Assessment of England Coast Path proposals between South Hayling to East Head

On Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Solent Maritime Special Area of Conservation (SAC), and Solent and Dorset coast potential SPA (pSPA).

3rd October 2019

Contents:

Summary

I) 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 South Hayling to East Head on the following sites of international importance for wildlife: Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Solent and Dorset Coast potential SPA (pSPA) and Solent Maritime Special Area of Conservation (SAC).

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-south-hayling-to-east-head-comment-on-proposals

II) Background

The main wildlife interests for this stretch of coast are summarised in Table 1 (see Table 3 for a full list of qualifying features).

Table 1. Summary of main wildlife interest

Interest	Description
Non-breeding water birds	A key feature for the Solent as a whole is that during the winter months, it supports an internationally recognised population of non-breeding waders. Areas of mud and sand flats exposed at low tide are the main feeding areas and these birds also need suitable undisturbed places to roost at high tide.
Breeding terns	During the summer months Chichester Harbour supports an internationally recognised population of breeding seabirds. These include three species of tern (little, common, and Sandwich). Terns nest on bare supralittoral sediment islands and artificial structures within Chichester Harbour. Along this stretch the key sites where terns are known to nest are Stakes Island, Pilsey Island, and Ella

	Nore Spit. These birds need undisturbed access between nesting and foraging areas.
Foraging terns	Foraging terns use subtidal areas and inland water bodies to forage during nesting season. These birds require undisturbed foraging sites to ensure that breeding is successful and chick survival rates are not impacted.
Non-breeding red breasted merganser	A designated feature of the Chichester and Langstone Harbours SPA. A diving duck that uses the deeper channels within the harbour to feed and roost.
Supralittoral sediment	Along the coastline of Chichester Harbour the substrate is mud, sand or shingle situated immediately inland from the high water mark. These sites offer important high tide roost sites and nesting opportunities for birds as well as hosting internationally important species of flora.
Intertidal habitat	This consists of a range of habitats and associated flora. They include but are not limited to estuaries, saltmarsh and mudflats.

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. We have also drawn on wintering and breeding bird information from local experts, including Ed Rowsell and Peter Hughes. 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.

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.

A key consideration in developing coastal access proposals for this stretch has been the possible impact of disturbance on non-breeding water birds as a result of recreational activities, and particularly with dogs.

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

- Avoid exacerbating disturbance at sensitive locations by making use of established 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 where 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 South Hayling and East Head might have an impact on Chichester and Langstone Harbours SPA & Ramsar, Solent and Dorset Coast potential SPA and Solent Maritime SAC. In Part C of this assessment we identify some possible risks to the relevant qualifying features and conclude that proposals for coastal access, without incorporated mitigation, may have a significant effect on these sites. In Part D we consider these risks in more detail, taking account of avoidance and mitigation measures incorporated into our access proposal, and conclude that there will not be an adverse effect on the integrity of either site. These measures are summarised in Table 2 below.

Table 2. Summary of risks and consequent mitigation built in to our proposals

Risk to conservation objectives	Relevant design features of the access proposal
Disturbance to non-breeding water birds	• The proposed alignment for England Coast Path utilises existing coastal paths, apart from a short approximately 1km stretch on the southern part of the Chidham Peninsular • Improvements to route including signposting and way marking that will encourage walkers to stay on the path • Planting of scrub will be used to reinforce physical and visual separation between the path and foreshore • No new coastal access rights will be created over areas of mudflat or saltmarsh that are unsuitable for public access • Public access to Northney Marshes, Gutner Point and fields, and Tournerbury and Middle Marshes will be excluded on nature conservation grounds • Installation of interpretation panels to raise awareness and indicate where access is restricted • Installation of fencing to encourage walkers not to access the eastern section of Ella Nore Spit.
Disturbance to breeding terns	• Installation of fencing to encourage walkers not to access the eastern section of Ella Nore Spit • Installation of interpretation to reinforce existing by-laws restricting access to Pilsey Island • Discourage access to saltmarsh and mudflats that are unsuitable for access • Improvements to the route including signposting and way marking that will encourage walkers to stay on the path • Selection of inland routes to increase separation between walkers and breeding birds.
Trampling and permanent loss of habitat	• Discourage access to saltmarsh and mudflats that are unsuitable for access

	• Installation of fencing to encourage walkers not to access the eastern section of Ella Nore Spit • Installation of interpretation to reinforce existing bye laws restricting access to Pilsey Island • Improvements to the route including signposting and way marking that will encourage walkers to stay on the path

VI) Implementation

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

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 all of the organisations and local experts, including Ed Rowsell and Peter Hughes, whose contributions and advice have helped inform the development of our proposals.

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 South Hayling and East Head. 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 stretch in question

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

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 coast erodes or where there is significant encroachment by the sea such as occurs in the case of a deliberate breach of sea defences.

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.

Of particular relevance to this assessment is that most areas of saltmarsh and mudflat within Chichester and Langstone SPA and Ramsar site and Solent Maritime SAC are considered unsuitable for public access and will be excluded from the new coastal access rights at all times regardless of any other considerations. As above, this will not affect other forms of established use, such as wildfowling.

Maintenance of the England Coast Path

The access proposals provide for the permanent establishment of a path and associated infrastructure, including additional mitigation measures referred to in this assessment and described in the access proposals 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

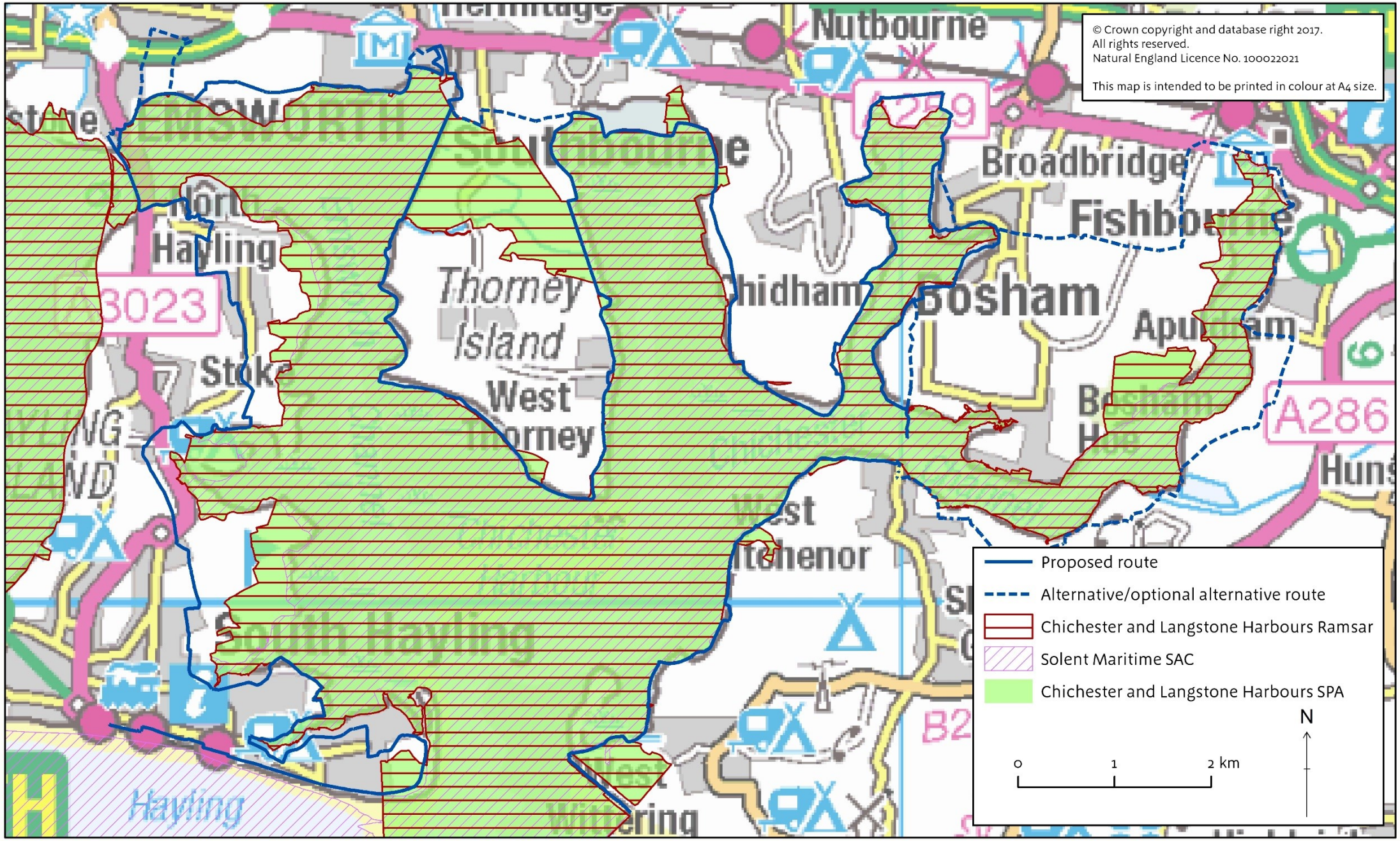
The legal framework that underpins coastal access allows for adaptation in light of future change. In such circumstances Natural England has powers to change the route of the trail and limit access rights over the coastal margin in ways that were not originally envisaged. These new powers can be used, 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.

Establishment of the trail

Establishment works to make the trail fit for use and prepare for opening, including any special measures that have been identified as necessary to protect the environment, 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 the relevant access authorities, 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.

Coastal Access - South Hayling Island to East Head - Habitats Regulations Assessment

Map 1: Natura 2000 designations within the South Hayling Island to East Head ECP Stretch



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

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

Chichester and Langstone Harbour SPA/ Ramsar

The SPA covers two large estuarine basins. The western side of Langstone Harbour is particularly urban, whereas Chichester Harbour it is mainly surrounded by farmland, small towns and villages. Both harbours contain extensive intertidal mudflats and sandflats. Habitats within these support internationally and nationally important number of overwintering and breeding bird species. Shingle ridges and islands within the site provide important nesting habitat for tern species during the breeding season. Areas not contained within the SPA contain important supporting habitat for birds, including grassland and agricultural land.

Dorset and Solent Coast pSPA

The recommendations developed so far propose a new marine designation which will include the sub-tidal areas not currently encompassed in the existing SPAs designated for breeding terns (Chichester & Langstone Harbours SPA, the Solent and Southampton Water SPA, Pagham Harbour SPA and Poole Harbour SPA). The new SPA will cover the area that the breeding terns use for foraging during April-September.

Solent Maritime SAC

One of the largest clusters of small estuaries in Great Britain is found within this site. Sediment habitats within the site include extensive areas of intertidal mudflats and sandflats, often supporting eelgrass, subtidal sandbanks, saltmarsh and drift line vegetation. This designation is of particular interest as it is the only site to support all four species of *Spartina* in the UK, including the rare *Spartina maritima*. The SAC also includes coastal lagoons, sand dunes at East Head and during the time of designation supported population of Desmoulin's whorl snail.

Note: Portsmouth SPA and Ramsar site, and Pagham Harbour SPA and Ramsar site are in proximity to the England Coast Path proposals considered in this document. However, given the distance of both sites from the route, there is no appreciable risk to either of these sites from the current coastal access proposals and possible impacts on these sites, alone or in combination, will be fully considered in the Habitats Regulation Assessment for the neighbouring East Head to Shoreham and Portsmouth to South Hayling stretches. For these reasons, Portsmouth SPA and Ramsar site, and Pagham Harbour SPA and Ramsar site are not considered further in this assessment.

Table 3. Qualifying features

Qualifying Feature	Chichester and Langstone Harbours SPA	Chichester and Langstone Harbours Ramsar	Dorset and Solent Coast pSPA	Solent Maritime SAC
Bar-tailed Godwit *Limosa lapponica* (non-breeding)	✓			
Common tern *Sterna hirundo* (Breeding)	✓		✓	
Curlew *Nemenius arquata* (non-breeding)	✓			
Dark-bellied brent geese *branta bernicla bernicla* (non-breeding)	✓	✓		
Dunlin *Calidris alpina alpine* (non-breeding)	✓	✓		
Grey plover *Pluvialis squatarola* (non-breeding)	✓	✓		
Little tern *Sternula albifrons* (Breeding)	✓		✓	
Pintail *Anas acuta* (non-breeding)	✓			
Red-breasted merganser *Mergus serrator* (non-breeding)	✓			
Redshank *Tringa tetanus* (non-breeding)	✓	✓		
Ringed Plover *Charadrius hiaticula* (non-breeding)	✓	✓		
Sanderling *Calidris alba* (non-breeding)	✓			
Sandwich tern *Thalassues sandvicensis* (Breeding)	✓		✓	
Shelduck *Tadorna tadorna* (non-breeding)	✓	✓		
Shoveler *Spatula clypeata* (non-breeding)	✓			
Teal *Anas crecca* (non-breeding)	✓			
Turnstone *Arenaria interpres* (non-breeding)	✓			
Wigeon *Anas penelope*, (non-breeding)	✓			
Black-tailed godwit, *Limosa limosa islandica* (passage)		✓		
Water bird assemblage, non-breeding[2]	✓	✓		
H1110 Sandbanks which are slightly covered by sea water all the time				✓
H1130 Estuaries				✓
H1140 Mudflats and sandflats not covered by seawater at low tide				✓
H1150 Coastal lagoons				✓
H1210 Annual vegetation of drift lines				✓
H1220 Perennial vegetation of stony banks				✓
H1310 Salicornia and other annuals colonising mud and sand				✓
H1320 Spartina swards (Spartinion maritimae)				✓
H1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)				✓
H2120 Shifting dunes along the shoreline with Ammophila arenaria ('White dunes')				✓
S1016 Desmoulin's whorl snail, Vertigo moulinsiana				✓
Estuary		✓		

[2] A waterbird assemblage is a qualifying feature of both the SPA and Ramsar sites. When classifying a waterbird assemblage as an SPA qualifying feature, the Ramsar Conventions Strategic Framework definition of 'waterbird' is used and as such we consider the two qualifying features synonymous. Current abundance and composition of the assemblage feature is taken into account in our assessment. The main component species for this assemblage include: avocet; black-headed gull; greenshank; knot; lapwing; little egret; Mediterranean gull; oystercatcher.

Bird Aware Solent

The Solent Recreation Mitigation Strategy, or more commonly known by its public facing name *Bird Aware Solent*, is a tool being used to lessen potential impacts from increases in local housing development on over wintering birds. Research shows that additional disturbance will affect the birds' survival unless mitigation measures are put in place. The initiative is funded by contributions from all new residential dwellings within 5.6km of the SPAs. A key feature of the mitigation strategy is the employment of wardens to ensure responsible use of the site and to inform and educate the public.

Solent Waders and Brent Goose Strategy

The strategy is a non-statutory document presenting evidence, analysis and recommendations to inform decisions relating to strategic planning as well as individual development proposals. The strategy relates to international important brent goose and wading bird populations within and around the Special Protection Areas and Ramsar wetlands of the Solent Coast. The underlying principle of the Strategy is to wherever possible conserve extant sites, and to create new sites, enhancing the quality and extent of the feeding and roosting resource.

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.

The pages of Designated Sites View are publicly available. For Chichester and Langstone Harbours SPA follow the link here. For Solent Maritime SAC follow the link here. Supplementary advice on the conservation objectives for the SPA and SAC can be found following the links above.

For Ramsar sites, a decision has been made by Defra and Natural England not to produce Conservation Advice packages, instead focussing on the production of High Level Conservation Objectives. As the provisions on the Habitats Regulations relating to Habitat Regulations Assessments extend to Ramsar sites, Natural England considers the Conservation Advice packages for the overlapping European Marine Site designations to be, in most cases, sufficient to support the management of the Ramsar interests.

