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Assessment of England Coast Path proposals between Minehead and Combe Martin on Exmoor Heaths and Exmoor and Quantock Oakwoods Special Areas of Conservation

Version 2.0

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Summary

I) Introduction

This is a record of the Habitats Regulations Assessment ('HRA') undertaken by Natural England, on behalf of the Secretary of State 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 Minehead to Combe Martin on the following sites of international importance for wildlife:

- Exmoor Heaths SAC
- Exmoor and Quantock Oakwoods SAC

England Coast Path proposals are within scope of a European Court judgment which was handed down in April 2018. Known colloquially as People over Wind, the judgment clarified how the impact of proposals on European protected sites is to be assessed. As a consequence, Natural England has reviewed the HRA previously undertaken and provided this updated HRA to the Secretary of State, to consider alongside the previously made proposals. This revised and updated version of HRA replaces the HRA element of the previously published Access and Sensitive Features Appraisal.

This assessment should be read alongside Natural England's related Coastal Access Report published on 30th June 2017 which fully describes and explains the access proposals for this stretch [1]. The Overview explains common principles and background and the chapters explain how we propose to implement coastal access along each of the constituent lengths within the stretch.

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: Main wildlife interests

Interest	Description
Heathland and maritime grassland habitats	The Exmoor Heaths SAC includes both wet and dry heath as well as Vegetated sea cliffs of the Atlantic and Baltic coasts. Although the site includes significant areas of heath inland of the coastal strip, it also includes three coastal sections of heathland and maritime grassland within the stretch of coast between Minehead and Combe Martin at North Hill, Bossington Hill and the Foreland.
Woodland	Both sites include woodland as a feature, namely Oak woodlands and Alluvial forests with Black Alder and European Ash. Small pockets of woodland are found along this coastal section at Woody Bay and Trentishoe, with more extensive areas of woodland found further inland within the valleys running through the National Park.
Wetland habitats	The Alkaline Fen and Blanket Bog features of the Exmoor Heaths SAC occur within an enclosed field, (Alkaline Fen), and on plateau moorland, (Blanket

Interest	Description
	Bog). Both are found landward of the proposed coastal trail and associated coastal margin.
Bat species	A colony of barbastelle is associated with the cracks and crevices of trees within Horner Wood, the lower Barle Valley and the woods on the Quantocks including Alfoxton woods, Hodders Combe and Holford Combe. Bechstein's have been recorded on the Quantocks - two breeding females being captured in Holford Combe and Alfoxton Woods.
Otter	Otter spraints and occasional sightings confirm that Otters are present on all the Exmoor and Quantock rivers within the SAC.

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 the Coastal Access Scheme [2]. Note that, following a ruling by the Court of Justice of the European Union (Case C-323/17 – usually cited as *People over Wind*), we have issued a technical memorandum concerning the application of this methodology where assessment under the Habitats Regulations is required.

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

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

As part of updating this HRA, Natural England has contacted relevant stakeholders and interests to ask whether they are aware of any new substantive data or evidence relating to the European site conservation objectives that has become available since the proposals were submitted to Secretary of State and which might have a bearing on reviewing the HRA.

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.

****Update on data and evidence used to inform this assessment****

As part of revising and updating this HRA, Natural England has checked whether there is any new substantive data or evidence that has become available since the proposals were submitted to Secretary of State and which might have a bearing on the assessment. Where

appropriate, we have contacted relevant stakeholders and interests to ask whether they are aware of any such new information.

The following new data and evidence has become available and has been taken into account when revising and updating in this assessment:

- Exmoor and Quantock Oakwoods SAC Supplementary Advice Package [3]

In addition, Natural England has made further site visits, including to undertake habitat surveys at Henners Combe and Hurlstone Point within the Exmoor Heaths SAC.

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 Minehead and Combe Martin might have an impact on Exmoor and Quantock Oakwoods SAC and Exmoor Heaths 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, and conclude that there will not be an adverse effect on the integrity any of these sites. These measures are summarised in Table 2.

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

Risk to conservation objectives	Relevant design features of the access proposals
Temporary damage to open coastal habitats as a result of carrying out works to alter the alignment of the SWCP	Proposed realignments are small scale and works will be carried out using hand tools in dry conditions.
The extent of trampling of open coastal habitats is increased as a result of proposed path realignments	A realignment is proposed in an area of SAC habitat at Hurlstone Point. The proposed route will slightly extend the length of the Coast Path within the SAC but by making use of suitable existing paths and tracks that will be easy to maintain, helps to reduce the risk of damage to adjacent vegetation as a result of trampling or erosion.

VI) Implementation

Once a route for the trail has been confirmed by the Secretary of State, we will work with Exmoor National Park Authority and the National Trust 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

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’¹, 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 the Coastal Access Scheme [2]. Note that, following a ruling by the Court of Justice of the European Union (Case C-323/17 – usually cited as *People over Wind*), we have issued a technical memorandum concerning the application of this methodology where assessment under the Habitats Regulations is required. In order to comply with this ruling the Secretary of State has asked Natural England to update the HRAs of any proposals that were not determined before April 2018.

