



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

**Assessment of England Coast Path proposals
between Marsland Mouth and Newquay**

**On Tintagel-Marsland-Clovelly Coast Special Area of
Conservation (SAC) and Bristol Channel Approaches SAC**

9 October 2019



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Summary

1) Introduction

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

Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. This assessment considers the potential impacts of our detailed proposals for coastal access from Marsland Mouth to Newquay on the following sites of international importance for wildlife¹:

- Tintagel-Marsland-Clovelly Coast SAC
- Bristol Channel Approaches SAC

It should be noted that a separate assessment has been completed that considers Bristol Channel Approaches SAC in relation to our coastal access proposals for the Newquay to Penzance stretch. The HRA for the Newquay to Penzance stretch can be found by following the link below:

<https://www.gov.uk/government/publications/coastal-access-in-cornwall-from-newquay-to-penzance-comment-on-proposals>

The HRA for the Combe Martin to Marsland Mouth stretch and associated proposals are yet to be published.

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/coastal-access-in-cornwall-from-marsland-mouth-to-newquay-comment-on-proposals>

¹ Linked assessments have been prepared for other European sites potentially affected by the access proposals for this stretch. These assessments are published as separate documents.



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II) Background

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

Table 1 Summary of main wildlife interest

Interest	Description
Open coastal habitats	The Tintagel-Marsland-Clovelly Coast SAC includes cliff habitats within its designated features. The majority of these grassland and heathland habitats are west facing and so fully exposed to Atlantic storms therefore ensuring these habitats are strongly maritime in character.
Coastal woodland	Secondary woodland and ancient oak woodland occur within the sheltered narrow valleys of the Tintagel-Marsland-Clovelly Coast SAC perpendicular to the coast. In addition, a stunted oak woodland is located at The Dizzard growing on the exposed, north-westerly facing coastal slopes.
Harbour porpoise <i>Phocoena phocoena</i>	Harbour porpoise <i>Phocoena phocoena</i> is a feature of the Bristol Channel Approaches SAC. The site contains particularly high densities of the porpoise being considered to support 4.7% of the UK Celtic and Irish Sea Management Unit population. The species use the site year round.

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 <http://publications.naturalengland.org.uk/publication/5327964912746496>

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

Evidence is also gathered as appropriate from a range of other sources which can include information and data held locally by external partners or from the experience of local land owners, environmental consultants and occupiers. The approach includes looking at any current visitor management practices, either informal or formal. It also involves discussing our emerging conclusions as appropriate with key local interests such as land owners or occupiers, conservation



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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 this assessment are approved by a member of Natural England staff who is not a member of coastal access programme team and who has responsibility for protected sites. This ensures appropriate separation of duties within Natural England. 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.

V) Conclusion

We have considered whether our detailed proposals for coastal access between Marsland Mouth to Newquay might have an impact on the Tintagel-Marsland-Clovelly Coast SAC and the Bristol Channel Approaches 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 some of these sites. In Part D we consider these risks in more detail, taking account of avoidance and mitigation measures incorporated into our access proposal. Although no likely significant effects are concluded, residual risks related to the European Dry Heath feature of the Tintagel-Marsland-Clovelly Coast SAC are considered in combination with other relevant plans or projects in Part D4. Following this further assessment it is concluded that there will not be an adverse effect on the integrity of these sites.



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

Risk to conservation objectives	Relevant design features of the access proposal
Loss of extent or damage to SAC features as a result of path improvement works	The proposed works will make the existing path easier to use and follow and create a more robust surface that is easier to maintain. In turn, this will help to manage access and reduce damage to wider SAC features.
Realignment of the path might be detrimental to SAC features	Identification of a route on the ground that is easy to use and follow and can be sustainably maintained. Where new sections of trail are created, avoiding sensitive areas that might be damaged by trampling and clearing scrub where this will benefit SAC features.
Temporary damage to SAC features whilst improvement works are carried out	<p>When practicably possible, materials will be transported to site by hand.</p> <p>Existing tracks and / or adjoining agricultural land will be used to transport materials to the vicinity of the work site.</p> <p>When practicably possible, work on site to be carried out by hand.</p> <p>If machinery is required, then the minimum size of machinery that is adequate for the task will be used, with machinery confined to the line of the path. Any damage to the path surface will be made good at the end of the works.</p> <p>Works to be carried out when conditions are dry to avoid poaching of the ground.</p>



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VI) Implementation

Once a route for the trail has been confirmed by the Secretary of State, we will work with Cornwall Council and Cormac 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 particularly grateful to Cornwall Council and Cormac and to other organisations and local experts whose contributions and advice have helped to inform development of our proposals.



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PART A: Introduction and information about the England Coast Path

A1. Introduction

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

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

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 could impact on a site designated for its international importance for wildlife, called a 'European site'², a Habitats Regulations Assessment must be carried out.