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 as follows:

Table 4. Feature groups

Feature group	Qualifying feature(s)
Non-breeding water birds	Bar-tailed godwit; black-tailed godwit; curlew; dunlin; sanderling; redshank; grey plover; ringed plover; turnstone; wigeon; teal; shoveler; pintail; shelduck; dark-bellied brent geese; waterbird assemblage
Breeding terns	Common tern; little tern; Sandwich tern
Foraging terns	Common; little tern; Sandwich tern
Non-breeding red breasted merganser	Red breasted merganser
Supralittoral sediment	Annual vegetation of drift lines; Perennial vegetation of stony banks; Shifting dunes along the shoreline with Ammophila arenaria ('White dunes'); Estuary (Sand dunes; Shingle spits)
Intertidal habitat (sub-features shown in brackets)	Estuaries (intertidal coarse sediment; intertidal sand and muddy sand; intertidal mud; intertidal mixed sediment; intertidal seagrass beds) Atlantic salt meadows (Glauco-Puccinellietalia maritimae); *Spartina* swards; Salicornia and other annuals colonising mud and sand; Saltmarsh Mudflats and sandflats not covered by seawater at low tide (intertidal coarse sediment; intertidal sand and muddy sand; intertidal mud; intertidal mixed sediment; intertidal seagrass beds) Estuary (Intertidal mudflats and sandflats; saltmarsh)
Marine habitat (sub-features shown in brackets)	Estuaries (subtidal coarse sediment; subtidal sand; subtidal mixed sediments; subtidal seagrass beds) Sandbanks which are slightly covered by seawaters all the time (subtidal coarse sediment; subtidal sand; subtidal mixed sediments; subtidal seagrass beds).
Coastal lagoons	Coastal lagoons
Desmoulins Whorl Snail	Desmoulins Whorl Snail

Table 5. Assessment of likely significant effects alone

Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Non-breeding water birds	Disturbance to feeding and resting birds	Non-breeding birds using the intertidal or functionally linked land (e.g. amenity grassland and agricultural fields) may be disturbed by recreational activity. The birds can show a range of responses from being alert to making major flights. Disturbance during wintering season can lead to extra energy expenditure, interrupted feeding and reduced survival rates.	Water birds are present in significant numbers in many locations within Chichester Harbour so a significant effect is considered likely at this stage of the assessment.	Yes
Non-breeding water birds	Disturbance of breeding birds	Non-breeding water birds (that are wholly or largely resident) that breed within or near to the SPA in the vicinity of a coastal path may be disturbed, or nests may be trampled by recreational activities.	The level of risk is higher at places where a breeding population of a species significantly contributes to the non-breeding population and where the access proposals are likely to place breeding birds at risk from recreational activities. Redshank, ringed plover shelduck, oystercatcher, black-head gulls, Mediterranean gulls, lapwing and little egret nest at various sites throughout the harbour, where there is a potential for interaction with coastal access users.	Yes

Non-breeding water bird assemblage	Disturbance to feeding and resting birds	Non-breeding birds using the intertidal or functionally linked land (e.g. amenity grassland and agricultural fields) may be disturbed by recreational activity. The birds can show a range of responses from being alert to making major flights. Disturbance during wintering season can lead to extra energy expenditure, interrupted feeding and reduced survival rates. Changes to component species populations can lead to a reduction in the overall population and diversity of the assemblage.	Water birds are present in significant numbers in many locations within Chichester Harbour so a significant effect is considered likely at this stage of the assessment.	Yes
Breeding terns	Disturbance to nesting birds	The qualifying features in this groups nest on shingle beaches and rocky islands, on rivers with shingle bars, and at inland gravel pits and reservoirs. Nesting birds are particularly vulnerable to disturbance as a result of recreational activities (including walking and walking with a dog) which can lead to direct trampling of eggs and chicks, or disturbance of incubating parents leading to increased mortality through predation or hypothermia/heat.	Along this stretch of coast there are nesting sites at Ella Nore, Stakes Island and Pilsey Island. Therefore a significant effect is considered likely at this stage of the assessment.	Yes
Foraging terns	Disturbance to foraging birds	Foraging behaviour may be interrupted if birds are feeding close to places where recreational activities take place, including walking and walking with a dog.	No appreciable risk. Terns forage mainly off shore giving enough spatial separation between path users and the birds. The presence of people on the shore may discourage birds from feeding close to the shore at times when people are present but is unlikely to compromise foraging activity.	No

Red breasted merganser	Disturbance to feeding and resting birds	The species tend to roost and feed in deeper waters. Depending on the proximity of roost sites to the route proposal there is potential for people using the coast path either walking or dog walking to cause disturbance to birds.	No appreciable risk. Red-breasted merganser feed and roost on open water within the harbour. They favour deeper water areas off of Pilsey Island and north Hayling, as well as Thorney Deeps and Sweare Deep. We consider there to be no appreciable risk to this feature due to it being found in deeper waters within the harbour were it is less likely to interact with walkers.	No
Supralittoral sediment	Trampling of vegetation	Vegetated shingle and dune vegetation can be damaged or destroyed by people walking repeatedly over the same part of it. In the case of dunes this can lead to destabilisation and erosion of the dunes.	Areas of vegetated shingle at Sandy Point, Pilsey Island, Ella Nore and East Head form part of the coastal margin and will be subject to new coastal access rights. Areas of sand dune at Sandy Point, Pilsey Island and East Head form part of the coastal margin and will be subject to new coastal access rights. Whilst the proposals encourage walkers to stay on the path, significant effects to shingle and dune vegetation cannot be ruled out at this stage of the assessment.	Yes
Supralittoral sediment	Permanent loss of supporting and designated habitat through installation of access management infrastructure	Potentially sensitive if there were a permanent loss of habitat as a result of the access proposals.	There will be a small loss of vegetated shingle due to the installation of a 20m fence over an area known to have some shingle vegetation and therefore significant effects cannot be ruled out at this stage.	Yes

Intertidal habitat	Trampling of sensitive species and habitats	Of the features in this group saltmarsh vegetation and seagrass beds are at greater risk as they can be more easily damaged or destroyed by people walking repeatedly over the same part of them. Bare areas may be created which make the surrounding habitat more vulnerable to erosion.	Saltmarsh habitat exists in close proximity to the shore over much of Chichester Harbour. Intertidal habitats, such as saltmarsh may form part of the coastal margin and may be subject to new access rights. Significant effects cannot therefore be ruled out at this stage of the assessment.	Yes
Intertidal habitat	Permanent loss of supporting and designated habitat through installation of access management infrastructure	Potentially sensitive if there were a permanent loss of habitat as a result of the access proposals.	There will be a small loss of intertidal habitat due to the installation of 1 boardwalk and a 20m fence. Significant effects cannot therefore be ruled out at this stage of the assessment.	Yes
Marine habitat	None identified	Not considered sensitive due to the lack of interaction between coast path users and the features.	There is no appreciable risks because there is no interaction between users of the Coast Path and these features.	No
Coastal lagoons	None identified	Not considered sensitive within this stretch as no SAC lagoons occur within the area affected by the proposals for this stretch.	No risk. No SAC lagoons occur within the area affected by the proposals for this stretch.	No
Desmoulins whorl snail	Trampling of species and its supporting habitat	Would be vulnerable where the coast path created or improved access to the banks of fresh-water streams where this species is restricted to.	No appreciable risk. This feature is not at risk from access proposal as it is underwater at all states of the tide. Surveys undertaken by Willing found 8 individuals in 2002, < 1 individuals in 2005 and no individuals in 2010 [REF 2]	No

Conclusion:

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

- Non-breeding water birds – through disturbance
- Non-breeding water birds – through disturbance of redshank, ringed plover shelduck, oystercatcher, black-head gulls, Mediterranean gulls, lapwing and little egret which remain on site to breed.
- Breeding terns – through disturbance during nesting
- Supralittoral sediment – through trampling and permeant loss
- Intertidal habitat - through trampling and permeant loss

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

- Breeding terns – through disturbance during foraging
- Red breasted merganser – through disturbance
- Marine habitat – through trampling
- Coastal lagoons – through trampling
- Desmoulins whorl snail – through trampling

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.

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.

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 6. Scope of Appropriate Assessment

Environmental pressure	Qualifying Feature(s) affected	Risk to Conservation Objectives
Disturbance of non-breeding water birds	• Bar-tailed godwit • Black-tailed godwit • Curlew • Dark bellied brent geese • Dunlin • Grey plover • Pintail • Redshank • Ringed plover • Sanderling • Shelduck • Shoveler • Teal • Turnstone • Wigeon • Waterbird assemblage	Repeated disturbance to feeding or resting non-breeding water birds, following changes in recreational activities as a result of the access proposal, leads to reduced fitness and reduction in population and/or contraction in the distribution of qualifying features within the site.
Disturbance of non-breeding water birds	• Redshank • Ringed plover • Shelduck • *Oystercatcher* • *Black-head gulls* • *Mediterranean gulls* • *Lapwing* • *Little egret*	Disturbance to breeding birds, following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site and a resultant reduction non-breeding population.
Disturbance of breeding terns	• Little tern • Common tern • Sandwich tern	Disturbance to breeding terns at their nesting site, following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site.

Loss of qualifying and supporting habitat through installation of access management infrastructure	• Supralittoral sediment • Intertidal habitat	The installation of access management infrastructure may lead to the reduction in the extent and distribution of qualifying natural habitats and habitats of the qualifying species.
Trampling of sensitive species and habitat areas	• Intertidal habitat • Supralittoral sediment	The trampling of designated features following changes in recreational activities as a result of the access proposal leads to the reduction in the extent and distribution of qualifying natural habitats and habitats of the qualifying species.

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

Disturbance of non-breeding water birds

The Solent, which includes Chichester and Langstone Harbour SPA and Ramsar site, is recognised as being internationally important for non-breeding water birds. Along the South Hayling to East Head stretch disturbance could potentially be problematic for over wintering birds if it occurs repeatedly. Disturbance as a result of recreational activities during the wintering period can affect the bird's energy expenditure, impacting on feeding and roosting. As part of the Supplementary Advice on Conservation Objectives for the SPA, Natural England has recently set targets for all of the qualifying features, in order to meet the conservation objectives for the site. All of the non-breeding features have a target to 'reduce disturbance caused by human activities'. These attributes within the Supplementary Advice are considered to be those which best describe the sites ecological integrity which if preserved will achieve the Conservation Objectives.

Bar-tailed godwit

Since classification, the numbers of bar-tailed godwits using the Chichester and Langstone Harbours SPA initially remained stable but has since decreased by 31% [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. At high tide, bar-tailed godwits roost on saltmarsh, shingle and freshwater and coastal grazing marsh [REF 3]. Roost areas in the Chichester Harbour side of the SPA include Pilsey Island, Gutner Point and the Stakes Islands [REF 3]. Bar-tailed godwits feed on intertidal sediments with a preference for sandier substrates In Chichester Harbour, their main foraging areas are at Pilsey Sands and north of Black Point [REF 3].

Curlew

Since classification, numbers of curlew using the Chichester and Langstone Harbours SPA have remained stable, with a five year peak mean of 3,181 individuals (2009/10 to 2013/14) [REF 3]. The available evidence suggests this feature is in good condition and therefore a target to maintain its

abundance was set within the supplementary advice for the SPA [REF 3]. Gutner Point and South Stakes provide important roost habitat for curlew in Chichester Harbour. Their main foraging areas are at South Stakes and as the tide rises, they also congregate to feed and pre-roost in the saltmarsh close to the roost sites [REF 3]. They use inland fields, both arable and grassland, to roost and forage, particularly on Hayling Island, the Bosham and Chidham Peninsulas and at West Wittering [REF 3]. Curlew also feed and roost around Northney Marshes.

Dark-bellied Brent Geese

Since classification, numbers of dark-bellied Brent geese using the Chichester and Langstone Harbours SPA have remained relatively stable, with a five year peak mean of 14,599 individuals (2009/10 to 2013/14) [REF 3]. The available evidence suggests this feature is in good condition and therefore a target to maintain its abundance was set within the supplementary advice for the SPA. Dark-bellied Brent geese roost on the water in the harbour at night [REF 3]. During the day they generally do not roost but instead feed on farmland with cereals (particularly wheat) and pasture along with amenity grasslands and coastal grazing marsh during high tides [REF 4]. Important roost sites for Brent Geese are identified in the Solent Waders and Brent Goose Strategy. At low tide they feed on the seagrass beds and green algae (Ulva species) on the intertidal sediments [REF 4].

Dunlin

Since classification, the numbers of dunlin using the Chichester and Langstone Harbours SPA has decreased by 48% [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. At high tide, the main dunlin roosts in Chichester Harbour are on Pilsey Island and Black Point, but birds also roost at East Head, Gutner Point and on the Stakes Islands [REF 3]. Roosting habitat includes shingle, saltmarsh and coastal and freshwater grazing marsh [REF 3]. At low tide, dunlin spread out, feeding in groups on the intertidal sediments throughout the harbours, particularly south of Thorney Island and in the Emsworth Channel [REF 3].

Grey plover

Since classification, the numbers of grey plover using the Chichester and Langstone Harbours SPA has decreased by 41% [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. Grey plover will roost on a number of habitats such as shingle, saltmarsh and islands [REF 3]. Important sites on which grey plover roost in Chichester Harbour include the Stake Islands, Pilsey Island, Gutner Point, Ella Nore Spit, East Head and Black Point [REF 3]. Grey plover feed in low densities throughout the SPA and are found south of Thorney Island and adjacent to Tournerbury Marshes in Chichester Harbour [REF 3].

Pintail

Since classification, numbers of pintail using the Chichester and Langstone Harbours SPA have gone through stages where they have fluctuated and then stabilised, with a five year peak mean of 338 individuals (2009/10 to 2013/14) [REF 3]. The available evidence suggests this feature is in good condition and therefore a target to maintain its abundance was set within the supplementary advice for the SPA [REF 3]. Pintail roost on the open water within the harbours. They favour areas such as the Thorney Deeps and Nutbourne Bay in Chichester Harbour [REF 3]. Pintail feed at the surface of the water by dabbling for vegetation [REF 3]. They feed throughout the harbours but particularly favour the Nutbourne Bay area and north of the Thorney Channel in Chichester Harbour [REF 3].

Redshank

Since classification, numbers of redshank using Chichester and Langstone Harbours SPA have declined from 3,417 individuals (five year peak mean 1982/83 to 86/87) to an average of 2,736 individuals (five year peak mean 2009/10 to 2013/14) [REF 3]. A maintain target was set for the abundance of this feature within the supplementary advice for the SPA as the population size had decreased by less than 25% since classification [REF 3]. In Chichester Harbour they roost at Thorney Deeps, on artificial structures such as pontoons, and at key bird roosts sites such as Gutner Point, Pilsey Island and Ella Nore spit [REF 3]. They also roost around Middle Marsh on Hayling Island. Redshank feed throughout the harbours and are seen regularly at Texaco Bay to the North of Hayling Island [REF 3].

Ringed plover

Since classification, the numbers of ringed plover using the Chichester and Langstone Harbours SPA has decreased [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. Ringed plover will roost on a number of habitats such as sandbanks, spits, beaches and islands, bare arable fields, and artificial structures [REF 3]. Important sites on which ringed plover roost include the Stake Islands, Eastern Road Bridge, Pilsey Island, Ella Nore Spit, East Head, Black point and Eastoke Beach [REF 3]. Ringed plover feed on invertebrates found on sand and shingle shores, mudflats, saltmarsh, short grassland and flooded fields [REF 3]. They feed throughout Chichester Harbour in low densities, in areas such as Pilsey Sands, East Head, north of Black Point and outside of the SPA on Hayling Beach [REF 3].

Sanderling

Since classification, the number of sanderling using the Chichester and Langstone Harbours SPA has declined [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. Areas such as Eastoke Beach, Black Point and Pilsey Island provide important roost habitat for sanderling along this stretch [REF 3]. They tend to roost on shingle banks, saltmarsh and sand [REF 3]. They forage on intertidal sediment in small groups at the edge of the water, moving with the tide [REF 3]. In Chichester Harbour, their main foraging areas are at Eastoke Beach, north of Black Point and Pilsey Sands, they can also be seen at East Head [REF 3].

Shelduck

Since classification, the number of shelduck using the Chichester and Langstone Harbours SPA has decreased by 74% [REF 3]. Shelduck roost on saltmarsh and the open water, preferably close to their feeding areas [REF 3]. The available evidence suggests this feature is in poor condition and/or impacted by anthropogenic activities and therefore a target to restore its abundance was set within the supplementary advice for the SPA [REF 3]. Favoured areas in Chichester Harbour include the saltmarsh in front of Old Park Wood, Fowley Island and Thorney Deeps. Shelduck forage throughout Chichester Harbour, but particularly prefer the Fishbourne, Thorney and Bosham Channels as well as the Warblington Coast [REF 3].