A2. Details of the plan or project

This assessment considers Natural England’s proposals for coastal access along the stretch of coast between Minehead and Combe Martin that were published on 30th June 2017 [1]. Our proposals to the Secretary of State for this stretch of coast are presented in a report that explains how we propose to implement coastal access along each of the constituent lengths

¹ 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

within the stretch. Within this assessment we consider each of the relevant chapters, both separately and as an overall access proposal for the part of the stretch in question.

Note that the following modification proposals have been taken into account in this updated version of the HRA:

- MR1 - Proposed changes to the submitted England Coast Path proposals for the Minehead to Combe Martin stretch concerning Hurlstone Point and Glenthorne, Exmoor (published on 9 July 2020) [4]

The associated modification report can be viewed here:

www.gov.uk/government/collections/england-coast-path-minehead-to-combe-martin.

Our proposals for coastal access have two main components:

- alignment of the England Coast Path; and,
- identification 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 coast erodes or where there is significant encroachment by the sea such as occurs in the case of a deliberate breach of sea defences.

Of particular relevance to this assessment is that the proposed route within the Exmoor Heaths and Exmoor and Quantock Oakwoods 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. Between North Hill and Hurlstone Point the more coastal branch of the SWCP is used known as the Rugged Path. 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. In addition for a section of the proposed trail

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 [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.

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.

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 Exmoor National Park Authority and the National Trust, 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.

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

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

Exmoor Heaths SAC

Exmoor Heaths SAC covers an area of just over 10,000 ha located in Exmoor National Park, part of the Exmoor National Character Area (NCA). The underlying Devonian sandstones and slates of the area underpin plateaux incised by fast flowing streams and rivers such as the Exe and Lyn, to form whale-back ridges and steep combes. In the north and east these support heather dominated moorland, rather than blanket bog and grass moorland on the peats formed on the flatter ground to the west.

The central spine of the site runs westwards from Dunkery, with Exmoor's highest point at 513m, across to Challacombe. Three blocks of heathland occur along the coast of the Bristol Channel terminating in spectacular cliffs, including England's highest at Great Hangman. Inland, a further five southern outliers occur including for example Withypool Common and Winsford Hill. The often deep, steep sided valleys below the moorland support examples of western oakwood, many of which are included in the adjacent Exmoor & Quantocks Oakwoods SAC.

The qualifying habitats of the SAC include:

H7230 Alkaline fens

This vegetation is characteristic of sites where there is peat formation with a high water table and a calcareous base-rich water supply.

H7130 Blanket bogs

Exmoor is near the southernmost limit of blanket bog in Europe and has a limited extent of blanket bog representative of south-west England. The peats are generally thinner here, with blanket bog vegetation rich in Sphagnum found down to 0.4m depth of peat (and shallower occasionally).

H4030 European dry heaths

This habitat has a wide European distribution, but it is only extensive in the western oceanic fringes of Europe, including the UK. Dry heaths occur throughout the UK. They are particularly abundant in the uplands, where they may form extensive stands, which dominate the landscape. They are more localised in lowland areas, especially in south and central England, where they have declined in extent due to afforestation, agricultural improvement and other land uses.

H4010 Northern Atlantic wet heaths with *Erica tetralix*

Exmoor is representative of upland wet heath habitat in south-west England. M15 *Trichophorum germanicum* – *Erica tetralix* wet heath predominates on gently-sloping and level ground. It is extremely variable in nature and has in places been modified by management, particularly burning.

H91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles

This site supports small areas of this more extensive habitat often at the edges of moorland such as Badgworthy Wood or the fringes of Dunkery. They are rich in bryophytes, ferns and epiphytic lichens.

H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts

This site represents three stretches of the 54 km long Exmoor coast formed of moderately hard sedimentary coastal cliff. Most is north facing and not fully exposed to Atlantic storms. The cliffs are high, including the highest cliff in England, and accessible vegetation is not strongly maritime in character.

Exmoor and Quantock Oakwoods SAC

The SAC has seven distinct blocks separated by semi-natural habitats or farmland and, in the case of the Quantocks, by the Taunton Vale. Most are located within Exmoor National Park, part of the Exmoor National Character Area (NCA). They include the Heddon Valley woods and Woody Bay in the far west of the National Park, the Watersmeet woodland complex above Lynton, Hawkcombe Woods and the extensive Horner Wood complex south of Porlock, and the Barle Valley woods below Withypool down to Dulverton. The Quantock outlier, within the Quantock Hills Area of Outstanding Natural Beauty, is represented by woodland extending up Holford and Hodder's Combes, together with Alfoxton and Shervage Woods.

The qualifying habitats and species of the SAC include:

H91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

This site supports large expanses of this habitat including some of the largest oakwoods in southern England including Horner Wood and Watersmeet, forming whole valley systems. They are rich in bryophytes, ferns and epiphytic lichens.

H91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)

This habitat comprises woods dominated by alder *Alnus glutinosa* and willow *Salix* spp. along many streams in narrow flood plains in a range of situations from islands in river channels to low-lying wetlands alongside the channels. The habitat typically occurs on moderately base-rich, eutrophic soils subject to periodic inundation.