The conclusions of this assessment are approved by a member of Natural England staff who is not a member of coastal access programme team and who has responsibility for protected sites. 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 <http://publications.naturalengland.org.uk/publication/5327964912746496>

² Ramsar sites and proposed Ramsar sites; potential Special Protection Areas (pSPA); candidate Special Areas of Conservation (cSAC); and sites identified, or required, as compensatory measures for adverse effects on European sites are treated in the same way by UK government policy



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A2. Details of the plan or project

This assessment considers Natural England's proposals for coastal access along the stretch of coast between Marsland Mouth to Newquay on the Tintagel-Marsland-Clovelly Coast SAC and Bristol Channel Approaches SAC³. 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.

Our proposals for coastal access have two main components:

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

England Coast Path

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

Of particular relevance to this assessment is that the proposed route within the Tintagel-Marsland-Clovelly Coast SAC follows the well-established walked route of the South West Coast Path (SWCP), and is referred to as such below with only occasional deviations from the existing route within the site. It is not anticipated there will be any significant changes to current levels or patterns of usage of either the path or land that falls within the proposed margin (much of which is already designated as Open Access). The SWCP is already a National Trail and is a high quality, walking route with a strong, internationally recognised identity, and its inclusion as part of the England Coast Path is not expected to significantly change how this stretch of coast is used for recreation.

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 <http://publications.naturalengland.org.uk/publication/5327964912746496>

³ Linked assessments have been prepared for other European sites potentially affected by the access proposals for this stretch. These assessments are published as separate documents.



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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.

Promotion of the England Coast Path

The Coast Path will be promoted as part of the family of National Trails. On the ground, the path will be easy to follow, with distinctive signposting at key intersections and places people can join the route. Directional way markers incorporating the National Trail acorn symbol will be used to guide people along the route. The coastal margin will not normally be marked on the ground, except where signage is necessary to highlight dangers that might not be obvious to visitors, or clarify to the scope and/or extent of coastal access rights.

Information about the Coast Path will be available on-line, including via the established National Trails website that has a range of useful information, including things for users to be aware of, such as temporary closures and diversions. The route is depicted on Ordnance Survey maps using the acorn symbol. The extent of the coastal margin is also depicted, together with an explanation about coastal access, where they do and don't apply and how to find out about local restrictions or exclusions.

Maintenance of the England Coast Path

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

Responding to future change

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



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Establishment of the trail

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

Local context

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



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PART B: Information about the European Sites which could be affected

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

Bristol Channel Approaches Special Area of Conservation (SAC)

The Bristol Channel Approaches SAC lies along the south west coasts of Wales and England. This site straddles the Bristol Channel from Carmarthen Bay in the north to the northern coasts of Devon and Cornwall in the south. It is designated for the protection of harbour porpoise *Phocoena phocoena*. This site supports an estimated 4.7% of the UK Celtic and Irish Sea (CIS) Management Unit population. This site is recognised as important for porpoises particularly during the winter when high densities persistently occur throughout the site.

Tintagel- Marsland – Clovelly Coast SAC

This site comprises an extensive length of largely hard coastal cliff, with a range of maritime influences and vegetation developed on hard neutral to acidic sedimentary rocks. It contains a range of vertical or near-vertical cliffs with intervening slumped sections. The greater part of this very long site, totalling approximately 60 km, is west-facing, fully exposed to Atlantic storms and therefore strongly maritime in character.

Table 2: Qualifying Features

Qualifying features	Bristol Channel Approaches SAC	Tintagel- Marsland – Clovelly Coast SAC
Harbour porpoise <i>Phocoena phocoena</i>	✓	
H1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts		✓
H91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ⁴		✓
H4030 European dry heaths		✓

⁴ Within the EU, old sessile oak woods with holly *Ilex aquifolium* and hard-ferns *Blechnum spp.* are virtually confined to the UK and Ireland. It is possible that similar stands could occur in north-west Iberia and Brittany.



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B2. European Site Conservation Objectives (including supplementary advice)

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

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

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

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

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

Bristol Channel Approaches SAC

<http://jncc.defra.gov.uk/page-7241>

Tintagel- Marsland – Clovelly Coast SAC

<http://publications.naturalengland.org.uk/publication/4847772322758656>



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

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

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

Conclusion:

As the plan or project is not either directly connected or necessary to the management of all of the European site's 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 Sites 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 sites.

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.