Shoveler

Since classification, numbers of shoveler using Chichester and Langstone Harbours SPA have declined from 124 individuals (five year peak mean 1982/83-86/87) to an average at 106 individuals (five year peak mean 2009/10 – 2013/14) [REF 3]. A maintain target was set for the abundance of this feature within the supplementary advice for the SPA as the population size had decreased by less than 25% since classification [REF 3]. Shoveler roost on the water in low numbers throughout Chichester Harbour, but favour Thorney Deeps [REF 3]. They feed throughout the SPA and in Chichester Harbour they feed in low numbers in Nutbourne Bay and adjacent to Tournerbury Farm [REF 3].

Teal

Since classification, numbers of teal using Chichester and Langstone Harbours SPA have declined from 2,553 individuals (five year peak mean 1982/83 to 86/87) to an average of 1,953 individuals (five year peak mean 2009/10 to 2013/14) [REF 3]. A maintain target was set for the abundance of this feature within the supplementary advice for the SPA as the population size had decreased by less than 25% since classification [REF 3]. Teal roost on the open water, in areas such as Thorney Deeps, at the edges of intertidal creeks, in ponds and on grazing marsh [REF 3]. They forage in the Thorney Channel, at Snowhill Creek, Mill Rythe and Yacht Haven [REF 3].

Turnstone

Since classification, the numbers of turnstone using the Chichester and Langstone Harbours SPA have declined [REF 3]. A maintain target was set for the abundance of this feature within the supplementary advice for the SPA as the population size had decreased by less than 25% since classification [REF 3]. Turnstone roost on shingle, marshland and artificial structures throughout the SPA in small numbers [REF 3]. Known roost sites included Chidham Point, Itchenor pontoons, on the boats at East Head and Bosham [REF 3]. They forage in low densities throughout the SPA [REF 3].

Wigeon

Since classification, numbers of wigeon using the Chichester and Langstone Harbours SPA have increased from 2,803 (five year peak mean 1982/83 to 1985/86) to 3,947 individuals (five year peak mean 2009/10 to 2013/14) [REF 3]. The available evidence suggests this feature is in good condition and therefore a target to maintain its abundance was set within the supplementary advice for the SPA [REF 3]. Wigeon roost on the open water within Chichester Harbour [REF 3]. They favour areas such as Thorney Deeps, Fishbourne and Bosham Channels, off Gutner Point, at Nutbourne Bay and the Thorney Channel in Chichester Harbour [REF 3]. The favoured feeding areas in Chichester Harbour include the Emsworth and Thorney Channels, the northern tips of the Bosham and Chichester Channels, Eames Farm and Thorney Deeps, Tournerbury Farm and School Rithe (Bosham) [REF 3]. Wigeon also feed around Northney Marshes.

Black-tailed godwit

Black-tailed godwit often use fields for feeding and are very mobile, with no reliable high tide roosts.They often feed on saltmarsh and mudflats to the east of Itchenor and can often stay on a saltmarsh island here until quite late in the tide. They also feed east of Chichester Marina, around Eames Farm, at School Rithe (Bosham), Emsworth Harbour and Langstone Village, and in fields south of the sewage works in the Fishbourne Channel. They often roost in Thorney Deeps, at the head of the Fishbourne Channel and it is thought they roost at the top of the Bosham Channel. They can be

found on the eastern side of Chidham where they feed around Cobnor Point and in fields to the north of it. On the west side of Chidham they feed in fields to the north of the channel and roost on the east side of the channel.

Non- breeding water bird Assemblage

Since classification, numbers of water birds using Chichester and Langstone Harbours SPA has declined from 108,811 individuals (five year peak mean 1982/83 to 86/87) to 72,666 individuals (five year peak mean 2009/10 to 2013/14) [REF 3]. As part of the supplementary advice a restore target was set for this feature due to this decline [REF 3]. It is however recognised that a large proportion of the decline in water bird assemblage is likely attributable to the decline in dunlin numbers [REF 3]. Water birds feed throughout the harbours on the intertidal sediments, the open water, small waterbodies and on inland fields and grazing marsh [REF 3]. The water bird assemblage roosts throughout both harbours. Ducks and geese roost mostly on the open water, whilst many of the waders roost in large, mixed species flocks in undisturbed areas such as, Pilsey Island, Gutner Point and Black Point and Farlington Marshes [REF 3].

Key components of the assemblage, which are not features in their own right include avocet, black-headed gull, greenshank, knot, lapwing, little egret, Mediterranean gull and oystercatcher.

Avocet

Avocet normally roost on the water within the Harbour, often with gulls. They are usually found on the water at the head of the Thorney Channel, but they do sometimes use Thorney Deeps. If they are disturbed at the top of the channel they often move further down it. It is also possible that they roost at Chidham Point and on saltmarsh at West Chidham. They can sometimes be found on the eastern edge of Pilsey Island. The primary feeding sites for avocet in Chichester Harbour are within the Thorney Channel between Prinstead and Nutbourne and at the top of the Emsworth Channel near Langstone. They are found in small numbers at various sites all over Hayling Island.

Black-headed gull

Black-headed gulls are found through the harbour. They come into the harbour to roost often at the end of the day in winter or when there are high tides or bad weather. There can be large aggregations of black-headed gulls in the harbour, particularly in the winter when there is bad weather. In these situations they are often found on the south of the peninsulas or sheltering on the western side of them. When the weather is more settled there can also be significant roosts at the head of the channels at night or when there are high tides. They tend to feed in urban environments or on arable field throughout the harbour. They are opportunistic and move around depending on where food is available, often choose maize fields that have just be harvested. Black-headed gulls are found in the largest numbers on Pilsey and at the head of the Bosham Channel.

Greenshank

The key roost site for Greenshank is in Thorney Deeps, with a tendency to favour the western deeps including the channels running into Eames Farm. Small numbers also roost at Bosham Hoe south of Old Park Wood, between Old Park Wood and the area opposite Dell Quay, at Cobnor Point, at Gutner Point, at Snow Hill Creek and at the head of Bosham Channel.

Knot

They tend to be focused around Pilsey Sands, roosting on Pilsey Island and feeding between there and Marker Point. This area suits them as they like to feed on sandy substrates. They sometimes also roost on Stakes Islands. They can be found in the Thorney Channel or Emsworth Channel after a particularly high tide. They also use Black Point on Hayling Island and possibly Gutner Point, Verner Common and the boating lake at the north of the island.

Lapwing

Lapwing are a mainly field feeding species and can therefore be found feeding on fields throughout the harbour. It often depends on which bits of pasture or arable field are offering good foraging opportunities a particular time. The consistent and key roosts are Thorney Deeps, as well as Gutner and Verner on Hayling Island. Another key roost is grassland around East Head and also Pilsey, where the favour the eastern side. They can also be found at Northney to the east of Langstone Bridge and at Snowhill Creek.

Little egret

Little egret forage all over the harbour in creeks and channel not favouring any particular spot. They are prone to disturbance as they often feed in shallow creeks near sea walls. They roost in trees at night, with known roosts at Langstone Millpond, Tournerbury Woods, Old Park Wood, and Eames Farm on Thorney Island in woodland north of Little Deeps.

Mediterranean gull

They are often present in the harbour as flash populations and the population has increased in the last 15 years. They often pass through in the harbour in summer and autumn. Mediterranean gulls tend to roost and forage all over the harbour depending on food availability and weather. Known winter roost sites include Thorney Airfield and Pilsey Sands.

Oystercatcher

The regular roosts are on Pilsey, particularly the eastern side and Ella Nore Spit. They also roost around Horse pond and on the jetties at Itchenor. At Thorney they mainly roost on the Western Deeps, at West Chidham mainly on Stakes Islands and at Hayling at Gutner Point and Verner Common. Oystercatcher can also roost in front of Old Park Wood. Oystercatcher also roost and feed around Northney Marshes, but they can be found feeding all over the harbour.

Bird Aware Solent

Extensive research has been undertaken to assess the impact of recreational activity on wintering birds in The Solent in light of planned new housing. Further residential growth and the implications this has for management of recreational activities alongside the Solent SPAs has been addressed by local authorities as part of the planning process. The resulting mitigation strategy aims to reduce bird disturbance through a series of management measures which actively encourage all coastal visitors to enjoy their visits in a responsible manner rather than restricting access to the coast or preventing activities that take place there [REF 5].

The measures delivered through Bird Aware Solent provide for an enhanced range of quality recreational opportunities alongside safeguarding birds populations of non-breeding water birds.

Proposals for coastal access have been made following a series of workshops and discussions with Bird Aware Solent representatives during which we have checked that detailed design of the access proposals is compatible with the Solent Recreation Mitigation Strategy and latest thinking on how it will be delivered, including site-specific visitor management measures.

Solent Waders and Brent Goose Strategy

The Solent Waders and Brent Goose Strategy (SWBGS) is a non-statutory document presenting evidence, analysis and recommendations to inform decisions relating to strategic planning as well as individual development proposals. The strategy relates to internationally important brent goose and wading bird populations within and around the SPAs and Ramsar wetlands of the Solent Coast. The underlying principle of the Strategy is to wherever possible conserve extant sites, and to create new sites, enhancing the quality and extent of the feeding and roosting resource. A framework for guidance on mitigation and off-setting requirements has been prepared by the Strategy Steering Group to achieve the long-term protection of the wider dark-bellied brent goose and wader network of sites. This network is under pressure from the growth planned for the Solent and formal guidance was considered necessary to define an approach for the non-designated sites.

Within the South Hayling to East Head stretch of the England Coast Path, key sites have been identified. Maps of these key sites can be viewed from the Strategy's website. Data on the individual species found at the key sites and counts can be requested via the Hampshire Biodiversity Information Centre (HBIC). Sites are referred to as Core, Primary Support, Secondary Support, Low Use, Candidate and SPA sites, definitions of these can be found in Appendix 1. We have used the evidence base underpinning the Strategy to assess whether the England Coast Path proposals will lead to a likely significant effect, through increased recreational disturbance, on the qualifying features outside of the boundaries of the European and Ramsar sites.

Disturbance of non-breeding water birds (breeding ringed plover, redshank, shelduck oystercatcher, black-head gulls, Mediterranean gulls, lapwing and little egret)

Where a breeding population of a species significantly contributes to the non-breeding population on the same site by being wholly or largely resident (or this cannot be ruled out), there is the potential for impacts of that breeding population to have consequences for the non-breeding population. Ringed plover, redshank and shelduck are non-breeding qualifying features of Chichester and Langstone Harbours SPA. Oystercatcher, black-head gulls, Mediterranean gulls, lapwing and little egret are non-breeding birds that are not feature of the SPA/Ramsar, but are part of the non-breeding water bird assemblage. Changes in recreational activities as a result of access proposals, has the potential to increase disturbance and lead to the trampling of the eggs and nests of breeding birds.

Stakes Islands is a nesting site for ringed plover, oystercatcher and black-headed gulls. Mediterranean gull have also breed there before and could do in the future, but are not currently. Pilsey Island and Ella Nore are nesting sites for ringed plover and oystercatcher [REF 6]. East head is another known nesting site for ringed plover and sometimes oystercatcher. Oystercatcher and potentially ringed plover also breed in saltmarsh around Gutner Point. Ringed plover also breed on the beach around Sandy Point and Black Point [REF 7] and [REF 8]. Fowley Island has recently been confirmed to be a breeding site for oystercatchers and a key nesting site for black-headed gulls. Shelduck breed throughout the harbour in holes in the ground. They like woodland reasonably close to the shore and places they can breed include Old Park Wood and around the Fishbounre Channel, as well as on Hayling Island, particularly around Northney. Lapwing and redshank breed around Thorney Deeps, in saltmarsh around Gutner Point and it is thought they have also bred in marshes

around Northney Farm. Lapwing have also bred around Tournerbury Farm and arable land north of Old Park Wood and they potentially breed on the tip of Verner Common, on farmland around Chidham and around Rockwood. Redshank attempted to breed in saltmarsh around the harbour including at Horse pond and have possibly bred in the past in the fields behind the seawall at Tournerbury. Little egret breed in Tournerbury Wood and Old Park Wood within the heronries and at Langstone Mill Pound. Little egrets were also noted breeding in a small copse on Thorney Island in 2017 and 2018 [REF 6].

Disturbance of breeding terns

Changes in coastal access arrangements may increase the interaction between Coast Path users and important nesting sites for terns. Terns nest on bare supralittoral sediment islands and artificial structures within Chichester Harbour. Along this stretch the key sites where terns are known to nest are Pilsey Island, Stakes Island and Ella Nore Spit. In recent years Stakes Island is the most used breeding site with common tern and little tern still nesting here and sandwich tern having nested here in the past. Pilsey Island used to be used more, but in recent years it has become less of an island due to the sediment dynamics in the harbour and it can now be accessed on foot from the sand dunes. This means people, dogs and foxes can now get out there and therefore terns have favoured it less. It may be in the future the dynamics shift and it becomes more favourable for terns again. All of the tern species have a target in the supplementary advice to restrict the frequency, duration and/or intensity of disturbance caused by human activity [REF 3].

Common tern

Since classification, numbers of common tern using the Chichester and Langstone Harbours SPA has increased to a five year average of 126 breeding pairs (2011 to 2015) [REF 3]. Due to this increase a target to maintain its abundance was set within the supplementary advice for the SPA [REF 3].

Little tern

Since classification, numbers of little tern using the Chichester and Langstone Harbours SPA has decreased and a more recent five year mean is 49 breeding pairs (2011 to 2015) [REF 3]. A restore target was set in the supplementary advice for this feature because the breeding population size had decreased by more than 25% since classification [REF 3].

Sandwich tern

Since classification, numbers of Sandwich tern using the Chichester and Langstone Harbours SPA has increased and a more recent five year mean is 93 breeding pairs (2011 to 2015) [REF 3]. Due to this increase a target to maintain its abundance was set within the supplementary advice for the SPA [REF 3].

Permanent loss of habitat

All the features below have been identified as being at risk to permanent loss due to the installation of establishment works and are designated features of the SAC and/or supporting habitat for SPA birds. Inappropriate management and direct or indirect impacts may affect the extent and distribution of habitats, which may adversely affect the population and alter the distribution of birds.

The installation of infrastructure as part of the ECP may result in the permanent loss of supralittoral sediment and intertidal habitat.

The Supplementary Advice on Conservation Objectives has set a target to maintain the extent and distribution of the annual vegetation of drift lines, perennial vegetation of stony banks, and shifting dunes along the shoreline with Ammophila arenaria ('White dunes') that make up the 'Supralittoral sediment' feature group being assessed [REF 2].

The advice sets a target to restore the extent of Salicornia and other annuals colonising mud and sand, *spartina* swards, Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [REF 2]. There is also a target to restore the extent and distribution of estuaries and maintain that of Mudflats and sandflats not covered by seawater at low tide [REF 2]. These features make up part of the 'Intertidal habitat' feature group being assessed.

Trampling of sensitive habitat

Supralittoral sediment

The Solent Maritime SAC is designated, in part, for its supralittoral sediments. The qualifying features most at risk to changes in coastal access arrangements as a result of the ECP are annual vegetation of drift lines, perennial vegetation of stony banks and shifting dunes along the shoreline with Ammophila arenaria ('White dunes'). This is due to the possible increase in repeated trampling where the Coast Path changes current access levels and patterns at sensitive sites.

Intertidal habitat

The Solent Maritime SAC is designated, in part, for its intertidal habitat. The risk associated with the proposal is the possible increase in repeated trampling where the Coast Path changes current access levels and patterns at sensitive sites.

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

In this section of the assessment we describe our overall approach to address the potential impacts and risks from our proposal. The key nature conservation issue for The Solent is the protection of non-breeding water birds, which occur throughout the SPA and Ramsar sites on this stretch during

the wintering season. We will also describe our approach to the issue of small scale habitat loss from the installation of establishment works, potential disturbance to nesting birds and trampling of sensitive features.