S1308. Barbastelle *Barbastella barbastellus*

The barbastelle bat is one of the UK's rarest mammals. A colony of barbastelle is associated with the cracks and crevices of trees within Horner Wood, the lower Barle Valley and the woods on the Quantocks including Alfoxton woods, Hoddors Combe and Holford Combe. These trees are used as a summer maternity roost where the female bats gather to give birth and rear their young.

S1323. Bechstein's bat *Myotis bechsteinii*

Bechstein's bat *Myotis bechsteinii* is one of the UK's rarest mammals, recorded from only a small number of sites in southern England and Wales. Bechstein's have been recorded on the Quantocks - two breeding females being captured in Holford Combe and Alfoxton Woods, and then traced back to roosts in Alfoxton Park (adjoining the SAC boundary).

S1355. Otter *Lutra lutra*

Otters are semi aquatic, living mainly along rivers. They mainly eat fish, though crustaceans, frogs, voles and aquatic birds may also be taken. Otters are found on most Exmoor and other rivers in Somerset and records show use of all the rivers within the SAC.

The following table provides a complete list of the qualifying features of the European Sites which could be affected by the access proposals.

Table 3: Qualifying features

Qualifying feature	Exmoor Heaths SAC	Exmoor and Quantock Oakwoods SAC
H91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles.	✓	✓
H91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)		✓
S1308 Barbastelle <i>Barbastella barbastellus</i>		✓
S1323 Bechstein`s bat <i>Myotis bechsteinii</i>		✓
S1355 Otter <i>Lutra lutra</i>		✓
H7230 Alkaline fens	✓	
H7130 Blanket bogs	✓	
H4030 European dry heaths	✓	
H4010 Northern Atlantic wet heaths with <i>Erica tetralix</i>	✓	
H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	✓	

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.

Exmoor and Quantock Oakwoods SAC Supplementary Advice [3]

<http://publications.naturalengland.org.uk/publication/5696090506526720>

Exmoor Heaths SAC Supplementary Advice [5]

<http://publications.naturalengland.org.uk/publication/5674075309473792>

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 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.

Some of the qualifying features considered in this assessment occupy similar ecological niches and share ways in which they might be sensitive to the access proposals. To avoid repetition and improve the clarity of this assessment we have grouped the qualifying features as shown in Table 4.

Table 4: Feature groups

Feature group	Qualifying features
Open coastal habitats	H4030 European dry heaths, H4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> , H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts.
Wetland habitats	H7230 Alkaline fens, H7130 Blanket bogs
Woodland habitat	H91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles, H91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)
Otter	S1355 Otter <i>Lutra lutra</i>
Bat species	S1308 Barbastelle <i>Barbastella barbastellus</i> , S1323 Bechstein`s bat <i>Myotis bechsteinii</i>

The risk of significant effects alone is considered in Table 5:

Table 5: Assessment of likely significant effects alone

Feature group	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Open coastal habitats	Trampling of vegetation	Due to the nature of the vegetation of these habitats they are somewhat resilient to trampling. However, realignment of the existing SWCP could result in repeated, focused trampling, which could adversely impact the vegetation and potentially cause erosion of the substrate.	Realignment of the existing SWCP is proposed at Henners Combe and Hurlstone Point. Realignment of the SWCP is also proposed east of Hurlstone Point onto the Rugged Path which is a promoted trail and currently advertised as an alternative route to the SWCP. It should be noted that the H4010 Northern Atlantic wet heaths feature is not present in the location of the proposed realignments. The risk to the remaining open coastal habitats is considered further in Part D.	Yes
Open Coastal habitats	Temporary damage to habitat	Carrying out works to alter the alignment of the SWCP could temporarily damage surrounding habitat if machinery was not used carefully or works take place during wet weather.	Works are proposed at Hurlstone Point to improve a current livestock track to be adopted as the coast path. At Henners Combe a new zig zag alignment is proposed to avoid a steep and muddy section of the existing SWCP. Therefore this risk is considered further in Part D.	Yes
Open Coastal habitats	Loss of extent	Open coastal habitats could be destroyed if hard structures or materials were placed over areas of heath or grassland habitat.	No appreciable risk No new infrastructure or surfacing is proposed outside of the existing path corridor of the SWCP, Rugged Path or other popular public footpaths.	No
Wetland habitats	Damage to habitats due to trampling	These wetland habitats would be damaged if public access was increased or the path realigned within the vicinity of these habitats.	No appreciable risk Both the Alkaline Fen and Blanket Bog features are located landward of the coastal margin. Therefore, they will not be affected by our proposals under coastal access.	No

Feature group	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Woodland habitat	Trampling of vegetation / damage to habitat	The woodland features could be sensitive to our proposals if the coast path was realigned through the woodland habitat resulting in repeated trampling of the ground flora and potential impact on trees adjacent to the path due to compaction of the ground.	No appreciable risk. Woodland habitat within both designated sites is located landward of the coastal margin apart from at Woody Bay and Heddon's Mouth. However, the line of the existing SWCP is to be used within the vicinity of these woodland habitats, with both woodlands located on steep coastal slopes which are not compatible with public access.	No
Otter	Disturbance of foraging, resting or breeding locations.	Otters could be sensitive to increased public access close to their holts and river territories, causing a change of behaviour or abandonment of a breeding or resting site.	No appreciable risk Evidence of otter presence is found on all of the rivers located within the Exmoor and Quantock Oakwoods SAC. However, these are located inland of the proposed coastal margin. Therefore, this feature will not be affected by our proposals under coastal access.	No
Bat species	Damage to roosting and foraging habitat	The Bat species of the Exmoor Oakwoods SAC could be sensitive to loss or disruption of roosting or foraging habitat through the creation of new access routes.	No appreciable risk The roosting sites occur a minimum of two kilometres inland of the proposed coastal margin. In addition there are no proposals to remove wood or hedgerow features as part of the coastal access proposals. Therefore, the bat species will not be affected by our proposals.	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:

- H4010 Northern Atlantic wet heaths with *Erica tetralix*: Wet heathland with cross-leaved heath.
- H7130 Blanket bogs
- H7230 Alkaline fens; Calcium-rich springwater-fed fens
- H91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British isles; Western acidic oak woodland
- H91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*)
- S1308. Barbastelle *Barbastella barbastellus*
- S1323. Bechstein`s bat *Myotis bechsteinii*
- S1355. Otter *Lutra lutra*

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

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 light of this review, we have not identified any insignificant and combinable effects that are likely to arise from other plans or projects.

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(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 Features affected	Risk to Conservation Objectives
Temporary damage as a result of carrying out path improvement works	H4030 European dry heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	When carrying out works to alter the alignment of the SWCP, the process of undertaking these works may cause temporary damage to a wider area of open coastal habitats.
The extent of trampling by recreational activities	H4030 European dry heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	The extent of trampling of open coastal habitats is increased as a result of proposed path realignments

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

Exmoor Heaths SAC

H4030 European Dry Heaths:

The total extent of the H4030 Dry Heath feature is difficult to calculate due to the scattered distribution of the communities, transitions between dry and wet heath, mapping of large areas of community mosaics and inadequate survey data. However, an estimate of 4565 ha of Dry Heath as minimum has been made. In addition, an estimate of 2306 ha of bracken and 197 ha of scrub are also included within the supplementary advice package, which could be considered as transitional or degraded heathland habitat.

The supplementary guidance for the site details the feature as follows... *Exmoor is representative of upland heath in south-west England. The site is notable because it contains extensive areas of H4 Ulex gallii – Agrostis curtisii heath, a type most often found in the lowlands, and H12 Calluna vulgaris – Vaccinium myrtillus heath, a predominantly upland type, together with areas of H8 Calluna vulgaris – Ulex gallii heath. In wetter situations or on shallow peat there can be a high frequency of purple moor-grass Molinia caerulea and cross-leaved heath Erica tetralix, which results in frequent transitions to wet heaths and some surveys have mapped this humid heath as M15d rather than H12. The associated valley mires, generally small because of the narrow, steeply sloping valleys (locally referred*

to as 'combes'), support a range of indicators including the oceanic ivy-leaved bellflower *Wahlenbergia hederacea*.

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 6 above:

1. Restore the total extent of upland heath (including the H4010 feature) to about 9385 ha.
2. Maintain the distribution and configuration of the H4010 and H4030 features, including where applicable their component vegetation types, across the site

H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts

The total extent of the Vegetated sea cliffs of the Atlantic and Baltic coasts within the Exmoor Heaths SAC is estimated at a minimum of 21.06km. The supplementary guidance for the site details the extent of these habitats that fall within this feature. This site represents three stretches of the 54 km long Exmoor coast formed of moderately hard sedimentary coastal cliff. Most is north facing and not fully exposed to Atlantic storms. The cliffs are high, including the highest cliff in England, and accessible vegetation is not strongly maritime in character. From the flat to gently sloping coastal moorland summit areas to landward, most of the north-facing cliff land has a bevelled 'hog's-back' profile, with a very steep scarp slope facing the sea.

1. Maintain an overall cover of dwarf shrub species which is typically between 25-90%
2. Maintain the distribution and continuity of the H1230 habitat and any associated transitions which reflects the natural functioning of the cliff system

The Exmoor Heaths SAC Site Improvement Plan [6] details eight main threats to condition / remedies:

1. Air Pollution: impact of atmospheric nitrogen deposition
2. Drainage: The natural hydrology of substantial areas of wet heath and valley mires are affected by ditching and peat cutting.
3. Inappropriate pest control: There is extensive and severe Heather Beetle damage caused to heather stands within the last two to three years.
4. Agricultural management practices: Purple moor grass is over abundant in certain locations.
5. Invasive species: Rhododendron, invasive knotweeds and Montbretia are recognised as problems with considerable effort expended in recent years to manage these.
6. Managed rotational burning: Locally agreed burning guidelines that accept larger sized burns in order to catch up with rotational burning plans may lead to a failure to achieve favourable condition
7. Change in land management: There is a lack of agreed and appropriate management in some locations with no agri-environment agreement and/or consent being in place.
8. Direct impact from 3rd party: Vegetation damage from illegal vehicle use and pony trekking is a concern.

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

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

Realignment of the existing SWCP is proposed at Henners Combe and Hurlstone Point. Realignment of the SWCP is also proposed east of Hurlstone Point onto the Rugged Path which is a promoted trail and currently advertised as an alternative route to the SWCP. These proposals will be considered in detail below along with any impacts on the qualifying features and relevant mitigation.

