtidal habitats and species	Not affected by public access	Coastal Access proposals extend to MLW and so subtidal habitats and species are outside of the scope of these proposals.	No risk	No
Non-breeding waterbirds	Disturbance of feeding or resting birds	Birds feeding or resting at sea in the vicinity of the coastal path / margin may be disturbed by an increase in recreational activities including walking and walking with a dog.	<p>No appreciable risk</p> <p>The Advice on Operations for the SPA bird features provides an overview of the birds' sensitivities to both visual disturbance and noise and highlights that these can arise from shore-based recreational activities</p> <p>The SWCP is already very well used and no significant increase in visitor numbers or changes to patterns of use along the path or the area of the margin is anticipated. There is thus no appreciable risk of any significant increase in the possibility of disturbance.</p> <p>Additionally, non-breeding waterbirds use in-shore and off-shore marine waters for maintenance behaviours (resting, preening) and foraging. These species are not generally present close in-shore and with no appreciable congregations at locations in proximity with our proposals,</p>	No



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Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
			<p>the spatial separation is large enough to conclude that there is no ecological sensitivity to consider.</p> <p>The supplementary advice also notes that marine disturbance levels are generally low during the winter months when the birds are present, usually from October / November to April / May. Levels of use of the coast path and margin are similarly expected to remain lower during the time the birds are present, reflecting current seasonal levels of use.</p>	

Conclusion:

The plan or project alone is likely to have a significant effect on the following qualifying features:

- Vegetated sea cliffs – as a result of small scale loss of habitat.

The plan or project alone is unlikely to have a significant effect on the following qualifying features groups:

- All other qualifying features (from all other pressures associated with the access proposals).



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C2.2 Risk of Significant Effects in-combination with the effects from other plans and projects

The need for further assessment of the risk of in-combination effects is considered here.

Natural England considers that it is the appreciable risks of effects (from a proposed plan or project) that are not themselves considered to be significant alone which must be further assessed to determine whether they could have a combined effect significant enough to require an appropriate assessment.

Step 1 – Are there any appreciable risks from the access proposals that have been identified in C2.1 as not significant alone?

Further to the risks identified as being significant alone (in C2.1), it is considered that there are no other residual and appreciable risks likely to arise from this project which have the potential to act in-combination with similar risks from other proposed plans or projects to also become significant. It has therefore been excluded, on the basis of objective information, that the project is likely to have a significant effect in-combination with other proposed plans or projects.

C3. Overall Screening Decision for the Plan/Project

On the basis of the details submitted, Natural England has considered the plan or project under Regulation 63(1)(a) of the Habitats Regulations and made an assessment of whether it will have a likely significant effect on a European site, either alone or in combination with other plans and projects.

In light of sections C1 and C2 of this assessment above, Natural England has concluded:

As the plan or project is likely to have significant effects (or *may* have significant effects) on some or all of the Qualifying Features of the European Site(s) 'alone', further appropriate assessment of the project 'alone' is required.



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PART D: Appropriate Assessment and Conclusions on Site Integrity

D1. Scope of Appropriate Assessment

In light of the screening decision above in section C3, this section contains the Appropriate Assessment of the implications of the plan or project in view of the Conservation Objectives for the European Site(s) at risk.

The Sites and the Qualifying Feature for which significant effects (whether 'alone' or 'in combination') are likely or cannot be ruled out and which are initially relevant to this appropriate assessment are:

Table 5: Scope of Appropriate Assessment

Environmental pressure	Qualifying Feature(s) affected	Risk to Conservation Objectives
Loss of habitat through installation of access management infrastructure.	Vegetated sea cliffs (Polruan to Polperro SAC).	The installation of access management infrastructure may lead to permanent loss or damage of qualifying habitat.

D2. Contextual statement on the current status, influences, management and condition of the European Site and those qualifying features affected by the plan or project

Loss of habitat

Regarding the qualifying feature vegetated sea cliffs the Supplementary Advice on Conservation Objectives for Polruan to Polperro SAC sets targets of "no measurable reduction (excluding any trivial loss) in the extent and area of this feature" and to "maintain the distribution and continuity of the habitat".



Assessment of Coastal Access proposals under regulation 63 of the Habitats Regulations 2017 (as amended) ('Habitats Regulations Assessment')

D3. Assessment of potential adverse effects considering the plan or project 'alone'

This section considers the risks identified at the screening stage in section C and assesses whether adverse effects arising from these risks can be ruled out, having regard to the detailed design of proposals for coastal access.