Whilst the Solent is one of the most populated areas in the South East, much of Chichester Harbour is far more rural and less densely populated [REF 9]. The predicted annual visits to coastal areas vary throughout the stretch with areas such as Hayling Island and West Wittering Beach seeing the highest predicted annual visits at between 1,265,000 and 3,096,000, and between 716,000 and 1,265,000 visits respectively [REF 9]. Other areas that already experience higher levels of access include Langstone to Emsworth and the head of the Thorney channel (between Prinstead and Nutbourne) at between 524,000 and 716,000 visits to each area, and Bosham and West Wittering Village at between 343,000 and 421,000 to each area [REF 9]. The lowest levels of access currently occur in the north west of Bosham Channel, and south of School Rithe to Old park Wood which have between 0 to 38,000 predicted visitors [REF 9]. Lower levels of access also occur be Mill Rithe and Gutner Point, and from the marina south of Birdham Pool to Itchenor at between 38,000 to 101,000 [REF 9]. Along the majority of the stretch, access to the coast is possible via a variety of formal or promoted routes (including the Solent Way, The Salterns Way, The New Lipchis Way) and routes already promoted by the National Trust and Chichester Harbour Conservancy, as well as informal paths. There is only one short section of the trail to the west of Cobnor Point that is not an existing walked route.

Residential growth is a key issue across the Solent because of the urbanised nature of the coastline as a whole. Local Authorities within the area recognise this pressure and have incorporated strategic solutions to address this in the adopted and emerging local plans. All the adopted plans have a positive HRA concluding no adverse effect from their proposals on European designated sites with no residual risks to conservation objectives. This is based on developments being subject to the Solent Recreation Mitigation Strategy. This informs the prevailing conditions and suggests that, in their current state, the European designated sites are not experiencing adverse effects from recreational or other impact pathways from the plans alone or in-combination.

A key finding from the research underpinning the Solent Recreation Mitigation Strategy for wintering water birds is that how people behave, and how access is managed at each location determines the extent of disturbance [REF 5]. Our objective in designing proposals for coastal access has been to ensure they do not increase the disturbance pressure affecting the site and that where possible they contribute to efforts to manage existing and future demand for places for coastal recreation in ways that help to reduce disturbance to wintering birds. To achieve this between South Hayling and East Head, our proposals for coastal access:

- Make use of popular established paths where increase in the level of use in unlikely to increase the disturbance pressure affecting the SPA. The proposed alignment for the England Coast Path between South Hayling and East Head predominantly follows existing paths including already promoted routes.

- Route the trail inland in areas such as Black Point, Tournerbury, Verner Common, Gutner Point, Northney Marshes, Pilsey Island, the south west of the Chidham Peninsular and Ella Nore Spit to avoid encouraging new or increased access in sensitive areas.

- Do not create new coastal access rights over intertidal mudflats and saltmarsh that are used by feeding water birds. In practice, use of such intertidal areas for recreation limited since they are unattractive, dangerous and inherently unsuitable for public access. A year round exclusion will apply over much of the mudflat and saltmarsh along the stretch and as a result

of this no new coastal access rights will be created over these areas. Maps showing the extent of excluded areas can be found within the Coastal Access Overview Report (Maps 1A, 1B, 1C, 2A, 2B, 2C, 2D, 3A, 3B, 5A, 5B).

- In addition, access to will be excluded to areas of the coastal margin on nature conservation grounds. These areas are located at Northney Marshes, Gutner Point, Tournerbury and Middle Marshes and the northern end of Ella Nore Spit. Maps showing the extent of excluded areas can be found in within the overview (Maps 1A, 1B, 1C, 5B).

- Some areas of the harbour have access rights that pre-date the CROW Act. These pre-existing rights are listed and described in Section 15 of The CROW Act. Land with these existing rights along the stretch may form part of the coastal margin, but coastal access rights do not apply in these areas because the existing rights continue to apply instead. Therefore, no new coastal access rights will be created over areas of mudflat and saltmarsh that fall within existing 'Open Access Land' (Map B).

- Contribute to raising awareness and encouraging appropriate visitor behaviour close to areas used by wintering birds by installing new information panels at key points along the stretch. These will reinforce Bird Aware messages, display information about the sensitive features and reinforce access exclusions where they exist.

- Add scrub to remove existing desire lines which lead walkers from the inland PRoW (Public Right of Way) on to the mudflat and saltmarsh surrounding Ella Nore spit and then on to the spit itself. Add additional vegetation to infill the existing gaps to the west of Cobnor Point, where we are taking the route up onto the bank.

Non-breeding ringed plover, redshank and shelduck, oystercatcher, black-head gulls, Mediterranean gulls, lapwing and little egret that stay on site to breed may also be at risk as a consequence of promoting the coast path. The key breeding sites in Chichester Harbour are Stakes Islands, Pilsey Island, Ella Nore Spit, East Head, saltmarsh around Gutner Point and Horse Pond, Fowley Island, around Old Park Wood, Northney Marshes, Thorney Deeps, a copse on Thorney Island, Tournerbury Marshes and Woods, the tip of Verner Common, farmland around Chidham and Rockwood and Langstone Mill pond. The beach between Eastoke and Black Point can also be used be ringed plover for breeding.

At Northney Marshes, Tournerbury Marshes, Gutner Point, and Ella Nore Spit we have proposed an exclusion under Section 26(3)(a) to encourage walkers not to access bird breeding sites. To reduce interaction between walkers and bird breeding sites at Northney Marshes, Tournerbury Woods and Marshes, Verner Common and Gutner Point we have chosen to use inland routes, which divert people away from these areas. The saltmarsh and mudflat around Horse Pond, Gutner Point, to the east of Pilsey Island, Fowley Island and to the north of Stakes Islands is covered by a Section 25A restriction on the grounds that it is unsuitable for public access. Currently Fowley Island is not accessible on foot and the walking conditions in the other areas mean that walkers are already likely to consider them unsuitable for walking on. However, the restriction means walkers would not be able to access breeding sites at Horse Pond and Gutner Point under coastal access rights. At Stakes Island this restriction means walkers will not be able to access the breeding site from the north under coastal access rights and at Pilsey it means they will not be able to access the breeding site from the north east under coastal access rights. Pilsey Island is also covered by existing by-laws that restrict access to areas where birds breed, our proposals will complement existing management measures in this area by installing a new interpretation board to reinforce this message. At Ella Nore spit we have chosen to take the inland PRoW, rather than the one out onto the spit. We also

propose planting vegetation to discourage people from using existing desire line routes out on to the spit. The northern section of the spit which birds use to breed will also be covered by an exclusion for reasons of nature conservation under Section 26(3)(a). We also propose upgrading the existing fencing, to encourage people not to access this end of the spit. At Old Park Wood we have chosen to use the Itchenor Ferry and propose an alternative route which takes the trail further inland to avoid creating new access through this breeding site.

Our proposals also include the addition of interpretation to inform people about breeding birds, particularly ringed plover at Black Point and Sandy Point, as well as advising them to keep their dogs on leads. Additional interpretation is also prosed on the northern access point to Tournerbury Marshes and Northney, which will inform people of the Section 26(3)(a) restriction in these areas and provide information on birds breeding here.

Breeding sites at Thorney Deeps, a copse on Thorney Island, farmland around Chidham and Rockwood and Langstone Mill pond are in land of the trail and therefore no coastal access rights will be created over these areas. Although the little egret breeding site at Langstone Mill is in close proximity to the trail we are following an existing well used PRoW in this area, which The Solent Way also follows.

Permanent loss of habitat as a consequence of establishment work has also been considered.
Our proposals will see the installation of the following new infrastructure items within designated sites across the trail: 6 multi-finger post signs (0.06 sq.m), 2 simple way marking posts (0.02 sq.m), 8 interpretation panels (0.16 sq.m), 1 advisory sign (0.01 sq.m), 1 boardwalk (3.36 sq.m) and approximately 20m of fencing (0.09 sq.m). There will also be some improvements to the surface of the trail within designated sites along the route. There will also be some improvements to the surface of the trail within designated sites along the route. All new installations apart from the boardwalk and 20m of fencing will not result in the direct loss of qualifying features.

Trampling of sensitive features is another risk identified as a consequence of promoting the coast path. Our proposed trail is aligned primarily on existing coastal routes and a year round exclusion will apply over the majority of mudflats and saltmarsh along the stretch such that no new coastal access will be created over these areas. Supralittoral sediment, will be accessible in the coastal margin. However, access to much of Pilsey is restricted by existing by-laws and access management measures have already been put in place by the National Trust at East Head.

D3.2 Design of the access proposal to address possible risks – at a local level

In this part of the assessment we consider key locations along the coast between South Hayling and East Head where establishing the England Coast Path and associated coastal access rights might impact on qualifying features of a European site. We explain how the detailed design of our proposals at these locations takes account of possible risks.

A number of locations have been identified as being potentially at risk to disturbance caused by the promotion of the England Coast Path. Using WeBS count data, SWBGS and supplementary advice on conservation objections these locations were identified to accommodate significant numbers of non-breeding birds, breeding birds, their supporting habitat or SAC qualifying habitats.
The features occurring at each of these key locations are shown in the table below. To make it easier to cross-reference between this assessment and the corresponding Coastal Access Reports in which

access proposals are made, the relationship between the geographic units in this assessment and the way the stretch is sub divided in the Coastal Access Reports is shown.

Table 7. Summary of key locations

Location	Cross reference Coastal Access Report	Non-breeding birds	Breeding terns	Supralittoral sediment	Intertidal habitat
Sandy Point	Report 1 (SHE-1-S020 to SHE-1-S022)	✓		✓	
Black Point	Report 1 (SHE-1-S026)	✓		✓	✓
Tournerbury wood and marshes	Report 1 (SHE-1-S070 to SHE-1-S083)	✓			✓
Verner Common	Report 1 (SHE-1-S086 to SHE-1-S088)	✓			✓
Gutner Point and fields	Report 1 (SHE-1-S100 to SHE-1-S103)	✓			✓
Northney	Report 1 (SHE-1-S105 to SHE-1-S113)	✓			✓
Conigar Point	Report 2 (SHE-2-S013 to SHE-2-S021)	✓			✓
Marker Point to Pilsey Island	Report 2 (SHE-2-S064 to SHE-2-S073)	✓	✓	✓	✓
Stakes Islands and Cobnor Point	Report 3 (SHE-3-S010 to SHE-3-S018)	✓	✓		✓
Cutmill to Colner Creek at the Head of the Bosham Channel	Report 3 (SHE-3-S053)	✓			✓
Horse pond	Report 5 (SHE-5-S019 - SHE-5-S022)	✓		✓	✓
Ella Nore	Report 5 (SHE-5-S039- SHE-5-S043)	✓	✓	✓	✓
East Head	Report 5 (SHE-5-S044- SHE-5-S055)	✓		✓	✓

To inform our assessment of risk, we have reviewed how relevant sections of coast are currently used for recreation, how this might change as a result of known factors (such as planned housing), and how the established patterns and levels of access might be affected by our proposed improvement to access. The predictions we have made from this work are informed by available information, including reports commissioned to support development of the local plan, on-line

mapping and aerial photography, travel and visitor information, site visits and input from local access managers. The findings of this work are incorporated into the assessments below.

Our assessment of the impact of the access proposals at each of these location is set out in Table 8.below.

Table 8. Detailed Assessment of key locations

Location	Current situation	Risk analysis
Sandy Point	**Access baseline** There is no PRoW extending around Sandy Point, however there are existing walked routes that extend around it. Aerial imagery shows a clear walked route at the top of the beach along the southern section of Sandy Point. As the route extends northwards the primary walked route extends along the boundary of the Nature Reserve, although it is evident that some walkers also use a route east of this along the top of the sparsely vegetated shingle. Sandy Point Nature Reserve to the north of the route is closed to the public due to its sensitive nature and there is currently a dogs on leads policy that is in place on any part of the beach or promenade at Sandy Point between May 1st and September 30th [REF 10]. **Environmental baseline** Ringed plover are known to nest along the shingle beaches that exist in the southern part of Hayling Island. The 2017 and 2018 bird reports for Sandy Beach and Black Point, suggested two pairs bred in 2017 and a pair nested on the beach three times in 2018, but the nest was trampled on each occasion. There are areas of sand dune and shingle vegetation along this stretch of beach. However, bare ground is present along the existing walked routes.	**Disturbance to non-breeding and breeding birds** Whilst we are not planning on excluding access to areas where birds breed here, an interpretation board will promote the dogs on leads policy and inform people of birds breeding in the area to encourage responsible behaviour around them. It is considered that walkers will continue to use the existing walked route, which the coast path follows in this area. Should walkers choose to use the margin or the existing walked route within the margin here, the interpretation board will make them aware of the possibly of birds nesting on the beach, which will aid in reducing the risk of nests being tramped. **Trampling of vegetation** The route of the trail follows an existing walked route. This route and other existing walked routes in the margin are already bare ground, rather than shingle or dune vegetation. The existing walked routes, particularly the route of the trail itself, offer an area of compact substrate, which is a more desirable route compared to walking over lose uneven shingle or dunes. It is therefore considered that walkers will continue to use the existing walked routes in this area.
Black Point	**Access baseline** There is an important high tide roost to west of harbour entrance at Black Point, which is easily accessible from an existing PRoW. Cars currently drive along a track on the spit to the sailing club car parking areas. Black Point itself is a private beach owned by the Hayling Island Sailing Club,	**Disturbance to non-breeding and breeding birds** We considered aligning the trail to extend along the existing PRoW up to Black Point. However, we chose to align the route inland away from Black Point to reduce the disturbance to roosting and breeding birds.

	access to which is restricted to members only. **Environmental baseline** The high tide roost at Black point is utilised by non-breeding water birds and breeding birds. The SWBGs suggests there are three key roost sites on Black Point all of which are SPA sites. Monthly maxima counts in the winter months of 2018 (Jan, Feb, March, Oct, Nov, Dec) included: oystercatcher (83-150), grey plover (49-64), ringed plover (22-127), curlew (1-2), bar-tailed godwit (6-20), turnstone (5-65), knot (25 to 1000), sanderling (50 to 171), dunlin (1000 to 15000) and redshank (1 to 18) [REF 7]. The roost was also used during the spring to Autumn by all of these species, but in much lower numbers. Black-headed gulls (summer peak 475 individuals in August 2018) and Mediterranean gull (45 August 2018), also use this site [REF 7]. Ringed Plover also attempted to nest on the beach between here and at Sandy Point, see numbers above [REF 7]. Little tern utilise this roost with peak of 60 in July, as did Common tern 450 in August [REF 7]. Black Point itself is a shingle and sand spit, surrounding the spit are mudflats and sandflats which are covered by sea water at high tide. The creeks inland of black point contain areas of mudflat and saltmarsh.	Black Point will still be within the coastal margin and people may use the existing PRoW to gain access to it. As part of our proposals we are installing an interpretation panel just before the head of the spit. This will inform the public about the bird species found here and encourage responsible behaviour around them, particularly when they are breeding. A multi finger signpost at the base of the spit, will encourage walkers along the England Coast Path route, rather than on to the spit. We are proposing a year round Section 25A restriction on the areas of mudflat and saltmarsh to the west of Black Point. Not creating coastal access rights over these areas will reduce the likelihood of walkers interacting with birds here, which in turn reduces the likelihood of walkers causing disturbance to them. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh to west of Black Point. Not creating coastal access rights over this area will reduce the risk of damage to intertidal vegetation through trampling. It is considered that anyone that does choose to use the coastal margin at Black Point is likely to continue to utilise the existing PRoW and access track.
Middle Marsh and Tournerbury Woods and Marshes	**Access baseline** There are a selection of short sections of existing PRoW that are located inland of Tournerbury, none of them run eastwards towards the Marshes. There are currently no promoted routes close to Tournerbury Marshes, although there is a permissive route on the promenade along the northern edge of Mill Rythe Holiday Park. There is currently a large fence to stop people accessing the sea wall and heading south of the Holiday Park, but walkers and dog walkers can step down onto the intertidal to circumvent this.	**Disturbance to non-breeding and breeding birds** We considered creating new access here, by aligning the trail along the seawall or along a route west of Middle Marsh and Tournerbury Marsh, but east of the Tournerbury Golf Course. However, we chose to align the route inland along existing PRoW rather than creating new access across Tournerbury Woods and Marshes to reduce the disturbance to birds using the marshland and adjacent intertidal areas. The route will be clearly waymarked, to encourage walkers inland along the England Coast Path route.