D3.1A Henners Combe Realignment

The proposed works at Henners Combe are located within the coastal access report at section MCM-1-S014. The proposal is to realign a section of the existing path which is steep, muddy and slippery when wet, often being challenging for walkers to navigate. A new section of path will be created by cutting a zig zag route which is approximately 180m in length and 2.5m in width. The creation of such a route will prevent the need for hard infrastructure, such as multiple steps, due to the gradient being kept to an acceptable level.

A site visit was undertaken by a member of the Natural England Field Unit in December 2018 to identify the habitat present on site. As such, it was concluded that the habitat in this location was a combination of acid grassland, European gorse scrub, bracken and bramble. Due to the location being over 1km inland and in a sheltered combe, it was concluded that the maritime influence on the vegetation present was negligible. As a result, it is concluded that the habitat in this location does not form part of the H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts feature and there was no potential for it to develop in this way in the future.

D3.1B Hurlstone Point Realignment

There is a network of footpaths over the heathland at Hurlstone Point. The SWCP currently follows a path along Hurlstone Combe and it is proposed to move the promoted route seawards, to a path that goes around the cliffs, taking in the viewpoint at Hurlstone Point. Continuing eastwards, this section of the proposed route connects with the Rugged Path described in D3.1C below.

The proposed alignment around Hurlstone Point is described in chapter 1 of the coastal access report: route sections MCM-1-S016 to S022 [1]. Note that since making this proposal, Natural England has proposed changing the detailed alignment for part of the route around the Point. This change affects route section MCM-1-S017 and is explained in a modification report that includes a map showing the original and revised proposals [4]. A map included in Annex 1 of this document showing the proposed route for the trail around Hurlstone Point.

A site visit was undertaken by a member of the Natural England Field Unit in December 2018 to identify the habitat present on site. It was concluded that the habitat in this location is European dry heath.

Please refer to the Map 3 in Annex 1 when reading the following description.

The livestock path (A-C-E-F)

The heathland at Hurlstone Point is grazed by cattle and a livestock path has developed across the slope between A to F (shown in pink). The path is convenient and attractive and is increasingly becoming the preferred route on the ground for walkers. Part of the livestock track follows a public footpath and in other places the public footpath is no longer visible on the ground having been recolonised by vegetation.

The livestock path is 30-50cm in width and it is proposed to widened it to 1m by lifting turf on the higher (north east) side of the path and placing on the lower side. This will make the path easier to use and help clarify the route for walkers on the ground, reducing the chance of new desire lines developing. The total length of this section of the route is approximately 300m and the area of habitat affected is small in the context of the site.

Proposed modification to the original proposals (C-D-E)

Between C and E, the feature shown on the Map 3 in Annex 1 as a public footpath doesn't exist on the ground. There is a walked route (shown in red on the map) and an animal path (shown in pink). The animal path is easier to walk on and is increasingly becoming the preferred route on the ground.

Natural England's original proposal for this section of the route was to improve the walked route (shown in red) by cutting back encroaching vegetation and creating a new graded zig zag section of path with steps where the route traverses a steep rocky slope. This proposal would have led to a small loss of habitat where new stone steps were installed. We concluded this impact was acceptable since the area affected is small in the context of the site and the improved route would provide a better defined trail on the ground and reduce the risk of the path surface becoming eroded and the area subject to trampling widening.

The modified proposal is to align this section of path further down the slope, below the existing walked route, where trampling by livestock has created a new desire line on the ground (the route shown in pink). The livestock path is already being used by some walkers as it avoids the rocky section and is a more even gradient.

A benefit of the modified proposal is that it avoids the need to install new steps within the coastal heathland. Some widening and regrading along the line of the livestock path is needed to create an improved surface for walking. Being a shallower gradient, the surface of the new section of path is less likely to become eroded, which in turn will make localised spreading of trampling into coastal heathland in the vicinity of the path less likely. Walkers will be directed along the new alignment and, as a result, it is expected that use of the existing walked line will decrease, allowing heathland vegetation to recolonize.

Public footpath around Hurlstone Point (E-F-G-H)

This public footpath round the point has become narrow as a result of encroaching vegetation and soil and will be restored to its former width so that it is easier to use.

D3.1C Rugged Path

The Rugged Path is a promoted alternative route to the main SWCP that runs for approximately four kilometres between North Hill and Hurlstone Point. The Rugged Path provides a more coastal route that, as the name suggests, is more challenging for walkers due to the gradients involved. As the route is well established and promoted as an alternative to the main SWCP, its adoption as part of the proposed coast path within the Coastal Access scheme is not considered to have an impact on the adjacent SAC features.