Table 3. Assessment of likely significant effects alone

Feature	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Harbour porpoise <i>Phocoena phocoena</i>	None	Our access proposals (including the associated coastal margin) extend to Mean Low Water (MLW) and therefore this feature lies outside the scope of this assessment.	The boundaries of this site and the associated features are below Mean Low Water and therefore will not be affected by our proposals for coastal access.	No
H1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts H4030 European dry heaths	Trampling of vegetation, loss of extent and temporary damage to habitat	Due to the nature of the vegetation of these habitats they are somewhat resilient to trampling. However, repeated, focused trampling could adversely impact the vegetation and potentially cause erosion of the substrate. Improvement works to the line of the existing path or realignments of the SWCP could temporarily damage surrounding habitat if machinery was not used carefully or during wet weather. Such works could also destroy coastal habitats if hard structures or materials were placed over areas of heath or grassland habitat.	Realignments of the existing SWCP are proposed at Bridwell Point and Marsland Mouth. In addition, improvement works to the line of the SWCP are proposed at Littermouth, Yeolmouth, Greenaway, Stanbury Mouth and Trevalga Cliff. These improvements include the installation of steps, drainage measures and regrading works. The habitat in the vicinity of these works is often a mosaic of maritime grassland and heathland, although heathland is dominant in most locations. Due to these proposed works, there is concluded to be a risk to the heathland and vegetated sea cliffs of the Atlantic and Baltic Coasts features. The risk of an increase in trampling impact	Yes



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			away from the proposed coast path is low due to existing formal and informal access allowed within the coastal margin and the above works ensuring the proposed coast path is more robust and easier to follow ensuring walkers are less likely to wander from the defined route.	
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	Loss of extent	All of the woodland feature, apart from The Dizzard woodland, falls outside of the coastal margin. Therefore, only the Dizzard woodland is within the scope of this assessment.	It should be noted that the coastal slope in the location of the Dizzard is already designated as open access with the SWCP running along the southern boundary of the site. In addition, the tree density is such that public access through the woodland is difficult. The coastal access proposals are to use the line of the existing SWCP and no improvement works are proposed. It is not considered that the levels and patterns of recreational use will change appreciably. We conclude that the proposals will not impact the woodland feature at this location.	No

Conclusion:

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

- H1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts
- H4030 European dry heaths

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

- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles
- Harbour porpoise *Phocoena phocoena*

(Any appreciable risks identified that are not significant alone are further considered in section C2.2)



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

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

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

In C2.1 the qualifying features on which the access proposals might have an effect alone are identified – these are considered further in Part D of this assessment. For all other features, no other appreciable risks arising from the access proposals were identified that 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 'alone', further appropriate assessment of the project 'alone' is required.



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PART D: Appropriate Assessment and Conclusions on Site Integrity

D1. Scope of Appropriate Assessment

In light of the screening decision above in section C3, this section contains the Appropriate Assessment of the implications of the plan or project in view of the Conservation Objectives for the European Site 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 4 Scope of Appropriate Assessment

Environmental pressure	Qualifying Feature(s) affected	Risk to Conservation Objectives
Loss of habitat as a result of installing new access management infrastructure related to new alignments and works within the existing SWCP corridor	<ul style="list-style-type: none"> H4030 European Dry Heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 	The installation of new access management infrastructure to establish a new alignment and improve the existing SWCP, including steps and drainage measures, impacts on the extent and distribution of qualifying features.
Temporary damage as a result of carrying out works on site	<ul style="list-style-type: none"> H4030 European Dry Heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 	Carrying out proposed path improvement works, including regrading path surfaces, causes temporary damage to qualifying features.
Trampling by recreational activities	<ul style="list-style-type: none"> H4030 European Dry Heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 	Trampling pressure over the site is increased as a result of changes to the alignment of the SWCP causing a reduction in the extent and distribution of qualifying features.



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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

Tintagel-Marsland-Clovelly Coast SAC

The total extent of the Vegetated sea cliffs of the Atlantic and Baltic coasts is estimated at 52km or 109ha. The supplementary guidance for the site details the extent and the mosaic of habitats that fall within this feature.... *'The target of 52km is an approximate measure based upon Ordnance Survey (OS) maps, excluding those sections of wooded cliffs (The Dizzard, Blackchurch Rock to Clovelly and Hobby to Peppercombe). This length is derived by measuring linear sections between significant headlands and embayments rather than the more intricate length of mean high or low water as defined by the OS which would produce a far greater but arguably misleading measurement. These NVC surveys report a cumulative total of approximately 109 ha of maritime cliff (MC) communities. But this must be treated as a minimal extent given that it excludes transitional and mosaic stands of vegetation which contain an element of maritime vegetation and does not include either of the Devon component SSSIs.*

Heath communities are listed here as they are present in vegetative mosaics and transitions with other community types on the vegetated cliffs of this SAC. These communities also comprise the H4030 European dry heaths within this SAC and Table 2 should be referred to for all relevant attributes'.

There is approximately 190 ha of the H4030 European dry heath feature on the site, although this should be treated as the minimum extent as detailed within the supplementary advice package.