	Tournerbury Woods Estate is a licenced wedding venue and as such attracts large groups of visitors. To the east of the woods people can access a worn informal route to the sea wall from which they can head north towards the marshes. The nearest car parks are over a 1km away, although nearby residential areas of Gable Head and Mengham do provide unrestricted parking. **Environmental Baseline** The marshland and intertidal areas here are considered important for wildfowl and wading birds that are sensitive to disturbance. Shoveler and wigeon feed in the area around Tournerbury farm. Little egret roost and nest in Tournerbury wood and Lapwing breed around Tournerbury farm and redshank have possibly bred in fields behind the sea wall. The marshes north of Tournerbury Wood, across Middle Marsh and up to Mill Rythe Holiday Park are all roost sites, identified as 'SPA sites' by the SWBGs. The WeBS core counts for the area that includes Tournerbury in 2017/2018 showed that the area was being used by dark-bellied brent geese (1000), wigeon (332), teal (105), curlew (102), lapwing (85), black- headed gull (64), redshank (44), curlew (41), shelduck (29), little egret (18), oystercatcher (8) and greenshank (2). Tournerbury and Middle Marshes are surrounded by areas of intertidal saltmarsh.	Access to the fields and sea wall around Tournerbury and Middle Marsh will be excluded year round on nature conservation grounds under a Section 26(3)(a). Where there is a potential access point onto the sea wall from the north we propose installing a sign to deter access by informing people of the sensitivities of the site and the restriction. No new access will be created on the intertidal mudflats and saltmarsh seaward of Tournerbury woods and Marshes as they will be covered by a year round Section 25A restriction. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh seaward of the trail. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling.
Verner Common	**Access baseline** There is currently no PRoW leading to Verner Common. It is currently only accessed by a small number of visitors from the nearby caravan site. **Environmental Baseline** In the SWBGs the east side of Verner Common is an SPA Site and the west is a Core Site for roosting birds. The site is surround on the seaward side by intertidal saltmarsh. It is known to be utilised by lapwing, oystercatcher and	**Disturbance to non-breeding and breeding birds** We considered aligning the route around Verner Common. However, we chose to align inland, away from Verner Common to reduce the disturbance of birds on the common and the surrounding intertidal. Coastal Access to the north is limited by excepted land. There will be a way marking sign at Mill Rythe Lane to the south showing people that the route carries on inland along the road, which will encourage people to follow the England Coast Path route.

	knot to roost. Lapwing also attempt to breed on the tip of Verner Common. The WeBS core counts for the area that includes Verner Common (as well as Gutner Point) in 2017/2018 showed that the area was being used by dark-bellied brent geese (2500), dunlin (650), curlew (640), wigeon (210), lapwing (200), grey plover (177), redshank (163), black-headed gull (136), black-tailed godwit (131), teal (135), shelduck (64), oystercatcher (55), little egret (49), bar-tailed godwit (30), turnstone (22), knot (11), pintail (10), greenshank (3) Sandwich tern (2), and avocet (1).	No new access will be created on the intertidal mudflats and saltmarsh seaward of Verner Common as they will be covered by a year round Section 25A restriction. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the intertidal mudflat and saltmarsh seaward of the trail. Not creating coastal access rights over this areas will reduce the risk of damage to intertidal vegetation through trampling.
Gutner Point and fields	**Access Baseline** Currently no public access is permitted to Gutner Point Nature Reserve. There is a PRoW inland of Gutner point that extends from Copse Lane to Woodgaston Lane. The nearest car park exist at Meadow Farm Nursery along Woodgaston Lane, which is approximately a 700m walk from Gutner Point. **Environmental Baseline** Gutner Point is a key wader roosts within Chichester Harbour. Gutner Point itself is a SPA Site under the SWBGs and the fields to the north of it are Core Site for roosting birds. Species known to roost at Gutner Point include bar-tailed godwit, curlew, dunlin, grey plover, redshank, lapwing, oystercatcher and in small numbers greenshank. Widgeon also roost on the water off of Gunter. The WeBS core counts for the area that includes Gutner Point (as well as Verner Common) in 2017/2018 showed that the area was being used by dark-bellied brent geese (2500), dunlin (650), curlew (640), wigeon (210), lapwing (200), grey plover (177), redshank (163), black-headed gull (136), black-tailed godwit (131), teal (135), shelduck (64), oystercatcher (55), little egret (49), bar-tailed godwit (30), turnstone (22), knot (11), pintail (10), greenshank (3) Sandwich tern (2), and avocet (1).	**Disturbance to non-breeding and breeding birds** We considered aligning the route around Gutner Point Nature Reserve or along pony tracks between Gutner Lane and Woodgaston Lane. However, we chose to align the trail inland of Gutner Point along Woodgaston Lane to reduce the disturbance on birds roosting on Gutner Point and the surrounding fields. Access to the fields north of Gutner Point will be excluded year round on nature conservation grounds under a Section 26(3)(a). Way marking will be used to encourage people to follow the England Coast Path route. An interpretation sign will be installed at a key access point along Woodgaston Lane to deter access by explaining the sensitivities of the site and the access exclusion. No new access will be created over Gutner Point and the intertidal mudflats and saltmarsh that surround it as it will be covered by a year round Section 25A restriction. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh seaward of the trail. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling.

	There are extensive areas of intertidal saltmarsh around Gutner Point. These areas are breeding sites for oystercatcher, lapwing, redshank and possibly ringed plover.	
Northney	**Access Baseline** The existing PRoW runs inland of Northney marshes and there are currently no PRoW that take people in the direction of the marshes. There is however currently a permissive pathway which allows local people access to the sea wall. **Environmental Baseline** Northney Marshes is an SPA roost site under the SWBGs. The majority of the fields adjacent to the marsh are Core Sites, and there are some Primary and Secondary Support Areas. Seward of the trail there are areas of intertidal saltmarsh. Species known to roost at Northney include curlew, lapwing and oystercatcher. Curlew, widgeon and oystercatcher also feed here and on surrounding saltmarsh. The WeBS core counts for the sector that includes Northney in 2017/2018 showed that the area was being used by dark-bellied brent geese (1808), dunlin (300), redshank (270), curlew (125), teal (111), lapwing (106), shelduck (91), oystercatcher (81), black-tailed godwit (78), widgeon (67), black-headed gull (65), pintail (37), Mediterranean gull (30), grey plover (25), turnstone (12), little egret (8), common tern (4), sandwich tern (2), greenshank (1). Northney Marshes is also a nesting site for shelduck, lapwing and redshank.	**Disturbance to non-breeding and breeding birds** We considered aligning the route along the sea wall, through inland pasture fields and along existing permissive routes. However, we chose to route the trail further inland, along pre-existing PRoW and permissive paths to reduce disturbance on birds utilising inland pastures, the sea wall and the intertidal in this area. This route will be clearly way marked to encourage walkers along this inland route. Access to Northney Marshes will be excluded year round on nature conservation grounds under a Section 26(3)(a). The boundary of the excluded areas follows existing hedges and fences. There will be an interpretation board on a northern entry point to the sea wall. This will deter access by providing information on wintering and breeding birds and outlining the area covered by the Section 26(3)(a) exclusion. To the south there will be small signs tagged to the fence line to deter access by informing people of the exclusion. No new access will be created over the intertidal mudflats and saltmarsh at Northney as they will be covered by a year round Section 25A restriction. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh seaward of the trail. Additionally we are excluding access to the seawall over Northney Marshes, which reduces the likelihood of walkers accessing the intertidal. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling.

Conigar Point	**Access Baseline** The Solent Way and the Wayfarer's Walk run along the coastline here before going inland prior to reaching Conigar Point from the west. These routes are existing PRoW. At low tide it is also possible to carry on along the foreshore rather than heading inland. This foreshore route links up with existing walked routes through Nore Barn Woods to the west of Conigar Point. The route along the coastline is primarily used by local people, with knowledge of the local tidal conditions. It does however form part of a walk promoted by the Chichester Harbour Conservancy between Emsworth and Langstone. **Environmental Baseline** The fields adjacent to the shore at Conigar Point are Core and Primary sites under the SWBG's. These fields are important high tide roost sites and the saltmarsh and mudflats of the Emsworth Channel to the south are known foraging areas for dunlin, black-tailed godwit, widgeon, avocet and knot. The WeBS core counts between Langstone Bridge and Emsworth in 2017/2018 showed that the area was being used by dark-bellied brent geese (907), black-headed gulls (195), wigeon (189), lapwing (92), shelduck (50), little egret (48), teal (45), oystercatcher (29), curlew (9), shoveler (2), sandwich tern (2), and redshank (1).	**Disturbance to non-breeding and breeding birds** We considered aligning the route along the coastline at Conigar Point. However, we chose to align the route inland along the pre-existing Solent Way north of Conigar Point to reduce disturbance to birds feeding on the intertidal and roosting on the adjacent fields. Clear way marking will encourage people to follow this inland route. No new access will be created over the intertidal mudflats and saltmarsh at the head of the Emsworth Channel as it will be covered by a year round Section 25A restriction. **Trampling of vegetation** We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh seaward of the trail. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling.

Marker Point to Pilsey Island	**Access baseline** Thorney Island is a military base and access is restricted by gates controlled by the guardroom via an intercom and CCTV. Visitors must provide their name and address to gain access. There is currently an existing PRoW extending around the boundary of Thorney Island. The Ministry of Defence and the Harbour Conservancy promote a circular route along this PRoW. This route also forms part of the promoted Sussex Border Path. Pilsey Island on the southern tip of Thorney is an RSBP Nature Reserve, which is covered by by-laws (Appendix 2-Map 2). These by-laws include an area where access is restricted at any time and an area where access is restricted between the 1st of November and the 31st of March (and any time after dark). This is currently managed on site with signage. An area of land with access rights which pre-date the CROW Act wraps around the South West side of Thorney Island. Some of this land is easily accessible, where there is firm sand and some not so accessible due to mud. There are no public car parks on Thorney Island and the nearest one is some distance from Pilsey Island at Prinstead. Being on the southern tip of Thorney Island walkers would have to walk the 7 miles (11.2km) around the island route to access Pilsey Island. **Environmental Baseline** Pilsey Island is a key high roost on south tip of Thorney. The island itself and the area to the north east of the Island are SPA roost sites under the SWBGs. Some of the fields inland of the route are also Core, Primary Support and Secondary Support areas under the SWBGs. Pilsey Island is a known roost site for bar-tail godwit, dunlin, grey plover, redshank, ringed plover, sanderling, avocet, black-headed gull, knot, lapwing, Mediterranean gull and oystercatcher.	**Disturbance to non-breeding and breeding birds** In this area we are installing way marking to encourage walkers to follow the England Coastal Path Route inland of Pilsey Island. Current users of this PRoW around the island will be familiar with this as the MoD already publicise that public access to the island is strictly limited to the footpath that runs around Thorney. The intertidal area between Marker Point and Pilsey Island is pre-existing open access land, so the coastal access will not result in any new access rights over this area. The mudflats and saltmarsh seaward of the trail surrounding Pilsey Island and heading north of it are covered by a year round Section 25A restriction. An additional interpretation panel will be added on a key access point from the trail onto Pilsey Island. This will deter access by reinforcing the existing by-laws, which prevent people from accessing sensitive areas of the Island at sensitive times. We have chosen to take the route of the trail along the existing walked route inland of Pilsey, rather than out onto the dunes and the shingle to keep walkers at a distance from known feeding and roosting areas. **Trampling of vegetation** The route of the trail itself is inland of the dune and shingle vegetation at Pilsey. The mudflats and saltmarsh seaward of the trail, behind the shingle ridge are outside of the pre-existing open access land and will be covered by a year round Section 25A restriction. Much of the vegetation on Pilsey Island itself is covered by the existing by-laws, which restrict access. A new interpretation panel will be put in place to reinforce these restrictions and encourage people to adhere to them. These measures will help to reduce the trampling pressure over saltmarsh, vegetated shingle and dune habitat seaward of the trail. There will be some areas of mudflat, dune and vegetated shingle habitat accessible from the coast path that are within the pre-existing open access land. Walkers already have access to these areas, along an existing PRoW and there will be no new access rights created over them as part of the coast path. We are predicting a

	WeBS low tide peak counts for the area that includes Pilsey Island in 2017/2018 showed that the area was being used by bar-tailed Godwit (448), sanderling (160), grey plover (62), ringed plover (29), curlew (22), shelduck (12), redshank (9), widgeon (4), Sandwich tern (2), and pintail (2). Pilsey sands is also an important wader feeding area in the harbour. It is located between Pilsey and Marker Point on south west side of Thorney Island. It is a known feeding area for bar-tail godwit, sanderling, grey plover, ringed plover and knot. WeBS low tide peak counts for the area between Pilsey and Marker Point in 2017/2018 showed that the area was being used by dunlin (2600) dark-bellied brent geese (700), knot (600), bar-tailed godwit (240), sanderling (98), grey plover (49), curlew (47), shelduck (43), redshank (17), ringed plover (12), little egret (9), widgeon (8) and turnstone (6). Pilsey Island is also a breeding site for ringed plover and oystercatcher. Terns have also nested here in the past and could do again in the future. Pilsey Island and the area directly surrounding it are made up of a number of different types of habitat. There is a vegetated shingle ridge running from the south of Thorney Island and wrapping around Pilsey Island. The vegetation is made up of annual and perennial communities. Behind this shingle ridge is an extensive area of saltmarsh and a smaller area of sand dune is present to the north west [REF 11] and [REF12].	negligible change in access to the coastal margin in this area with the establishment of the coast path. Way marking will be used to encourage walkers to follow the trail which does not directly pass through these areas. The area of mudflat between Marker Point and Pilsey also has some large tidal creeks, which it is considered would limit how far walkers are likely to walk out onto the intertidal should they leave the main route of the trail.