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

Table 7: Assessment of adverse effect on site integrity alone

Risk to conservation objectives	Qualifying features possibly affected	Relevant design features of the access proposal	Can 'no adverse effect' on site integrity be ascertained? (Yes/No) Give reasons.	Residual effects?
When carrying out works to alter the alignment of the SWCP, the process of undertaking these works may cause temporary damage to a wider area of open coastal habitats.	H4030 European dry heaths H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	Methods will be used that minimise the risk of damage to SAC habitat including: Tools will be transported to site by hand. Work on site will be carried out by hand. Works will be carried out when conditions are dry to avoid poaching of the ground.	Yes The proposed works at Henners Combe will not affect areas of SAC habitat (or that have potential to become SAC habitat). Damage to adjacent SAC habitat whilst works are carried out at Hurlstone Point will be kept to a minimum by using the methods described. The area affected will be small and impacts will be short lived since vegetation will quickly recover.	No
The extent of trampling of open coastal habitats is increased as a result of proposed path realignments.	H4030 European dry heaths H1230 Vegetated sea cliffs of the Atlantic	At Hurlstone Point, where a new section of path is proposed to be created, this follows a natural desire line over substrate that is less vulnerable to erosion or becoming waterlogged than the current route of the SWCP.	Yes The proposed path realignment at Henners Combe will not affect areas of SAC habitat (or that have potential to become SAC habitat). At Hurlstone Point the proposed route largely follows regularly used existing paths that are in good condition and able to withstand some increase in use. A new section of path through an area of European dry heath will be created by widening an existing livestock track which will slightly increase the extent	Yes

Risk to conservation objectives	Qualifying features possibly affected	Relevant design features of the access proposal	Can 'no adverse effect' on site integrity be ascertained? (Yes/No) Give reasons.	Residual effects?
	and Baltic coasts		<p>of trampling (an area of up to 350m², is likely to be affected out of a total estimated area for the feature of 4565 ha).</p> <p>Where walkers are directed along the new alignment, the reduction in trampling pressure along the line of other paths and desire lines in the area will allow some recolonisation.</p> <p>The use of the realignment will reduce the use of the current path within Hurlstone Coombe which becomes wet and muddy at times.</p> <p>There will be some increase in the extent of the area used as paths around Hurlstone point but the risk of damage to adjacent SAC habitat as a result of erosion and/or widening of the path where it becomes waterlogged will be reduced.</p>	

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

- When carrying out works to alter the alignment of the SWCP, the process of undertaking these works may cause temporary damage to a wider area of open coastal habitats.
- The extent of trampling of open coastal habitats is increased as a result of proposed path realignments.

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 residual effects are shown in Table 8.

Table 8: Residual risk of insignificant impacts from the access proposals

Residual risk	Qualifying features affected
The increased trampling pressure that will be experienced when adopting the animal track as part of the coast path at Hurlstone point within the Exmoor Heaths SAC.	H4030 European dry heaths

Combinable risks arising from other live 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. Our review of insignificant and combinable effects from other projects is shown in Table 9.

Table 9: Review of other live plans and projects

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Exmoor National Park	Local Plan 2011 – 2031 Habitats Regulation Assessment [7].	No The assessment concludes no likely significant effect or residual effects on the Exmoor Heaths SAC.
Exmoor National Park	Local Plan 2011 – 2031 Habitats Regulation Assessment Addendum [8].	No The assessment concludes no likely significant effect or residual effects on the Exmoor Heaths SAC.
Exmoor National Park / Natural England	Planning consultations within the site and projects subject to SSSI consent since 2017.	No Investigation through the Natural England mapping system Webmap and through the Exmoor National Park Planning Portal 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 2017. 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.

In light of this review, we have not identified any insignificant and combinable effects that are likely to arise from other plans or projects and therefore no further in combination assessment is required.

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 Sites.

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 Exmoor Heaths SAC or Exmoor and Quantock Oakwoods SAC 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 Minehead to Combe Martin 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

HRA prepared by:

Name: Hugh Tyler

Date: 2nd January 2020

HRA approved by:

Name: Michaela Barwell

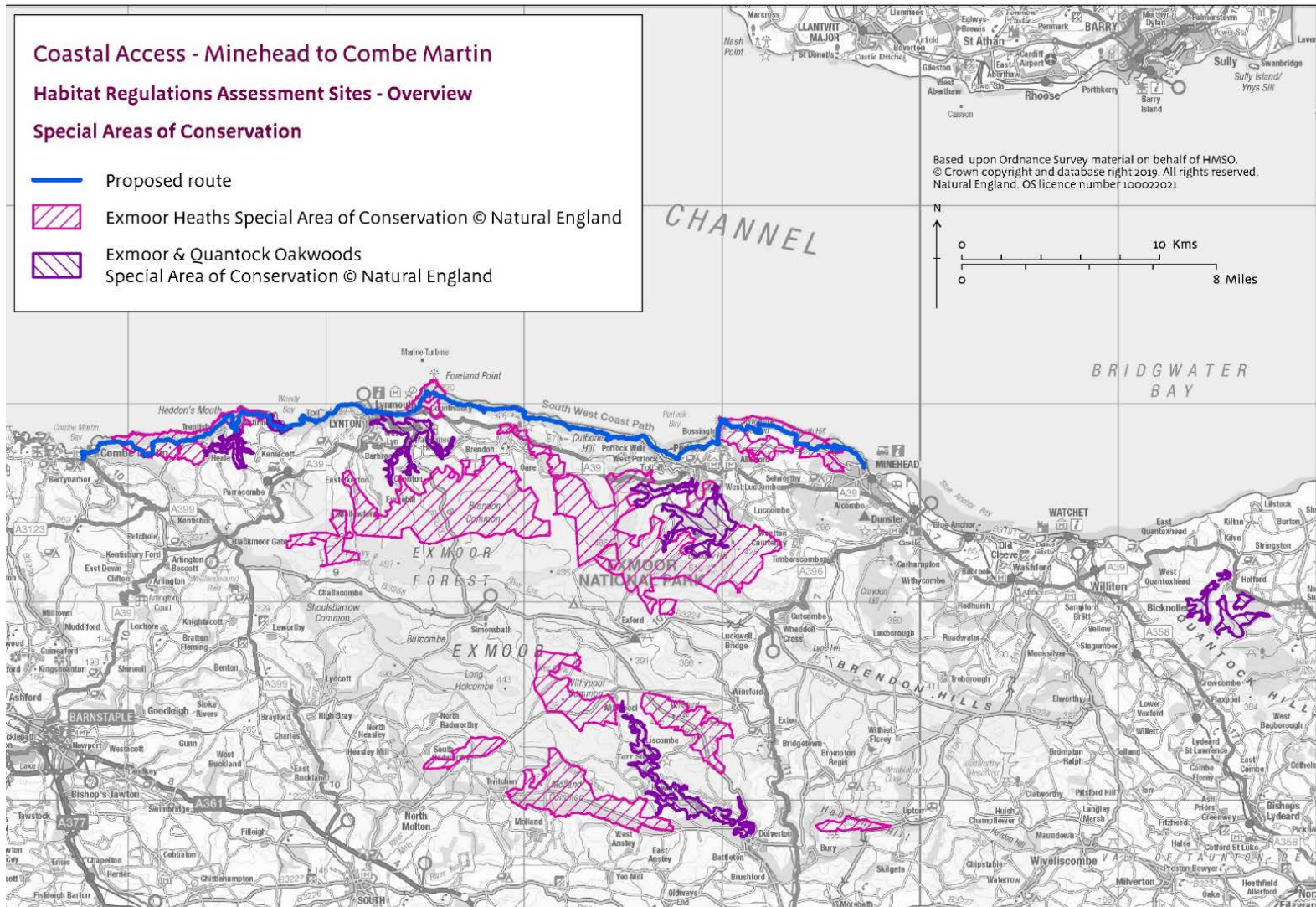
Date: 17th January 2020

References to evidence

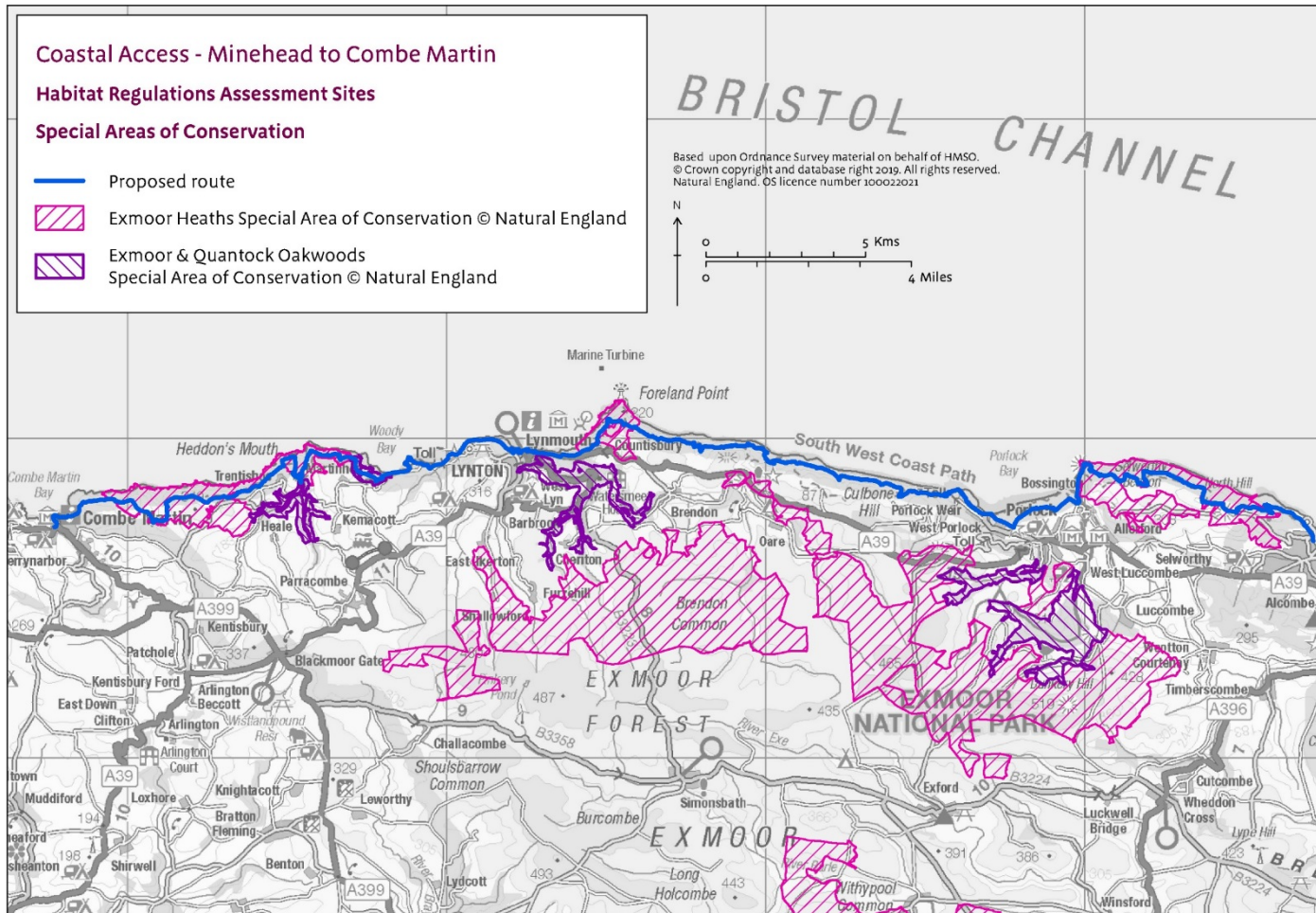
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Annex 1. Maps