'The estimate has been derived from a number of sources:

NVC surveys have been carried out for the Cornwall component SSSIs (see references in 'Sources of site-based evidence'). These NVC surveys report a cumulative total of approximately 131.5 ha of heath (H) communities. But this must be treated as a minimal extent given that it excludes transitional and mosaic stands of vegetation which contain an element of heath communities. The area of "maritime heath" within Marsland to Clovelly Coast SSSI has been estimated as 58.5 ha based upon interpretation of aerial photographs from 2001 (Natural England 2009). There is no significant amount of heath vegetation within Hobby to Peppercombe SSSI. Phase 1 habitat maps from the 1980s are available for component SSSIs in north Devon, but coverage is not complete and they are at a large scale'.

The condition of the SAC habitats are assessed as part of the condition assessment of the underlying SSSI sites. The majority of the SSSI units that form the SAC are considered to be in favourable condition or unfavourable recovering. 15% of the units within the Boscastle to Widemouth SSSI are considered to be unfavourable declining. This SSSI is part of the coastline affected by these proposals.



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The SAC Site Improvement Plan details seven main threats to condition and associated remedies:

1. Undergrazing – the need to re-introduce grazing to priority areas
2. Deer – effective deer control to encourage natural woodland regeneration
3. Invasive species – effective control of non-native invasive plant species
4. Forestry and woodland management – remove immature beech from sessile oak stands
5. Disease – Monitor infestations of ash die-back to inform appropriate action
6. Air pollution – investigate the impact of aerial nitrogen deposition
7. Pheasant rearing – Avoid damage from pheasant pens

Recreation is not listed as a current pressure or threat in the Site Improvement Plan.

The supplementary advice package for the site details the following as targets to maintain or restore favourable condition which relate to the environmental pressures outlined in table 4 above:

Vegetated Sea Cliffs and European Dry Heaths:

1. Maintain the total extent of the features, (excluding any trivial loss)
2. Maintain the geomorphological naturalness of the sea cliff system, from cliff top to foreshore connection with the intertidal zone.

European Dry Heaths:

1. Maintain an overall cover of dwarf shrub species which is typically between 25-90%

Typically the Vegetated sea cliffs and Heathland habitats are widespread within this 60km coastal site. They often occur in a complex mosaic within the coastal margin making the assessment of impacts on individual features difficult.

The existing SWCP within the Tintagel-Marsland-Clovelly Coast SAC is approximately 35km in length within the coastal stretch that is subject to this assessment, with the majority of the path being in good condition. However, there are locations where the path is particularly heavily used resulting in localised erosion or widening of the path corridor. In addition coastal erosion has meant that in certain locations the existing line of the path is at risk of becoming unsafe to use.

As part of the work of the Coastal Access programme within the Marsland Mouth to Newquay stretch, we have identified sections of the SWCP where targeted improvement works could be carried out that would make the path easier for people to use and follow, and create a more robust path surface that is easier to maintain. A benefit of the improvement works proposed is that they will help to restore and protect heathland and maritime grassland habitat that has been damaged as walkers spread out to avoid path sections that have become difficult to walk on as a result of excessive wear. Poor drainage and shallow soils have also contributed towards erosion of the habitat and substrate.



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Path realignments are proposed at Bridwill Point and Marsland Mouth where coastal erosion means the current alignment is unsafe to use or at risk of becoming so. Therefore, we are proposing to realign the path inland away from the eroding cliff edge.

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 Proposed path improvement works within the Tintagel-Marsland-Clovelly Coast SAC

The South West Coast Path National Trail passes through the Tintagel-Marsland-Clovelly Coast SAC providing an estimated 35km of managed path within the coastal stretch subject to this assessment. The width of the path varies but where the terrain allows is typically 1.5m, allowing two people to walk abreast or space for overtaking/passing. The surface of the path is generally compacted earth created by regular passage of feet. In addition to the SWCP there are a number of other recreational routes within the site.

As part of implementing coastal access within this stretch of coast, targeted improvement works are planned to the SWCP that will make the path easier for people to use and follow, and create a more robust path surface that is easier to maintain. The SWCP is a popular route for walkers and a benefit of the planned path improvements is that they will help to address current localised impacts on SAC habitat caused by a number of factors including:

- The current heavy use of sections of the SWCP
- Shallow soils
- Steep gradients
- Poor drainage



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Our proposals for the England Coast Path within the SAC will improve the experience for people using the SWCP and help to manage walkers by creating a path surface that is easy to use and follow at all times of year. This in turn will encourage walkers to remain on the line of the coast path ensuring previously damaged adjoining habitat in the margin can recover. We are using remedies that have been tried and tested by the Access Authority in similar situations elsewhere along the SWCP over a number of years. Natural England has worked closely with the Access Authority to identify sections of the existing SWCP where these techniques could be used.