Stakes Islands and Cobnor Point	**Access Baseline** There is currently a PRoW that runs around the Chidham Peninsular following the coastline, as well as numerous PRoW, which take people in land in the north and the centre of the peninsular. The original PRoW that extends southwards from Chidham Point has been diverted inland because of the poor condition of the sea wall. There is also a PRoW on the south of the peninsular that extends along the beach towards Cobnor Point. Extending westwards from Cobnor point are Stakes Islands, which are a series of posts that remain from an attempt that was made to reclaim the Thorney Channel in the late 1800s. An area of land that has access rights that pre-date the CROW Act wraps around Cobnor point and extend north as far as the northern Stakes Islands. The southern Stakes Islands are included within this open access land, but it is currently rare for walkers to attempt to go out there due to the difficulty of walking on the mud and a number of channels that exist. As such the area is currently only accessed by a few bait diggers. **Environmental Baseline** At Chidham Point it-self there is a SPA site under the SWBG strategy. This is a known curlew roost. Extending south from Chidham point there are a number of SPA roosts along the shoreline, with the fields inland classified as Core Sites and further to the south Primary Support Areas under SWBGs. The south of the peninsular extending toward Cobnor point includes a number of fields that are Secondary Support areas under SWBGS. Extending westwards from Cobnor point are Stakes Islands. They are a critical high tide roost and nesting area within Chichester Harbour. The islands are a known roost site for bar-tailed godwit, curlew, dunlin, knot and oystercatcher. Curlew also forage around the south islands. They are also a known breeding	**Disturbance to non-breeding and breeding birds** The proposals will be aligned along the existing inland PRoW diversion route extending north to south along the west side of the peninsular. This route is landward of the SPA roost sites identified in the SWBGs. It does however extend through roost sites identified in the SWBGs as Core and Primary Support sites. The route will follow existing access here and it will be clearly sign posted to encourage people to stay on this existing route through the fields. This will reduce the likelihood of disturbance to roosting birds. We considered aligning along the PRoW along the foreshore around Cobnor Point. However, we chose to create a new section of path along the south of the peninsular to the west of Cobnor Point. This new section of path is being proposed as it directs people slightly inland helping to reduce disturbance on roosting and feeding birds utilising the intertidal zone. This route will take people along the edge of fields identified a Primary and Secondary Support Sites under the SWBGs. However, the path will stay along the very edge of the field to minimise disturbance to roosting birds. New access points and clear signage will be installed to encourage access along the clifftop in this area. Approximately 20m of hedgerow will be added to infill sections where vegetation is absent along the proposed area of new access. This will act as natural screening of walkers from birds foraging and roosting seaward of the trail. The route will be well sign posted to encourage people to stay on the path away from the sensitive feeding and roosting sites seaward of the trail. No new coastal access will be created on mudflats and saltmarsh landward of the trail to the north of the pre-existing open access land. This is because these areas will be covered by a year round Section 25A restriction. This restriction will cover some of the SPA roost sites identified seaward of the trail. No new access will be created on the mudflats and saltmarsh within the pre-existing open access land. There are currently only a small number of people venturing out from Cobnor

	site for ringed plover, oystercatcher, black-head gulls, as well as common and little terns. Sandwich terns have also bred here in the past and could breed here again in the future. WeBS low tide peak counts in 2017/2018 showed that the area was being used by dunlin (1870), dark-bellied brent geese (522), knot (165), curlew (51), black-headed gulls (45), grey plover (40), redshank (33), teal (29), shelduck (27), ringed plover (25), oystercatcher (19), turnstone (9), little egret (8), lapwing (4), bar-tailed godwit (2) and greenshank (1). Seward of the trail around Stakes Island and to the north of them is an extensive area of intertidal saltmarsh.	Point towards Stakes Islands, and this is unlikely to change with coastal access, as it will not make it any easier to get out there and the signposting will encourage walkers to follow the route of the trail. **Trampling of vegetation** The mudflats and saltmarsh seaward of the trail that are outside of the pre-existing open access land, will be covered by a year round Section 25A restriction. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling. There are not currently high levels of access across the pre-existing open access land here and this is unlikely to change with the introduction of the coast path, as it will not improve the difficult walking conditions. Therefore it is considered unlikely that there will be an increase in the trampling of vegetation in this area.
Cutmill to Colner Creek at the Head of the Bosham Channel	**Access Baseline** There are currently PRoW that run along the east and west banks of the Bosham Channel. At the top of the channel there is no PRoW linking the two routes. There are some desire lines, which suggest some people do walk along the shoreline between these two PRoW, but it is expected that most walkers, particularly those who are not local would use the pavement alongside the A259. **Environmental Baseline** The fields to the north between the two channels are largely core roost areas in the SWBGs, with some smaller areas classified as Primary and SPA sites. The intertidal area to the south of the fields is also an important feeding area for waders and wildfowl.	**Disturbance to non-breeding birds** We considered aligning along the shoreline south of the A259 between Cutmill Creek and Colner Creek. However, we chose to align the route inland along the A259 here to reduce disturbance to non-breeding water birds utilising the intertidal zone and adjacent fields to the north.
Horse pond	**Access Baseline** There is a PRoW that runs past Horse Pond on the landward side of the saltmarsh and the vegetated shingle. This is also the route of the New Lipchis Way. Walkers tend to follow the path in this area, rather than walking out onto the shingle or saltmarsh.	**Disturbance to non-breeding and breeding birds** A year round Section 25A over the mudflats and saltmarsh seaward of the trail here will reduce the risk of disturbance to birds roosting or nesting seaward of the trail. The fields inland of the spit to the north are core sites under the SWBG's. The route will

	Chichester Harbour Conservancy promote a West Wittering to Itchenor Circular Walk. This takes walkers along the PRoW to Horse Pond where they have the option to head in land or carry on along the coastal route towards Itchenor. **Environmental Baseline** There is a narrow shingle ridge, which has some shingle vegetation. There is also an extensive area of intertidal saltmarsh. Redshank attempt to nest in the saltmarsh surrounding Horse Pond and oystercatcher roost here. However, nesting is unlikely to be successful here, as the nests get flooded out. The spit is an SPA site under the SWBG strategy and a large area of field inland of it is a core site.	follow existing access along the very edge of the fields and there is an existing fence line landward of the route, which provides a boundary to encourage people not to access the fields. This helps to reduce the likelihood of disturbance to roosting birds landward of the trail. **Trampling of vegetation** A year round Section 25A over the mudflats and saltmarsh seaward of the trail here will reduce the risk of damage to intertidal vegetation through trampling.
Ella Nore Spit	**Access baseline** The site is made up of a shingle ridge surrounded by salt marsh. There are two public rights of way at Ella Nore, one of which runs inland of the spit and the other goes out across it. There are also a number of desire lines that run through gaps in the vegetation from the inland PRoW out onto the saltmarsh. These desire lines are mainly at the west end of the inland path adjacent to the spit, but they do exist intermittently along the whole length of it. There is currently a fence that was put in place by Chichester Harbour Conservancy to discourage people accessing the eastern end of the spit, which is a roosting and nesting site for birds. Whilst Ella Nore itself is not a particular draw for visitors it is close to West Wittering beach which is a known honey pot site. It has a large car park, café and visitor facilities. The National Trust currently promote an East Head and Ella Nore circular walk, which brings visitors up from West Wittering Beach to Ella Nore. The New Lipchis Way runs along the landward PRoW. **Environmental Baseline** Ella Nore spit is an important high tide roost site for non-breeding birds, as well as a nesting site for breeding birds.	**Disturbance to non-breeding and breeding birds** No new coastal access will be created on the mudflats and saltmarsh seaward of the trail because of a year round Section 25A restriction. The proposal will align the route inland of Ella Nore spit along the existing inland PRoW, rather than along the PRoW that goes out on to the spit itself. Way marking signs will promote the coastal path trail, leading walkers away from Ella Nore spit. Access to the most sensitive eastern end of Ella Nore spit will be excluded year round on nature conservation grounds under a Section 26(3)(a) exclusion. In addition to this exclusion we also propose replacing and upgrading the existing fence line on the shingle bar, which is in disrepair. This will further discourage access to the eastern end of Ella Nore spit and provide a clear boundary for the Section 26(3)(a) exclusion directly to the east of it. The vegetation running along the inland PRoW we are following acts to somewhat screen walkers from birds on the saltmarsh and the shingle spit. We propose adding scrub vegetation where there are gaps in the existing vegetation that lead to desire lines out onto the saltmarsh. This will encourage people to stay on

	It is an SPA site under the SWBGs and is known to be a key roost site for redshank, oystercatcher, grey plover and ringed plover. WeBS Core Count data (2017/2018) for the sector around Ella Nore shows peak counts of dunlin (2000), dark-bellied brent geese (800), redshank (205), ringed plover (160), bar-tailed godwit (150), curlew (107), shelduck (66), grey plover (53), teal (41), turnstone (31), black-tail godwit (11), as well as other SPA bird features in lower numbers. WeBS Low Tide Count data (2017/2018) for the sector that around Ella Nore show peak counts of dunlin (516), dark-bellied brent geese (272), knot (211), bar-tailed godwit (200), black-tailed godwit (117), curlew (54), shelduck (44), oystercatcher (43), lapwing (40), black-headed gull (26), redshank (20), grey plover (14), turnstone (9), little egret (3) and sandwich tern (2). It is also one of the key nesting sites in the harbour with ringed plover, oystercatcher, and terns all attempting to breed here. The 2013 Solent Vegetation Survey describes Ella Nore spit as being fronted by extensive mudflats with saltmarsh on the inner side. The shingle vegetation on the spit is of low diversity and uniform, with a flat pedestrian footpath running through it for 150m. The vegetation along much of the southern section has seen particularly sever trampling, which has led to the vegetation being extremely sparse.	the route of the trail and provide additional screening. **Trampling of vegetation** The mudflats and saltmarsh seaward of the trail are covered by a year round Section 25A restriction. The proposals will encourage the use of the existing inland PRoW rather than the one that currently exists on the spit. There will also be a replacement fence to encourage walkers not to access the eastern end of the spit. These measures will help to reduce the trampling pressure over shingle vegetation, saltmarsh and mudflat.

East Head	**Access Baseline** East Head is adjacent to West Wittering beach which is a known honey pot site. It has a large car park, café and visitor facilities. There is a PRoW which extends around the spit itself. There is another PRoW that runs from West Wittering Beach inland of the spit northwards towards Ella Nore. Visitors to West Wittering are accustomed to having access to the spit and so in addition to the PRoW there is network of well used existing informal paths that run over the dune system on the spit. As well as being heavily accessed by people, it is also a popular area for dog walking. The National Trust currently promote an East Head and Ella Nore circular walk, which runs around the spit and then heads north toward Ella Nore. The New Lipchis Way currently runs along the PRoW inland of the spit and then towards West Wittering Village. The National Trust have already installed access management measures on the spit to help manage the existing high visitor numbers. This includes roping off areas of the dune to restrict access, particularly along the beach front where vegetation is at the highest risk of being trampled. There is also a large area roped off in the middle of the spit that was put up to help vegetation recover from a fire that occurred 5 years ago. In addition to this they rope off an area of shingle and sand every summer to reduce disturbance to potential nesting ringed plover. Boardwalks have also been used in the past and a couple are still visible, but some have been covered by sand. **Environmental Baseline** One site on the spit and one site adjacent to it are SPA sites under the SWBGs. The fields and marsh to the east of the inland PRoW are also SPA Sites. East Head spit and the surrounding saltmarsh are known to be roosting sites for dunlin, grey plover, ringed plover (on the boats) and lapwing. It is also a known feeding area for ringed plover and sanderling.	**Disturbance to non-breeding and breeding birds** Access provisions at this location will be unchanged as a result of the Coast Path. No new coastal access will be created on the mudflats and saltmarsh seaward of the trail because of a year round Section 25A restriction. The proposals will align the route inland of spit rather than using the existing PRoW out on to the spit. Way markers and signs will promote the coast path trail, encouraging walkers to follow the route away from the spit and therefore encouraging them to avoid the roosting and nesting sites at the northern end of it. Existing seasonal fencing of the area where ringed plover nest will reduce the likelihood of walkers interacting with nesting birds in the margin. The route will follow existing access along the very edge of the fields that are SPA sites in land of the trail to minimise disturbance to roosting birds. **Trampling of vegetation** The proposal will align the route inland of spit. Way markers and signs will promote the coast path trail, encouraging walkers to follow the inland route away from the spit, to reduce the risk of damage to intertidal, dune and shingle vegetation through trampling. The site already has high visitor numbers and there are a number of walked paths through the dunes. It is considered likely that visitors will follow these pre-existing desire lines, where the vegetation is already sparse and trampled. Where walkers do use the coastal margin in this area, the existing access management will aid in reducing the risk of vegetation being trampled. We are proposing a year round Section 25A restriction on the areas of intertidal mudflat and saltmarsh seaward of the trail. Not creating coastal access rights over these areas will reduce the risk of damage to intertidal vegetation through trampling.

	The WeBS core counts for the area that includes East Head in 2017/2018 showed that the area was being used by dark-bellied brent geese (2250), dunlin (650), teal (310), redshank (132), wigeon (116), grey plover (75), ringed plover (50), curlew (43), sanderling (20), black-tailed godwit (20), shelduck (14), turnstone (7) and sandwich tern (2). Ringed plover and oystercatcher have previously bred in the shingle towards the northern end of the spit. The National Trust rope off an area of shingle and sand every summer to reduce disturbance to birds including ringed plover that are attempting to breed here. Sand dune habitat extends out across the spit, with an areas of vegetated shingle at the tip of the spit and along its western edge. Sand dune vegetation is subject to trampling on the spit and therefore fencing has been installed by the National Trust to manage where people are walking and to reduce trampling. Along the western edge of the spit, the strand line is very sparsely vegetated, to the north the site has an embryonic dune that still supports strandline vegetation.	

Loss of qualifying and supporting habitat through installation of access management infrastructure

We have also considered whether the installation of access management infrastructure will lead to a loss of qualifying habitat and the habitat which supports the qualifying features for all necessary stages of the non-breeding/wintering period (moulting, roosting, loafing, and feeding). Our proposals will see the installation of the following new infrastructure items within designated sites across the trail: 6 multi-finger post signs (0.06 sq.m), 2 simple way marking posts (0.02 sq.m), 8 interpretation panels (0.16 sq.m), 1 advisory sign (0.01 sq.m), 1 boardwalk (3.36 sq.m) and approximately 20m of fencing (0.09 sq.m). There will also be some improvements to the surface of the trail within designated sites along the route.

Of this infrastructure 4 multi-finger post signs, 2 simple way marking posts, 3 interpretation panels, 1 advisory sign, are on areas which are not considered qualifying features or supporting habitat based on the supplementary advice and 2 interpretation panels are attached to an existing fence, so will result in no loss of designated habitat.

There will be some improvements to the surface of the trail within designated sites along the route. This is will be on existing walked routes and will not exceed the footprint of the existing surface or

bare ground. Any loss of designated land in these areas due to improvements to the surface of the trail is therefore considered to be trivial.

An additional 2 multi-finger post signs and 3 interpretation panels are located on areas mapped as features or supporting habitat of the designated sites. However, the land in these locations is considered to be functioning as site fabric. This is because it is on existing hardstanding, track, bare ground, areas of gravel, or on or adjacent to an existing path. Any loss of designated land in these locations is therefore considered to be trivial.

The remaining 1 boardwalk and approximately 20m of fencing are located on areas mapped as features or supporting habitat of the designated sites (Appendix 2 - Maps 3 and 4). In these areas it is thought possible these features may be present.

The boardwalk is located to the west of Gutner Point at SHE-1-S093. The installation of a 1.2m wide boardwalk in this location would lead to the loss of 3.36 sq.m of the SAC Estuaries feature. Whilst the target in the supplementary advice for Estuaries in the Solent Maritime SAC is to restore the total extent and spatial distribution of estuaries, according to surveys in 2010 and 2013 the extent of the Estuaries feature within Chichester Harbour has not declined since designation. Those surveys suggested there was 29580000 sq.m of the estuary feature in Chichester Harbour. The loss of 3.36 sq.m equates to 0.0000136% of the total extent of this feature in Chichester Harbour. The route is an existing PRoW and aerial imagery suggests that the area that would be covered by the boardwalk is currently predominantly bare shingle. Installing the boardwalk here will limit where people walk, which will help to reduce trampling of surrounding habitats. This site is not a known roosting or nesting area for SPA birds.

The installation of a 20m fence with 9 posts is proposed on Ella Nore Spit. This will replace an existing fence that has fallen into disrepair. The existing fence was originally installed by Chichester Harbour Conservancy as a conservation measure to encourage people not to access the sensitive eastern end of the spit. Whilst this is replacement of existing infrastructure the replacement fence is likely to be larger in scale and more robust than what was put in previously. The SAC and SPA mapping suggests that the area the fence would be located is composed of the saltmarsh (SAC feature and SPA supporting feature) and the SAC estuaries feature for the first 4 meters (2 posts, 0.02 sq.m). The remaining 16m (7 posts, 0.07 sq.m) are over the SAC feature and SPA supporting feature of mudflats and sandflats not covered by seawater at low tide. The initial 2 posts would lead to a loss of up to 0.00000007% of the estuary feature in Chichester Harbour. Based on the 2014 Environment Agency figure, the saltmarsh extent in the Solent Maritime SAC was 9908000 sq.m, so 2 posts would be up to 0.0000001% of the saltmarsh feature. The extent of the intertidal mudflats and sandflats feature within the Solent Maritime SAC was quoted as 46169900 sq.m in the supplementary advice for the site. The remaining 7 posts would lead to a loss of 0.00000015% of the mudflats and sandflats not covered by seawater at low tide feature. In addition to this aerial photography and previous surveys suggests that there is also some shingle vegetation present on the spit [REF 11] and [REF 12]. The western end of the spit up to the fence is a PRoW and existing trampling means that the vegetation in this area is sparse, it is therefore possible that the fence posts could be place to avoid any saltmarsh or shingle vegetation found to be in present at the time of construction. Ella Nore Spit is a known breeding and roosting site for SPA birds, the fence aims to encourage walkers not to access the eastern end of the spit, which is the most sensitive. The replacement of the fence in this area will help to reduce trampling and allow vegetation to establish at the eastern end of the spit. The loss calculated is based on an entirely new fence, when in fact this is replacement of existing infrastructure, therefore the actual loss of designated habitat is likely to be less than calculated.