In reviewing the ability of any incorporated measures to avoid harmful effects, Natural England has considered their likely effectiveness, reliability, timeliness, certainty and duration over the full lifetime of the plan or project. A precautionary view has been taken where there is doubt or uncertainty regarding these measures.

D3.1 Design of the access proposal to address possible risks – at a stretch level

Our proposals will see the installation of new and replacement infrastructure items along the St Mawes to Cremyll stretch. The majority of these fall outside of European sites; however two new waymarking posts fall within Polruan to Polperro SAC (at SX 16683 51252 and SX 20178 50523) in areas likely to contain the qualifying feature vegetated sea cliffs.

D3.2 Assessment of potentially adverse effects (taking account of any additional mitigation measures incorporated into the design of the access proposal) alone

Table 6: Assessment of adverse effect on site integrity alone

Risk to conservation objectives	Relevant design features of the access proposal	Can 'no adverse effect' on site integrity be ascertained? (Yes/No) Give reasons.	Residual effects?
The installation of access management infrastructure may lead to a loss of the qualifying feature vegetated sea cliffs.	Two new waymarking posts fall within Polruan to Polperro SAC in areas likely to contain the qualifying feature vegetated sea cliffs.	<p>Yes.</p> <p>The loss equates to less than 0.25 m², and is alongside existing paths so the land lost is unlikely to contain part of the qualifying feature (this can be re-checked at the establishment stage – see below). As the signs are intended to guide people along the existing coastal path they will also help to minimise any potential impact on the wider habitat.</p> <p>The scale of loss (less than 0.25 m²) can be regarded as 'trivial' in the context of the conservation objectives for the feature, and the nature of the works (two waymarking posts) will not adversely affect the continuity and functioning of the habitat types or their transitions.</p> <p>The location of posts and installation method will be finalised at the establishment stage. Assessment of possible impacts on the European site will need to be checked and confirmed as part of the SSSI assenting process prior to works being carried out.</p>	No

Conclusion:

The following risks to achieving the conservation objectives identified in D1 are effectively addressed by the proposals and no adverse effect on site integrity (taking into account any incorporated mitigation measures) can be concluded:

- The installation of access management infrastructure will lead to a loss of habitat which may form part of the qualifying feature vegetated sea cliffs



Assessment of Coastal Access proposals under regulation 63 of the Habitats Regulations 2017 (as amended) ('Habitats Regulations Assessment')

D4 Assessment of potentially adverse effects considering the project 'in-combination' with other plans and projects

The need for further assessment of the risk of in-combination effects is considered here.

Natural England considers that it is the appreciable effects (from a proposed plan or project) that are not themselves considered to be adverse alone which must be further assessed to determine whether they could have a combined effect significant enough to result in an adverse effect on site integrity.

Step 1 – Are there any appreciable risks from the access proposals that have been identified in D3.3 as not themselves considered to be adverse alone?

Natural England considers that in this case the potential for adverse effects from the plan or project has been wholly avoided by the incorporated or additional mitigation measures outlined in section D3. It is therefore considered that there are no residual and appreciable effects likely to arise from this project which have the potential to act in-combination with those from other proposed plans or projects. It has therefore been excluded, on the basis of objective information, that the project can have an adverse effect on site integrity in-combination with other proposed plans or projects.

D5. Conclusions on Site Integrity

Because the plan/project is not wholly directly connected with or necessary to the management of the European site and is likely to have a significant effect on that site (either alone or in combination with other plans or projects), Natural England carried out an Appropriate Assessment as required under Regulation 63 of the Habitats Regulations to ascertain whether or not it is possible to conclude that there would be no adverse effect on the integrity of a European Site(s).

Natural England has concluded that:

It can be ascertained, in view of site conservation objectives, that the access proposal (taking into account any incorporated avoidance and mitigation measures) will not have an adverse effect on the integrity of Fal and Helford SAC, Polruan to Polperro SAC, Plymouth Sound and Estuaries SAC and Falmouth Bay to St Austell Bay SPA either alone or in combination with other plans and projects.



Assessment of Coastal Access proposals under regulation 63 of the Habitats Regulations 2017 (as amended) ('Habitats Regulations Assessment')

PART E: Permission decision with respect to European Sites

Natural England has a statutory duty under section 296 of the Marine and Coastal Access Act 2009 to improve access to the English coast. To fulfil this duty, Natural England is required to make proposals to the Secretary of State under section 51 of the National Parks and Access to the Countryside Act 1949. In making proposals, Natural England, as the relevant competent authority, is required to carry out a HRA under Regulation 63 of the Habitats Regulations.