Erosion of the path surface

Areas of erosion occur usually where the path is located on a steep gradient combined with shallow soils. In such circumstances, steps and drainage measures are proposed to ensure the path is more resilient to the level of access usage experienced.

Poaching of the path surface due to wet conditions

In certain areas the path surface is often wet due to rainfall or runoff. This results in the ground becoming poached up causing damage to the habitat which often expands beyond the width of the path. Measures such as drainage channels, are therefore proposed to reduce the damage and ensure the line of the path is appropriate for the footfall received. The types of works planned are summarised in Table 5.



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Table 5 Summary of Proposed Works

Type of structure / works	Installation / work method	Typical dimensions	Surface area affected
New section of path	Cutting/mowing	The normal width of the path will be 1.5m	Length varies – see Table 6
Scrub clearance	Cutting of scrub species using brush cutters and chainsaws. Cut material to be pushed into adjacent scrub. All work carried out by hand.	Varies – see Table 6	Extent varies – see Table 6
Waymarker	Installed by hand	100mm x 100mm post per waymarker	0.01m ² per waymarker
Drainage grips / open stone lined drainage channel	Dug in by hand. Slate/stone lined open channel.	500mm x 2000mm per channel	1m ² per drainage channel
Stone or timber water deflectors	Dug in by hand	4m x 200mm per deflector	0.8m ² per deflector
Stone or timber steps	Installed by hand	1m x 400mm per step	0.4m ² per step
Stock fence	Installed by hand	100mm x 100mm posts. 1 post every 3.5m. Straining posts 200 x 200mm every 100m, change of direction or change of topography. Struts on straining posts – 100 x 100mm	See site works below.
Open ditch	Use of 1.5t mini excavator with 300mm wide bucket	Varies – see table 6	Extent varies – see Table 6



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D3.2 Detailed assessment of planned works

In this section we have made a location by location assessment of the works planned. Following site surveys and detailed discussions with the access authority and the various site managers, the locations detailed below have been selected due to current damage to the line of the path being identified.

Details of the works to be carried out on site will be checked at establishment stage and further assessment under the Habitats Regulations made, as necessary, prior to works being carried out. This will be done by Cornwall Council as part of the SSSI assenting process.

Proposed improvements to the SWCP within Tintagel-Marsland-Clovelly Coast SAC

Details of the proposed works are given in Table 6. An estimate of the area of each item is included in the table based on standard measurements agreed with the site manager and access authority and listed in Table 5. For those works that are not based on standard measurements, the area has been estimated on site. All of the access management infrastructure listed in Table 6 will be installed within the existing path corridor.

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Table 6. Details of proposed works within the existing SWCP path corridor

Location	Coast path section number	Habitat	Issue	Proposed remedial actions
Littermouth	MNQ-1-S006	Bare soil, (H1230 Vegetated sea cliffs of the Atlantic and Baltic coast either side of path)	The existing steps on this section of path have eroded, so that the current height of steps are too high to meet the British standard.	Proposed to replace existing steps with new timber steps. 100 timber steps = 40m ²
Yeol Mouth / Westcott Wattle	MNQ-1-S014	H4030 European Dry Heaths, (Bramble, gorse and bracken, low scrub habitat)	A heavily gullied section; to a depth of approximately one metre, with a bare soil / stone surface.	Install timber and stone steps on this section, (90 timber and 15 stone). 135 timber and stone steps = 42m ²
Greenaway	MNQ-1-S026	Surfaced path	This section of the coast path is heavily used and is already surfaced. One section however, suffers from runoff on the path.	Restore open ditch alongside path to manage water away from path surface. New open ditch – 250m x 0.3 = 75m ²
Stanbury Mouth	MNQ-1-S030	Bare soil / bedrock, (H4030 European Dry Heaths either side of path)	Steep section of path that is badly eroded and gullied.	Restore path width through cutting back encroaching vegetation, with installation of open drainage grips and steps. Scrub clearance = 231m ² 7 open drainage channels = 7m ² 40 timber steps = 16m ²
Bridwill Point	MNQ-3-S009	H4030 European Dry Heaths, (inc. low scrub habitat)	Section of existing path below proposed realigned section, (see table 7), that is damaged by water runoff and frequent use.	Path surface to be regraded, with drainage measures and steps installed. Regrading = 70m x 1.5m = 105m ² 100 timber steps = 10m ² 5 open drainage channels = 5m ²



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Trealga Cliff	MNQ-5-S027	Bare soil, (H1230 Vegetated sea cliffs of the Atlantic and Baltic coast either side of path)	A narrow enclosed corridor between Trealga Cliff and Ladies Window is subject to poor drainage and therefore is prone to heavy poaching.	Installation of surfacing, drainage grips and two kissing gates. Surfacing = 20m ² 1 x Drainage grip = 0.4m ² 2 x kissing gates = 4.8m ²
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Proposed realignment of the SWCP within the Tintagel-Marsland-Clovelly Coast SAC

Changes to the alignment of the existing SWCP are proposed at two locations within the Tintagel-Marsland-Clovelly Coast SAC within the Marsland Mouth to Newquay stretch where the current route has, or will soon, become dangerous to use. Details of the proposed realignments are provided in Table 7.