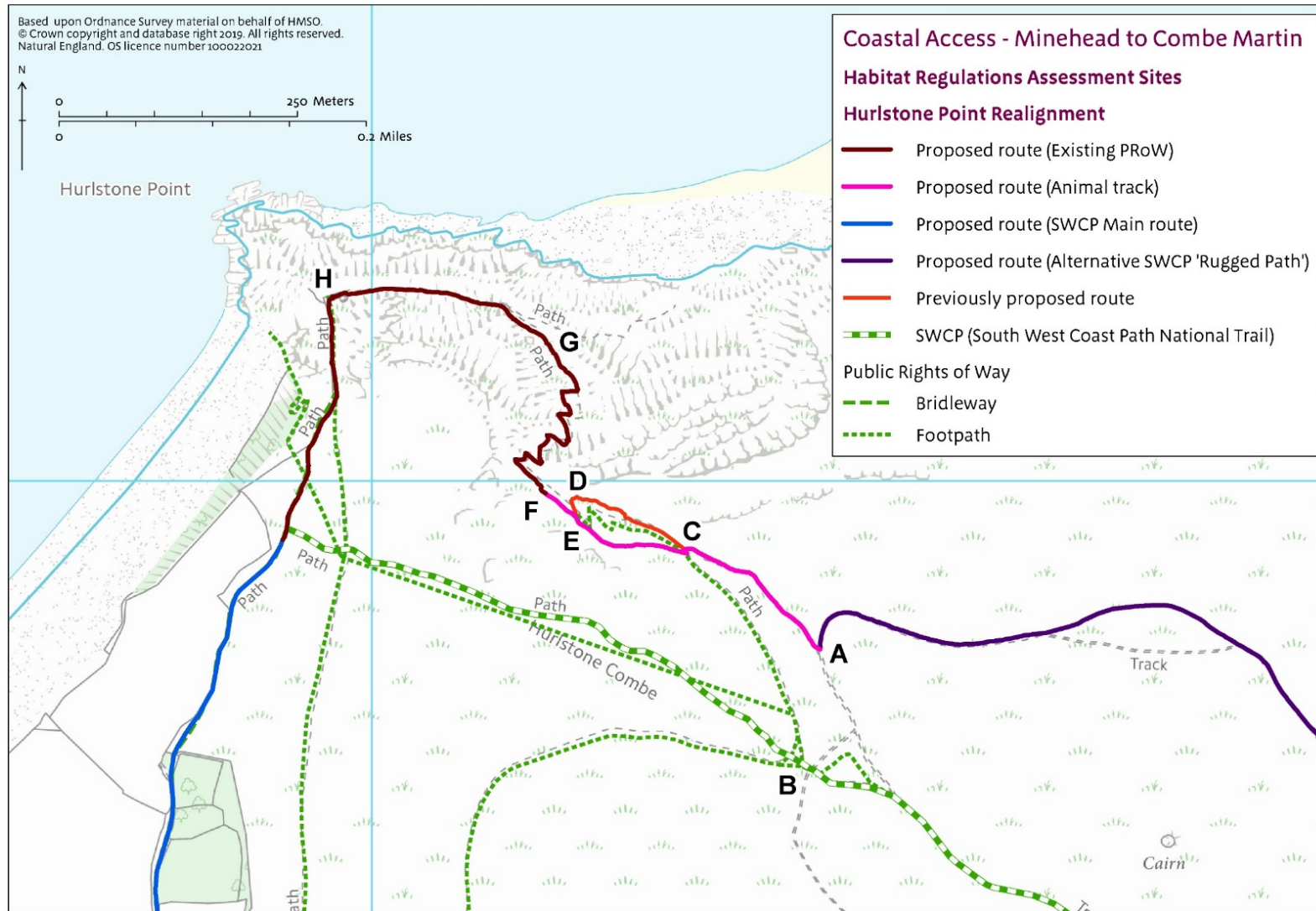
Map 1 - HRA Sites Overview map



Map 2 - HRA sites map



Map 3 - Hurlstone Point



Front cover photo: Hurlstone Point and Porlock Marsh © Jane Beech/Natural England