Non-breeding water bird assemblage

The non-breeding water bird assemblage as a whole contains all native species that use Chichester and Langstone Harbour SPA and Ramsar. The integrity of the assemblage is generally recognised as a product of both abundance and diversity. Within this assessment, the main component species have been the focus of assessment as it is generally recognised that some species contribute more towards the integrity of the overall assemblage than others and any ecological impact assessment should therefore focus on these. The main component species are those non-breeding water birds already assessed; bar-tailed godwit, black-tailed godwit, curlew, dark bellied brent geese, dunlin, grey plover, pintail, redshank, ringed plover, sanderling, shelduck, shoveler, teal, turnstone, wigeon avocet, black-headed gull, greenshank, knot, lapwing, little egret and Mediterranean gull and oystercatcher. In addition to this assessments of other species have been made within the Nature Conservation Assessment (NCA), which accompanies this HRA.

The potential for increased disturbance on the assemblage as a whole, taking into account the risk to other component species, is considered insignificant because of the reasons listed above for the individual species. The target to reduce disturbance to all main component species has been addressed in the design of the proposals. New signposting will encourage all users (both existing and new) to remain on the path. Year round exclusions of access (Section 25A) cover the majority of the intertidal mudflats and saltmarsh around the harbour and Section 26(3)(a) exclusions on nature conservation grounds, cover sensitive roost sites. These measures will reduce the risk of disturbance to the assemblage as a whole. Where new coastal access has been proposed this will take people of off the intertidal and screen them from visually disturbing birds feeding and roosting on the intertidal.

D3.3 Assessment of potentially adverse effects (taking account of any additional mitigation measures incorporated into the design of the access proposal) alone

Table 9. 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?
Repeated disturbance to foraging or resting non breeding water birds, following changes in recreational activities as a result of the access proposals, leads to reduced fitness and reduction in population	The route is primarily aligned along existing coastal access routes including PRoW and existing walked routes. Where new access is proposed the route has been chosen with the aim of diverting walkers away from areas of intertidal used by water birds. The trail has been routed inland in areas such as Black Point, Tournerbury Marshes, Middle Marsh, Verner Common, Gutner Point, Northney Marshes, Pilsey	**Yes** The SPA water birds move around Chichester Harbour to utilise intertidal mudflat, saltmarsh and arable fields for feeding opportunities. There is currently a lot of existing access along PRoW and promoted routes such as the Solent Way, the New Lipchis Way and the Sussex Boarder Path. As well as a number of routes promoted locally by Chichester Harbour Conservancy and the National Trust. We have chosen to avoid new access routes which would take people closer to feeding and roosting birds in areas	**Yes**

and/or contraction in the distribution of qualifying features within the site	Island, the south west of the Chidham Peninsular and Ella Nore Spit to avoid encouraging new or increased access in sensitive areas. New signposting will direct walkers along the path. Section 25A restrictions on intertidal saltmarsh and mudflats not suitable for public access will reduce the interactions between coast path users and qualifying features. Section 26(3)(a) exclusions to conserve flora or fauna at Northney Marshes, Gutner Point, Tournerbury Woods and Marsh, Middle Marsh and on the eastern end of Ella Nore spit will also reduce the interactions between coast path users and qualifying features. New interpretation will inform people of restrictions due to nature conservation, educate walkers on the sensitives at key locations and encourage responsible behaviour. Scrub will be added to remove existing desire lines which lead walkers from the inland PRoW on to the mudflat and saltmarsh surrounding Ella Nore spit and then on to the spit itself. Additional vegetation will also be added to infill existing gaps to the west of Cobnor Point, where we are taking the route up onto the bank.	such as Tournerbury Marsh, Middle Marsh, Verner Common, Gutner Point, Black Point and Northney Marshes. Instead we have chosen to follow existing routes further in land where any increase in access especially in more urban areas such a Hayling Island is likely to cause less disturbance. At Ella Nore and East Head we have chosen to use the inland PRoW, rather than the ones, which take people out onto the spits. These routes have been chosen to reduce the disturbance of birds roosting and feeding on and around the spits. Where choosing an inland route to reduce direct disturbance has meant particularly sensitive areas have come into the margin, we have used Section 26(3)(a) restrictions to exclude people from exercising their coastal access rights in these areas. The promotion of the path will encourage users (both existing and new) to keep on the England Coast Path through effective signposting. Section 25A restrictions on areas of intertidal unsuitable for access, will reduce the risk of disturbance of birds that use this mudflat and saltmarsh to feed and roost. Adding vegetation to the west of Cobnor Point and at Ella Nore, will help to reduce disturbance to over wintering birds by screening walkers from birds using the intertidal. It will also fill in existing gaps and desire lines that could provide access to the intertidal and Ella Nore spit. At Pilsey we will install an interpretation board to reinforcing the pre-existing by laws on the spit. This will aid in ensuring there is separation between people and birds feeding and roosting around Pilsey Island. Coastal access rights will not apply over pre-existing open access land. A Section 25A restriction to the North of Stakes Island will encourage people not to access the islands from the north, as the	

		mudflats here are unsuitable for public access. Access from Cobnor Point to Stakes Islands using the pre-existing access rights is currently only attempted by a few individuals and this is considered unlikely to change with the introduction of the coast path. It is therefore considered unlikely that there will be additional disturbance to roosting birds here. The environmental conditions within the Solent as a whole, including within Chichester SPA and Ramsar and Solent Maritime SAC are dynamic and influenced by a number of human activities. It is possible there are other plans and projects currently in development that could, in combination with the Coast Path, lead to adverse effects on the integrity of the site. In light of this uncertainty, and in order to ensure that the implementation of coastal access in this area does not lead to adverse effects on integrity in combination with other planned initiatives, we have carried out a further in-combination assessment below.	
Disturbance to breeding ringed plover, redshank, shelduck, oystercatcher, black-headed gulls, lapwing and little egret following changes in recreational activities as a result of the access proposal, leads to a reduction in the abundance and distribution of the qualifying features within the site and a resultant reduction in the non-breeding population	The trail has been routed inland in areas such as Black Point, Tournerbury Marshes, Middle Marsh, Verner Common, Gutner Point, Northney Marshes, Pilsey Island and Ella Nore Spit to avoid encouraging new or increased access in areas where birds are potentially attempting to breed. Section 25A restrictions on intertidal saltmarsh and mudflats that are not suitable for public access will reduce the interactions between Coast Path users and nesting birds. New signposting will direct walkers along the path. Section 26(3)(a) exclusions to conserve flora or fauna at Northney Marshes, Gutner	**Yes** We have chosen to avoid new access routes which would take people closer to nesting birds in areas such as Tournerbury Marsh, Middle Marsh, Verner Common, Gutner Point, Black Point and Northney Marshes. Instead we have chosen to follow existing routes further in land where potentially increased access especially in more urban areas such a Hayling Island is likely to cause less disturbance. At Ella Nore and East Head we have chosen to use the inland PRoW, rather than the ones, which take people out onto the spits. These routes have been chosen to reduce the disturbance of birds nesting on the spits. Where choosing an inland route to reduce direct disturbance has meant particularly sensitive areas have come into the margin, we have used Section 26(3)(a) restrictions to exclude people	**Yes**

	Point, Tournerbury Marsh, Middle Marsh and on the eastern section of Ella Nore Spit will also reduce interactions between coast path users and nesting birds at these sites. Fencing will be used to reinforce this restriction on the eastern end of Ella Nore Spit. New interpretation will inform people of restrictions due to nature conservation, educate walkers on the sensitives at key locations and encourage responsible behaviour.	from exercising their coastal access rights in these areas. At Sandy Point and Black Point new interpretation on how access can affect breeding birds will be put in place. At Sandy Point this board will complement existing access management by containing details of the advisory dogs on leads policy. These measures will help to reduce the risk of disturbance to nesting birds and the trampling of nesting sites. At Ella Nore we have proposed a Section 26(3)(a) restriction on the eastern section of the spit, as well as upgrading the existing fencing, to deter people from accessing the main bird breeding area. At Pilsey we will install an interpretation board to reinforcing the pre-existing by laws on the spit. This will aid in ensuring there is separation between people and birds breeding on Pilsey Island. Coastal access rights will not apply over pre-existing open access land. A Section 25A restriction to the North of Stakes Island will encourage people not to access the islands from the north, as the mudflats here are unsuitable for public access. Access from Cobnor Point to Stakes Islands using the pre-existing access rights is currently only attempted by a few individuals and this is considered unlikely to change with the introduction of the coast path. It is therefore considered unlikely that there will be additional disturbance to breeding birds here. The environmental conditions within the Solent as a whole, including within Chichester SPA and Ramsar and Solent Maritime SAC are dynamic and influenced by a number of human activities. It is possible there are other plans and projects currently in development that could, in combination with the Coast Path, lead to adverse effects on the integrity of the site. In light of this uncertainty, and in order to ensure that the implementation of	

		coastal access in this area doesn't lead to adverse effects on integrity in combination with other planned initiatives, we have carried out a further in-combination assessment below.	
Disturbance to breeding terns following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site.	At Ella Nore we have chosen to follow the island PRoW rather than the one that goes out on to the spit to keep people further away from nesting sites. We have also propose replacing the existing fence which is currently in disrepair. At Pilsey we have proposed to install an interpretation board reinforcing current by-laws. The by-laws cover the shingle ridge where terns attempt to nest. We have also chosen to follow the existing inland route, rather than encouraging access on to the island. At Stakes Island birds nest up on the stakes and are therefore far less susceptible to direct trampling. Access is restricted under a 25A restriction north of Stakes Island. Pre-existing access rights exist south of Stakes Islands. New way making will also be installed along the route.	**Yes** The key sites for breeding terns within Chichester Harbour that are in proximity to the route of the coast path are Pilsey Island, Ella Nore and Stakes Island. New way making along the whole route will encourage people to remain on the path. At Ella Nore we have also proposed a Section 26(3)(a) restriction on the eastern section of the spit, as well as upgrading the existing fencing, to deter people from accessing the main bird breeding area. This will reduce the risk of disturbance to birds breeding on the eastern end of the spit. At Pilsey we will install an interpretation board to reinforcing the pre-existing by laws on the spit. This will aid in ensuring there is separation between people and terns breeding on Pilsey Island. Coastal access rights will not apply over pre-existing open access land. A Section 25A restriction to the North of Stakes Island will encourage people not to access the islands from the north, as the mudflats here are unsuitable for public access. Access from Cobnor Point to Stakes Islands using the pre-existing access rights is currently only attempted by a few individuals and this is considered unlikely to change with the introduction of the coast path. It is therefore considered unlikely that there will be additional disturbance to breeding terns here.	**No**
The installation of access management infrastructure may lead to the	Our proposals will see the installation of the following new infrastructure items in the designated sites across the trail: 6 multi-finger post signs (0.06	**Yes** The total loss of designated features or supporting habitat is approximately 3.45 sq.m and after assessing the locations, this loss is considered not to	**No**

reduction in the extent and distribution of qualifying natural habitats and habitats of the qualifying species	sq.m), 2 simple way marking posts (0.02 sq.m), 8 interpretation panels (0.16 sq.m), 1 advisory sign (0.01 sq.m), 1 boardwalk (3.36 sq.m) and approximately 20m of fencing (0.09 sq.m). There will also be some improvements to the surface of the trail within designated sites along the route. Only 1 boardwalk and approximately 20m of fencing are located on areas potentially acting as features or supporting habitat of the designated sites. Installation methods will be checked at establishment stage and further assessment under the Habitats Regulations made, as necessary, prior to works being carried out.	be a risk to the sites conservation objectives. The scale of loss can be regarded as 'trivial' in the context of the conservation objectives for the features, and the nature of the works (1 boardwalk and 20m of fencing) will not adversely affect the continuity and functioning of the habitat types or their transitions. The fencing is intended to minimise any impact to qualifying features on the eastern end of the spit. This area is important for SPA birds and is an area where the establishment of SAC habitat has been effected in the past by trampling, which is likely to reduce with the installation of the fence. It is considered likely that it will be possible to avoid directly impacting vegetation on the spit, by utilising the footprint of the existing fence and due to the fact the vegetation is known to be patchy it its distribution. The boardwalk is over an existing PRoW where the habitat is currently suffering from trampling and there is a lot of existing bare ground. The boardwalk will keep people in one area that has already be trampled. This will aid in reducing the risk of damage due to trampling to the more vegetated areas that surround the route here. The precise location of the infrastructure 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.	
The trampling of designated features following changes in recreational activities as a result of the access proposal leads to the reduction in the	The alignment of the Coast Path is along existing coastal access routes including permissive paths and PRoW, apart from a short section in the south of the Chidham Peninsular, where we have chosen to go further inland onto the edge of the adjacent arable land.	**Yes** The intertidal habitat that would be in the coastal margin is predominantly covered by Section 25A restrictions as it is unsuitable for public access. This has the added benefit of reducing the risk of saltmarsh vegetation being trampled over much of the harbour. Where there is pre-existing open access land, no new coastal access rights will	**No**

extent and distribution of qualifying natural habitats and habitats of the qualifying species	All intertidal areas that are in the margin, apart from where there are pre-existing open access land, are covered by a Section 25A restriction as they are considered unsuitable for public access. No new coastal access rights will apply over the pre-existing open access land. Existing by-laws that restrict access to sensitive areas will be reinforced with new signage. Where coastal access does occur in proximity to sensitive habitats it is in areas, which are already accessible from existing PRoW and walked routes. Way marking will be used to encourage people to stay on the route of the coast path away from the sensitive habitats.	be created over saltmarsh, dune or shingle vegetation. At Pilsey we will install an interpretation board to reinforcing the pre-existing by laws on the spit. This will reduce the likelihood of walkers tramping vegetation over much of Pilsey Island. At Ella Nore and East Head we have chosen to use the inland PRoW, rather than the ones, which take people out onto the spits. These routes will reduce the risk of increased trampling of vegetation on the spits. At East Head and Ella Nore there is some sensitive dune and vegetated shingle habitat in the margin, but this is already heavily accessed, particularly around East Head and we are predicting a negligible change in access to the margin. Fencing of the eastern end of Ella Nore Spit will encourage people not to access this area and trample vegetation. Existing access management at East Head will help to manage where walkers using the coastal margin can access. At Sandy Point there is also some dune and vegetated shingle habitat in the margin and we are predicting a medium increase in access on Hayling Island as a whole. However, the south coast of Hayling Island is very urban and already well accessed and it is considered walkers are likely to follow the existing worn tracks.	

Conclusion:

The following risks to 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:

- Disturbance to breeding terns following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site.
- The installation of access management infrastructure may lead to the reduction in the extent and distribution of qualifying natural habitats and habitats of the qualifying species.
- The trampling of designated features following changes in recreational activities as a result of the access proposal leads to the reduction in the extent and distribution of qualifying natural habitats and habitats of the qualifying species.

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, although there is some residual risk of insignificant impacts which will be further considered in combination with other plans or projects:

- Repeated disturbance to foraging or resting non breeding water birds, following changes in recreational activities as a result of the access proposal, leads to reduced fitness and reduction in population and/or contraction in the distribution of qualifying Features within the site.
- Disturbance to breeding ringed plover, redshank, shelduck, oystercatcher, black-headed gulls, lapwing and little egret following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site and a resultant reduction in the non-breeding population.

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 not been wholly avoided by the incorporated or additional mitigation measures outlined in section D3. It is therefore considered that there are 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. These are:

- Repeated disturbance to foraging or resting non breeding water birds, following changes in recreational activities as a result of the access proposal, leads to reduced fitness and reduction in population and/or contraction in the distribution of qualifying Features within the site.
- Disturbance to breeding ringed plover, redshank, shelduck, oystercatcher, black-headed gulls, lapwing and little egret following changes in recreational activities as a result of the access proposal, leads to reduction in the abundance and distribution of the qualifying features within the site and a resultant reduction in the non-breeding population.

Step 2 – Have any combinable risks been identified for other live plans or projects?