The total length of the new route proposed is 180m. Scrub and heathland vegetation will be cleared along the line of the new sections of path, with some re-grading of the path surface or installation of steps proposed where the gradient is particularly steep. Stock fencing will be installed landward of the new alignments to allow grazing management of the sites to continue. The old alignments will either be fenced off and / or signage will direct walkers onto the new route. Natural colonisation of the coastal slope will occur along the line of the old routes as walkers adopt the new alignments. Overall, the length of the SWCP through the Tintagel-Marsland-Clovelly Coast SAC will remain the same as the new alignments mirror the existing path.

Table 7. Details of proposed realignments of the SWCP

Location	Coast path section number	Habitat	Issue	Remedial actions
Marsland Cliff	MNQ-1-S005	H4030 European Dry Heaths	Due to coastal erosion the existing SWCP is considered unsafe to use in this location.	To create a new sustainable alignment inland of the existing route. The new alignment will require a maximum of 200 timber steps with some regrading to level the path surface and stock fencing on the landward side due to presence of grazing stock. Area of feature affected 100m x 1.5m = 150m ² Regrading of new path = 40m ² 200 timber steps = 80m ² Post and wire fencing = 4.5m ² The regrading works and steps occur within the new alignment corridor.
Bridwill Point	MNQ-3-S009	H4030 European Dry Heaths	Due to coastal erosion the existing SWCP is considered unsafe to use in this location.	To create a new alignment inland of the existing route. New fence line installed landward of alignment due to grazing stock. Area of feature affected by realignment - 80m x 1.5m = 120m ² New fence – including 23 intermediary posts, 3 strainers and four struts = 4.08m ² Post and rail fence to block off old path as a safety measure. = 0.9m ²

Temporary damage whilst works are carried out

Temporary damage may occur to SAC habitat during the carrying out of some of the proposed works. In particular, at Yeolmouth where the line of the path is to be reprofiled; at Greenaway where a new open ditch is to be created; and Stanbury Mouth where the path is to be widened. However, it should be noted that at present these locations suffer from damage to the habitat due to foot fall, shallow soils and runoff. The proposed works are designed to manage these issues in a sustainable way, with the affected areas likely to quickly re-vegetate. Without taking this action, these locations will remain with damaged habitat that is unlikely to recover in the foreseeable future.



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In addition temporary damage may occur when the proposed improvement and realignment works are being established on site. However, as part of this process it should be noted that particular care has been taken when considering how to both transport materials to each site and how to carry out the improvement and realignment works. Often the locations involved are remote with no vehicular access, resulting in materials having to be brought in by hand. When considering the method of undertaking the works the following points have been included to ensure minimal temporary impact on the site:

- When practicably possible, materials will be transported to site by hand.
- Existing tracks and / or adjoining agricultural land will be used to transport materials to the vicinity of the work site.
- When practicably possible, work on site is to be carried out by hand.
- If machinery is required, then the minimum size of machinery that is adequate for the task will be used, with machinery confined to the line of the path. Any damage to the path surface will be made good at the end of the works.
- Works will be carried out when conditions are dry to avoid poaching of the ground.



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

In this section of the assessment we consider the overall impact of the access proposals on the Tintagel-Marsland-Clovelly Coast SAC.

Table 8 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?
<p>Loss of habitat as a result of installing new access management infrastructure both on the line of the existing SWCP and the new alignments at Bridwell Point and Marsland Cliff.</p>	<p>Targeted improvements to the surface and drainage of the existing SWCP.</p> <p>Clearance of existing vegetation and installation of new steps and other infrastructure along proposed new sections of path at Marsland Cliff and Bridwill Point.</p>	<p>Yes</p> <p>Along existing sections of the SWCP, new infrastructure will be installed within the path corridor. Without intervention, where the substrate becomes damaged, the extent of erosion and damage to surrounding vegetation is likely to increase over time. By improving the path surface the area currently affected by trampling will be reduced and damaged habitat alongside the path will be able to recover.</p> <p>Along the proposed new sections of path, an area of up to 270m² will be cleared to make way for the new alignments. Within this area 80m² will be lost as a result of installing new permanent infrastructure, including steps, with an additional 10m² lost due to fencing erected alongside the new paths</p> <p>The area affected by new infrastructure (90m²) is small in the overall context of the site. These realignments occur within heathland habitat, with the total area of the heathland feature of the site estimated to be a minimum of 190ha.</p> <p>The proposed steps and other infrastructure will prevent the path becoming eroded and damaging adjacent SAC habitat.</p>	<p>Yes</p>