We, Natural England, are satisfied that our proposals to improve access to the English coast between St Mawes and Cremyll are fully compatible with the relevant European site conservation objectives.

It is open to the Secretary of State to consider these proposals and make a decision about whether to approve them, with or without modifications. If the Secretary of State is minded to modify our proposals, further assessment under the Habitats Regulations may be needed before approval is given.

Certification

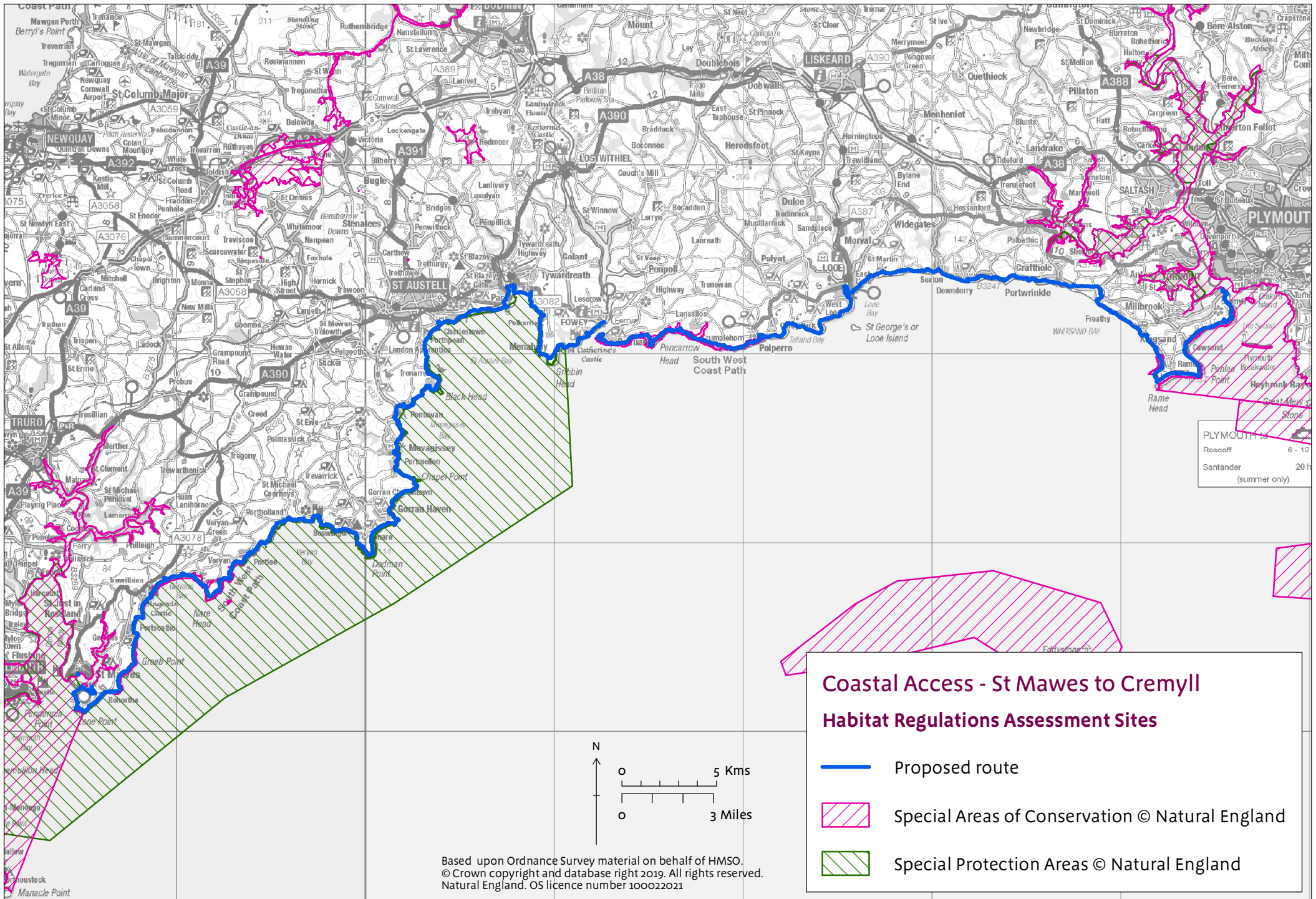
Assessment prepared by:	Dan Pedley	<i>Lead Adviser, Coastal Access Assessment Unit</i>
Date	29/05/2019	
HRA approved:	Nik Ward	<i>Senior officer with responsibility for protected sites</i>
Date	29/05/2019	