Table 10. Review of other live plans and projects

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Chichester Borough Council	Dolphins Rookwood Lane West Wittering Chichester West Sussex PO20 8QH Proposed steps down through garden to a 1.5 metre long tunnel beneath public footpath rising through to another set of steps to the foreshore garden. (Planning Permission pending)	**Yes.** The construction phase of the project may lead to the temporary disturbance of overwintering birds due to the increase in dust, noise and visual disturbance. This could lead to redistribution of birds and a decrease in their survival rates, particularly as the construction of the project is immediately adjacent to the SPA/SAC. A Construction Environmental Management Plan (CEMP) is proposed as a mitigation measure to reduce the disturbance to the SPA to acceptable levels.
Havant Borough Council	Local Plan Adopted and emerging.	**No**. The Adopted Local Plan sets out planning and development up until 2026. It comprises of the Local Plan (Core Strategy) adopted in March 2011 and the Local Plan (Allocations) adopted in July 2014. In order to address the high need for new housing in the borough, the council began reviewing its Local Plan in 2016, with the new plan due to be adopted in 2020. The current and emerging local plan has a Strategic Access Management and Monitoring (SAMM) Strategy which has been developed and will be implemented over the planning period. It is designed to avoid effects of increased visitors and urbanisation which arise from additional housing near a European site. As a result, it was concluded that the planned allocation of new homes would not lead to an adverse effect on integrity, and no further residual impacts were identified.
Chichester Borough Council	Local Plan Adopted and emerging	**No.** The Local Plan 2014 to 2029 was adopted on the 14th of July 2015. The Local Authority is currently revising its Local Plan to extent it to 2035. The Appropriate Assessment for the adopted and emerging Local Plans considered recreational pressure and loss of functionally

		linked supporting habitat. The plan refers to the Strategic Access Management and Monitoring (SAMM) Strategy that has been developed for the Solent, which will be implemented over the planning period. It is designed to avoid effects of increased visitors and urbanisation which arise from additional housing near a European site. With the inclusion of the recommendations in the HRA and undertaking the recommended 'Next Steps', it was concluded that the Chichester Local Plan review would not have an adverse effect on integrity of European designated sites, in isolation or in combination.
Environment Agency	North Solent Shoreline Management Plan (NSSMP)	**No.** The NSSMP's aim is to balance the management of coastal flooding and erosions risks, with natural processes, and the consequences of climate change. As a result of the plan, adverse effects could not be avoided at the Chichester and Langstone Harbours Special Protection Area and Ramsar site, and Solent Maritime Special Area of Conservation. Compensatory habitat creation was necessary to comply with the Habitats Regulations. In light of this, no insignificant or combinable effects from the plan have been identified.
Havant Borough Council	South Hayling Island Beach Management Plan	**No.** An ongoing shingle recycling programme. Based on the mitigation in place and the ongoing monitoring it is not anticipated that there will be either a short term or long term Likely Significant Effect on the European sites as a result of the Hayling Island BMP works, either alone, or 'in-combination'.
Natural England	Implementation of coastal access from Portsmouth to South Hayling Island	**Yes.** The Access and Sensitive Features Appraisal for this stretch has identified the following insignificant and combinable risks: • Possible small increase in disturbance to feeding or roosting water birds • Possible small increase in disturbance to breeding and foraging birds. • Possible small increase in trampling damage to vegetated shingle.
Natural England	Implementation of coastal access from East Head to Shoreham	**No.** Our proposals for coastal access between East Head and Shoreham may also affect designated sites on this stretch. We have previously made an assessment of our proposals for this stretch and no insignificant and combinable risks were identified in that assessment.

In light of this review, we have identified insignificant and combinable effects are likely to arise from the following projects that have the potential to act in-combination with the access proposals:

- Implementation of coastal access from Portsmouth to South Hayling.
- Construction of a 1.5 metre long tunnel under the public footpath at Dolphins.

Step 3 – Would the combined effect of risks identified at Steps 1 and 2 be likely to have an adverse effect on site integrity?

In light of the conclusions of Steps 1 & 2, we have made an assessment of the risk of in combination effects. The results of this risk assessment, taking account of each qualifying feature of each site and in view of each site's Conservation Objectives, are as follows:

Table 11. Assessment of combined risk

Residual risk	In-combination effect	Assessment of risk to site conservation objectives	Potential adverse effect?
A higher frequency of interactions between people using the coast path and non-breeding water birds resting or foraging close to the shore.	There is a possible risk of increased disturbance pressure on non-breeding water birds resting or foraging close to the shore.	The construction phase of the project may lead to the temporary disturbance to overwintering birds due to the increase in dust, noise and visual disturbance. This could lead to redistribution of birds and a decrease in their survival rates, particularly as the construction of the project is immediately adjacent to the SPA/SAC. A Construction Environmental Management Plan (CEMP) is proposed as a mitigation measure to reduce the disturbance to the SPA to acceptable levels. The Coast Path follows an existing public right of way in this area, which is not directly on the foreshore. We are not planning on constructing any major infrastructure in close proximity to this site and we are only predicting a small increase in walkers in this area. The Coast Path would therefore not have a long-term effect on the ability of the site to support non-breeding water birds.	**No**
A higher frequency of interactions between people using the coast path and non-breeding water birds resting or foraging close to the shore.	Increased use of the Coast Path is expected as a result of improvements to the quality of the path and its promotion as part of the England Coast Path. Other plans or projects that would increase local demand for recreational routes could similarly	The proposals for coastal access between Portsmouth to South Hayling and South Hayling to East Head, both align their proposals primarily along existing, well-used coastal access routes in order to limit changes to access levels and patterns around sensitive sites. Both projects also propose measures to complement the existing Bird Aware Solent initiative and other local level management techniques. The main risk to the conservation objectives from recreation is where people go on site and how they behave, rather	**No**

	increase the use of coastal paths and lead to more frequent interruptions to resting or foraging behaviour.	than fluctuations in the numbers of people using the coastal path. We consider that both projects will make a positive contribution to managing recreational use of the site, in line with the management plan and conservation objectives.	
A higher frequency of interactions between non-breeding water birds that breed within or near to the SPA in the vicinity of a coastal path.	Increased use of the Coast Path is expected as a result of improvements to the quality of the path and its promotion as part of the England Coast Path. Other plans or projects that would increase local demand for recreational routes could similarly increase the use of coastal paths and lead to more frequent interruptions to nesting birds.	The proposals for coastal access between Portsmouth to South Hayling and South Hayling to East Head, both align their proposals primarily along existing, well-used coastal access routes in order to limit changes to access levels and patterns around sensitive sites. Both projects also propose measures to complement the existing Bird Aware Solent initiative and other local level management techniques. The main risk to the conservation objectives from recreation is where people go on site and how they behave, rather than fluctuations in the numbers of people using the coastal path. We consider that both projects will make a positive contribution to managing recreational use of the site, in line with the management plan and conservation objectives.	**No**

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 Chichester and Langstone Harbours SPA and Ramsar site, Solent Maritime SAC or Solent and Dorset Coast pSPA either alone or in combination with other plans and projects.

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 South Hayling and East Head 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 and completed by:	Emma Preston	*On behalf of the Coastal Access Programme Team*
Date	19/09/2019	
HRA approved:	Nikki Hiorns	*Senior officer with responsibility for protected sites*
Date	19/09/2019	
HRA approved:	Kristoffer Hewitt	*Senior officer with responsibility for protected sites*
Date	19/09/2019	

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Appendices

Appendix 1: Solent Waders and Brent Goose Strategy Classification List and Definitions

The following list defines the terms used to classify fields across the Solent under the in-preparation 2018 SWBGS (HIOWWT, 2018). As the strategy is still being prepared the below terms and definitions are subject to change.

Core Sites: These are considered essential to the continued function of the Solent wader and brent goose ecological network and have the strongest functionally-linkage to the designated Solent SPAs in terms of their frequency and continuity of use by SPA features.

Primary Support Sites: Contain land that, when in suitable management, make an important contribution to the function of the Solent wader and brent goose ecological network.

Secondary Support Sites: Offer a supporting function to the Core and Primary Support ecological network, but are generally used less frequently by significant numbers of SPA geese and waders. These sites become important when wader or brent goose populations are higher or when the habitat is in suitable management.

Low Use Sites: sites have the potential to be used by waders or brent geese. These sites have the potential to support the existing network and provide alternative options and resilience for the future network.

Candidate Sites: Sites that have records of high numbers of birds (max count equal to or greater than 100) and/or a total score equal to or greater than 3 but have less than 3 records in total

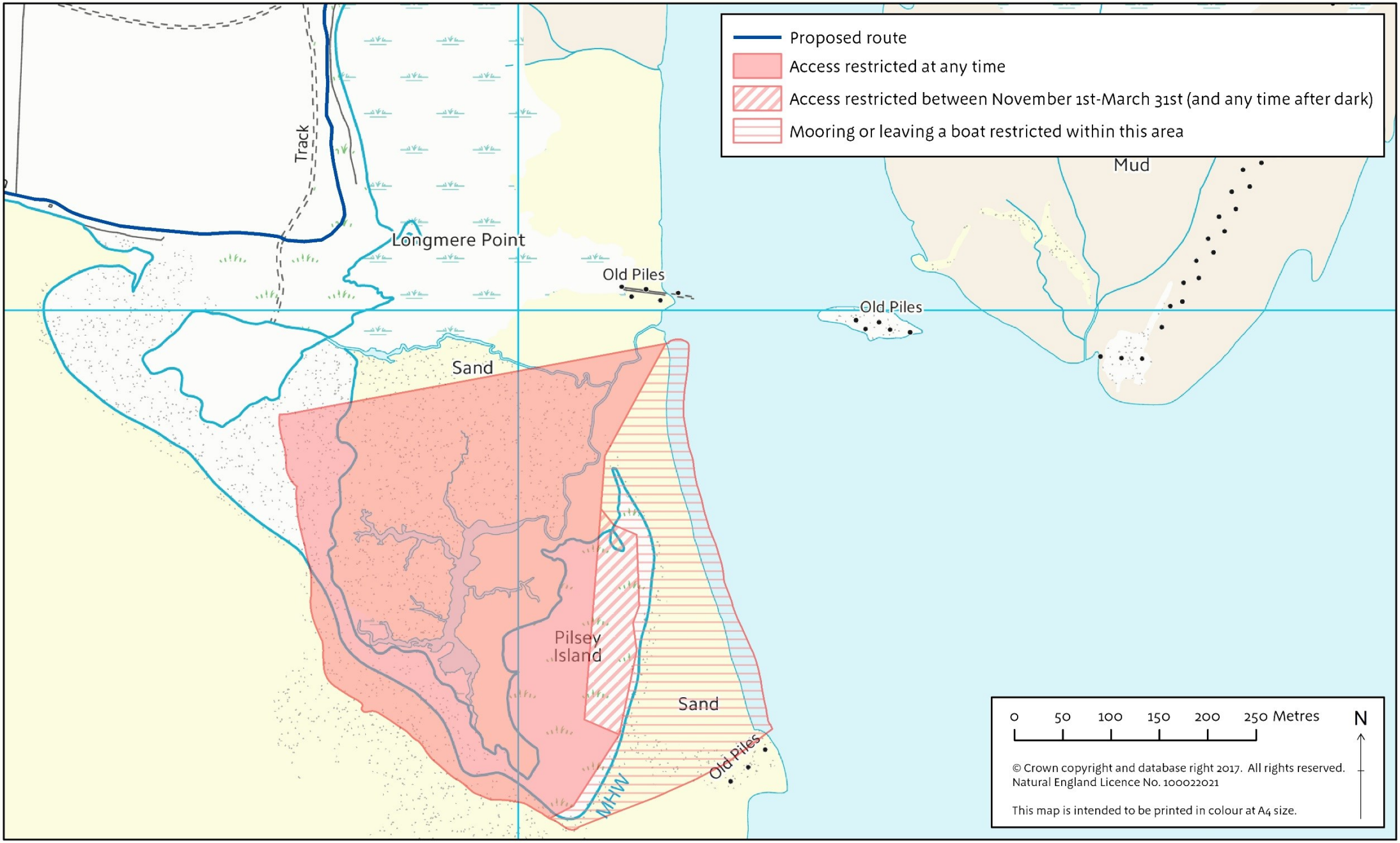
SPA Sites: sites within the SPA area that have bird records and form part of the ecological network.

Appendix 2: HRA Maps

Maps referenced within the body of the assessment can be found on the next pages.

Coastal Access - South Hayling Island to East Head - Habitats Regulations Assessment

Map 2: Pre-existing By-laws at Pilsey Island



This map is intended to be printed in colour at A4 size.

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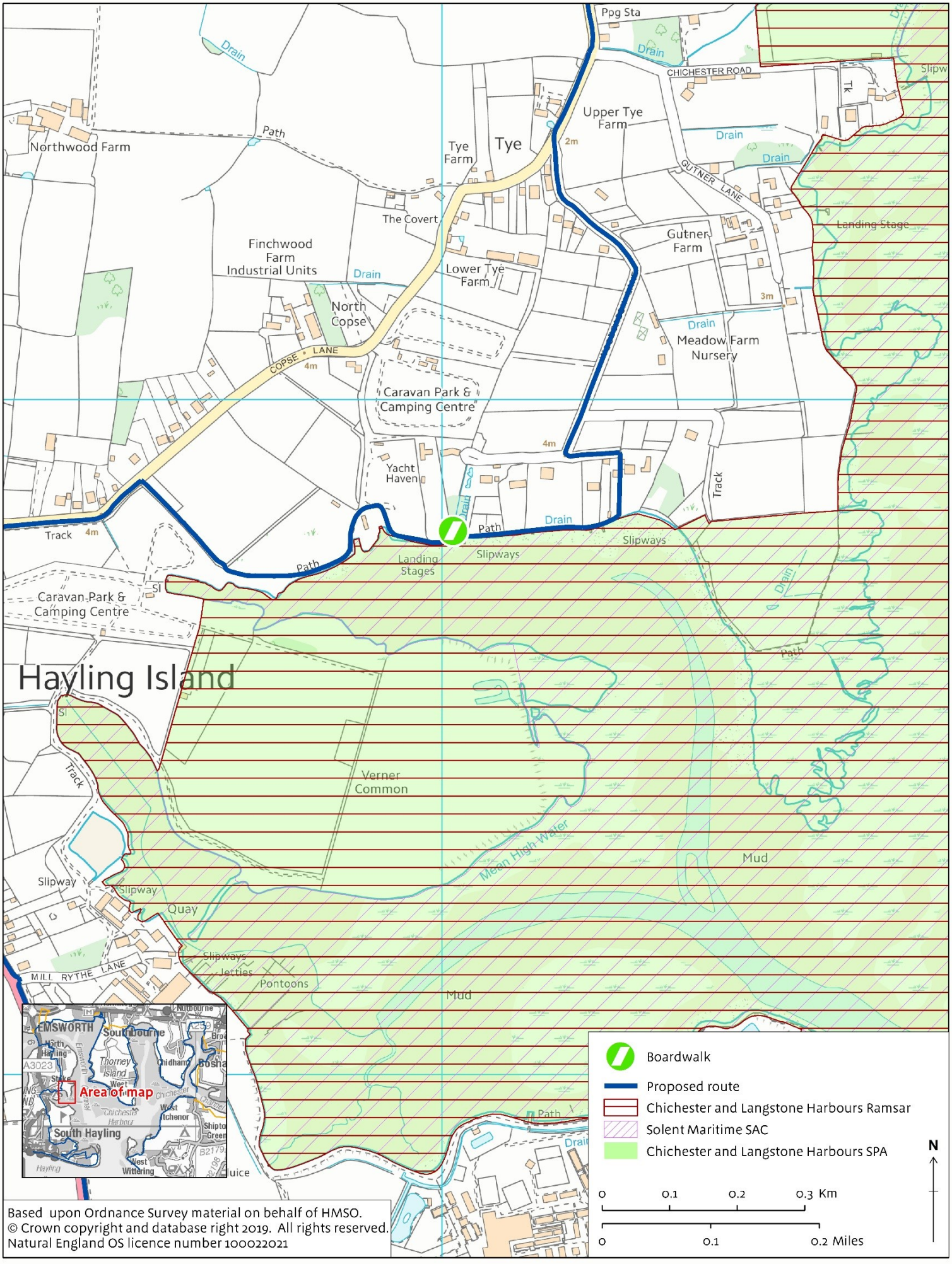
Habitats Regulations Assessment

Map 3: Boardwalk West of Gutner Point



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Habitats Regulations Assessment

Map 4: Fencing on Ella Nore Spit