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		The former line of the path at Bridwell Point will be fenced off, allowing recolonization to occur.	
Temporary damage as a result of carrying out works on site	Use of methods and techniques that minimise temporary impacts whilst works are carried out.	Yes Any temporary damage will be kept to a minimum with the installed works resulting in a more appropriate and robust path in the long term.	No
Trampling by recreational activities	Due to coastal erosion, the new alignments are considered more sustainable and likely to result in less damage to the surrounding habitat than the existing line of the SWCP.	Yes There will be an increase in trampling along newly created sections, however; Realignment of the path is proposed in places where the current route is causing erosion and it is difficult to maintain a suitable surface for walking. The proposed realignments will help to manage access to the site and reduce damage, or risk of damage, to SAC habitat. There is less risk of new desire lines from the alignments being created due to the gradient, surrounding vegetation and the fact the new alignments will be clearly defined on the ground with associated infrastructure. The area affected (190m ²) is small in the overall context of the site. Where walkers are directed along the new alignment, trampling pressure will reduce along the line of the former path, allowing some recolonisation. The newly established alignment will be maintained by clearing encroaching vegetation. By doing this it will ensure that the line of the path is clear and walkers will remain on the line of the path preventing damage to the wider SAC habitat.	No



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Conclusion:

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

- Loss or damage to habitat as a result of path improvement works could impact on the extent and distribution of qualifying features.
- Realignment of the path might lead to increased trampling away from the established paths that impacts on the structure and function of qualifying features.
- Temporary damage to habitat when installing the proposed improvement and realignment works.

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.

Residual risk of insignificant impacts from the access proposals

Natural England considers that in this case the potential for adverse effects from the access proposals 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:



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Table 9 Residual risk of insignificant impacts from the access proposals

Residual risk	Qualifying features affected
A small loss of SAC habitat as a result of realigning the path and installing new access management infrastructure at Bridwill Point and Marsland Cliff	H4030 European Dry Heaths

Combinable risks arising from other plans or projects

In this section we consider other live plans or projects we are aware of, that might interact with the access proposals, to identify any insignificant and combinable effects that have been highlighted in corresponding Habitats Regulations Assessments.

Table 10 Review of other live plans or projects

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Cornwall Council	Local Plan – 2016 - 2030	Yes The Local Authority have concluded that there would be an insignificant effect from an increase in residents in the area. This may result in an increase in footfall and risk of trampling within the site. The Local Plan suggests that a visitor survey in the future might be needed to establish the future visitor numbers using the site and where visitors have originated from.



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North Devon and Torridge District Councils	Local Plan – 2011 - 2031	No The assessment concludes no Likely Significant Effect or residual effects on the Tintagel-Marsland-Clovelly Coast SAC as a result of the proposed housing development in this area.
Cornwall Council / Natural England	Planning consultations within the site and projects subject to SSSI consent since 2013	No Investigation through the Natural England mapping system Webmap has revealed a number of planning consultations and projects subject to SSSI consent or assent have been recorded within the boundary of the SAC since 2013. However, none are recorded which have resulted in either a loss of the heathland qualifying feature or identify residual risks to the SAC features which should be considered in combination with this assessment.

Coastal Access Project Proposals for the coastal stretch between Combe Martin and Marsland Mouth

Proposals for the Combe Martin to Marsland Mouth stretch within the Coastal Access project are at an advanced stage of development. We note that there are two minor realignments proposed within the Tintagel-Marsland-Clovelly Coast SAC and these will be considered in detail within the Habitats Regulation Assessment associated with this stretch and in combination with the proposals detailed within this assessment.



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Assessment of in-combination effects

In light of the conclusions above, 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:

Qualifying feature affected	In-combination pressure	Assessment of risk to site conservation objectives	Adverse effect in-combination?
H4030 European Dry Heaths	A small increase in visitors to the SAC is likely as a result of the Cornwall Council Local Plan that might increase trampling of SAC habitat.	The Coast Path proposals will result in a small loss of SAC habitat as a result of realigning the path and installing new access management infrastructure. No further loss of habitat is anticipated as a consequence of the Local Plan. The improvements proposed as part of coastal access will make the Coast Path more robust and so help reduce the risk of impacts on SAC habitat as a result of more visitors to the coast.	No

The possibility of adverse effects arising in combination with other plans and projects is thus ruled out.

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.