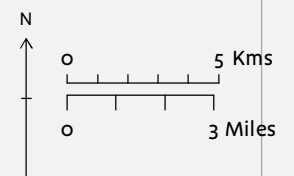
Assessment of Coastal Access proposals under regulation 63 of the Habitats Regulations 2017 (as amended) ('Habitats Regulations Assessment')

References to evidence

1. NATURAL ENGLAND. 2013. Coastal Access Natural England's Approved Scheme 2013. Published by Natural England Catalogue Code: NE446
<http://publications.naturalengland.org.uk/publication/5327964912746496?category=50007>



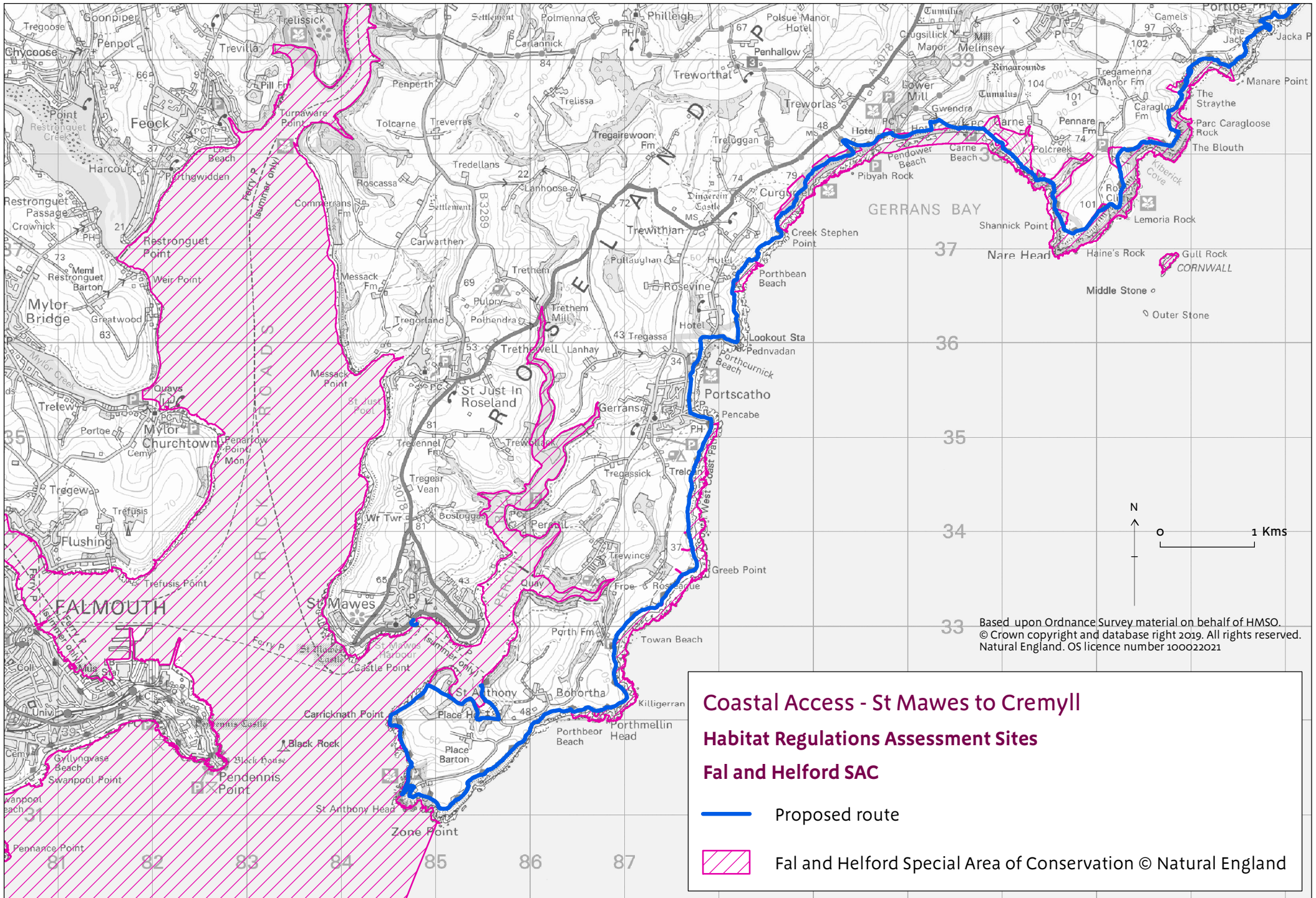
PLYMOUTH to
 Roscoff 6 - 12
 Santander 20 h
 (summer only)