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 Tintagel-Marsland-Clovelly Coast SAC or Bristol Channel Approaches SAC either alone or in combination with other plans and projects.



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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 Marsland Mouth and Newquay are fully compatible with the relevant European site conservation objectives.

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

Certification

Assessment prepared by:	Hugh Tyler	Cornwall Team Adviser
Date:	12 th September 2019	
HRA approved by:	Nik Ward	Senior officer with responsibility for protected sites
Date:	18 th September 2019	

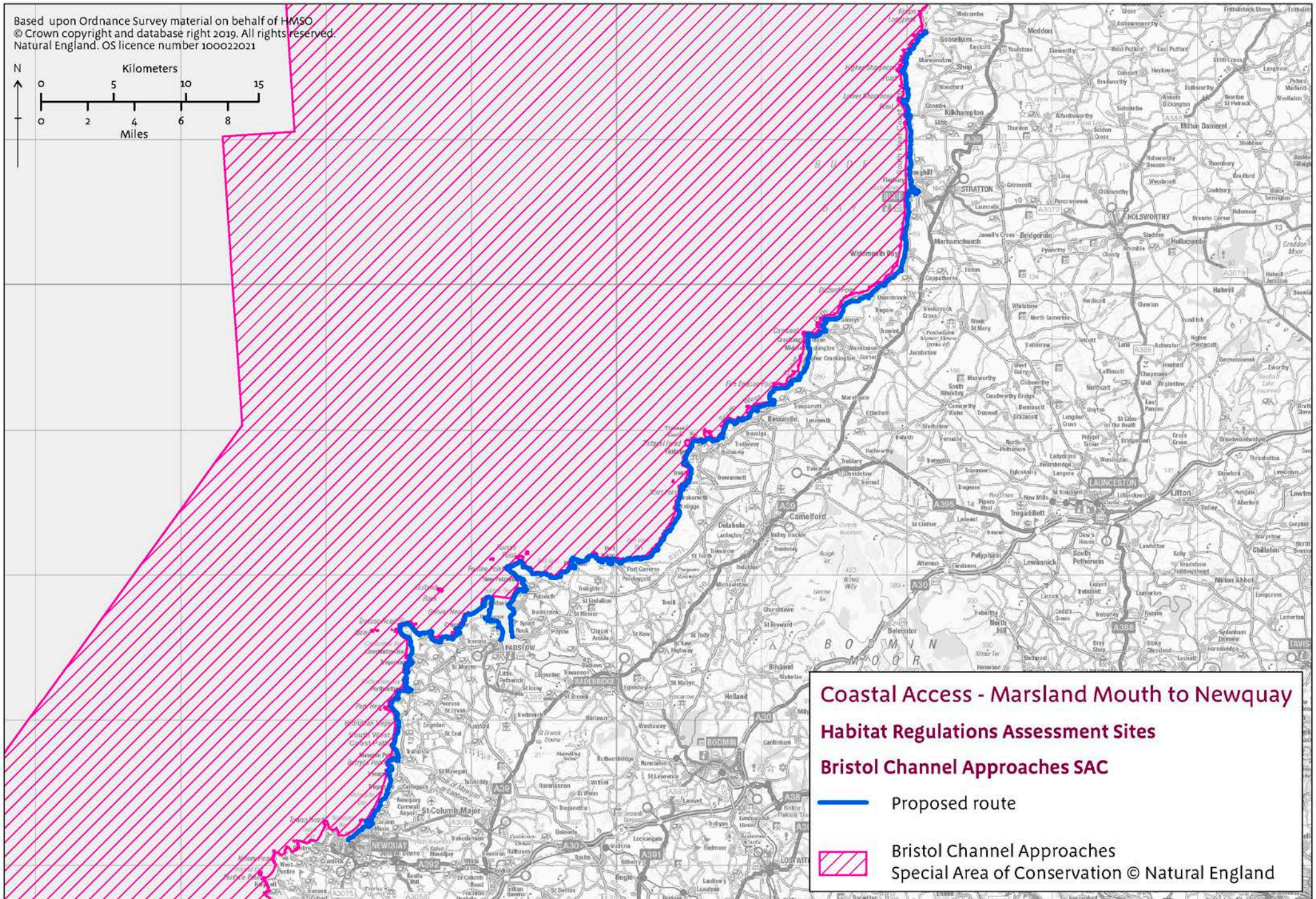
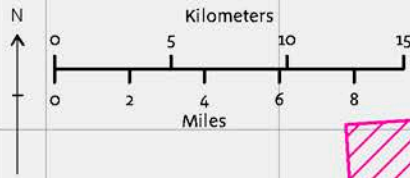


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Coastal Access - Marsland Mouth to Newquay
Habitat Regulations Assessment Sites
Bristol Channel Approaches SAC

— Proposed route
Bristol Channel Approaches
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