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**Coastal Access - St Mawes to Cremyll
 Habitat Regulations Assessment Sites**

- Proposed route
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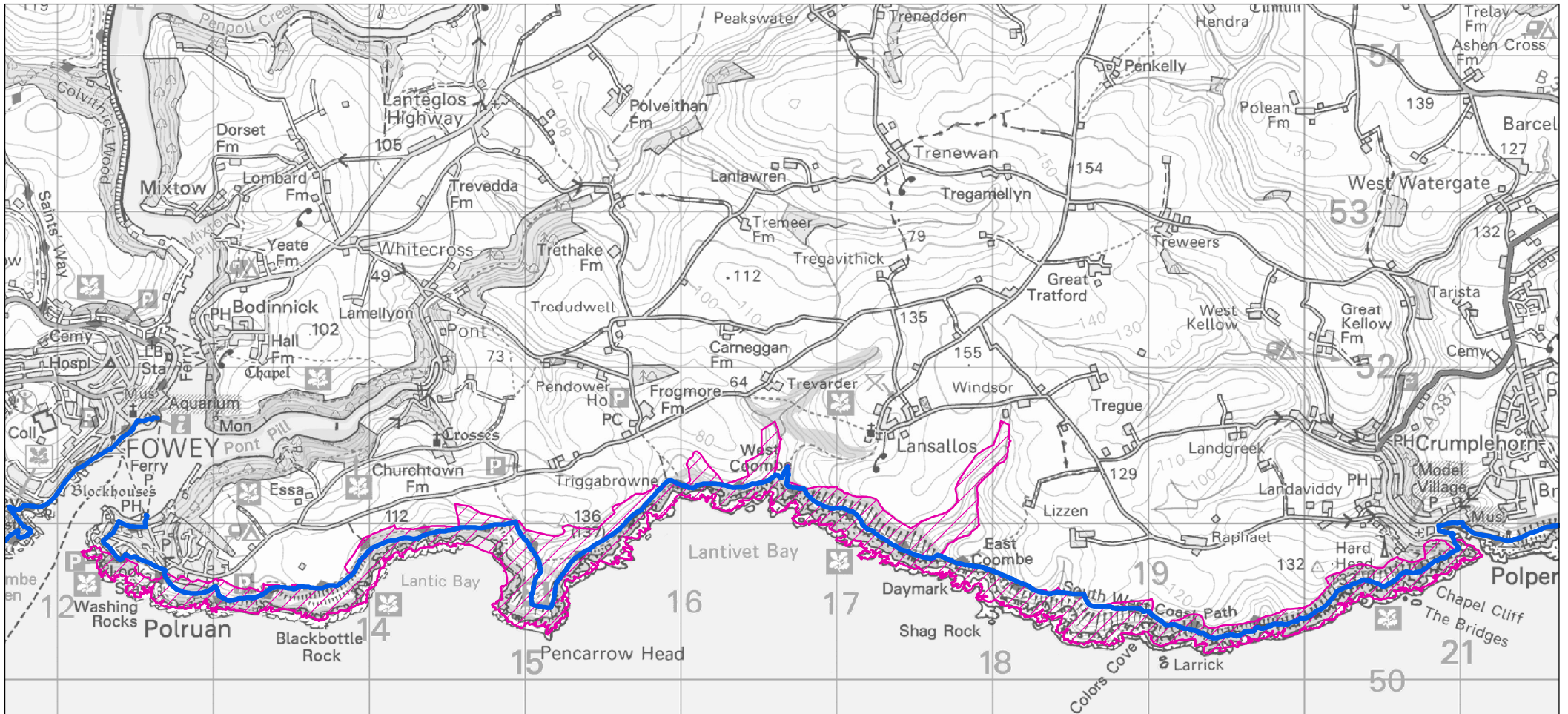


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Habitat Regulations Assessment Sites
Fal and Helford SAC

— Proposed route

▨ Fal and Helford Special Area of Conservation © Natural England



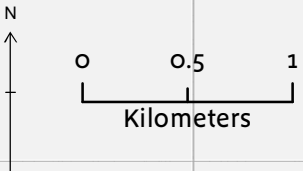
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Habitat Regulations Assessment Sites

Polruan to Polperro SAC

 Proposed route

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