

Habitats Regulations Assessment of England Coast Path proposals between **Lyme Regis and Rufus Castle On: Lyme Bay and Torbay SAC, Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA & Ramsar site, Isle of Portland to Studland Cliffs SAC**

Version 2

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

Summary

I) Introduction

1. This is a record of the Habitats Regulations Assessment (HRA) undertaken by Natural England (NE), 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').
2. NE 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 Lyme Regis to Rufus Castle on the following sites of international importance for wildlife:
 - Lyme Bay and Torbay SAC
 - Sidmouth to West Bay SAC
 - Chesil and The Fleet SAC
 - Chesil Beach and The Fleet SPA
 - Chesil Beach and The Fleet Ramsar site
 - Isle of Portland to Studland Cliffs SAC
3. England Coast Path (ECP) 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, NE 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 NE's related Coastal Access Report published on 8 July 2015 [1] which fully describes and explains the access proposals for this stretch. 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

4. The main wildlife interests for this stretch of coast are summarised in Table 1 (see Table 3, Table 4 and Table 5 for a full list of qualifying features)

Table 1. Main wildlife interests

Interest	Description
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Marine life	Lyme Bay and Torbay are recognised for their range and diversity of the reef and sea cave habitats.
Cliff vegetation	The underlying geology and geomorphological processes of the Jurassic coast support a diverse flora and fauna.
Shingle vegetation	Chesil Beach is one of the largest shingle structures in Britain and supports extensive and diverse shingle vegetation communities.
Lagoon habitats	The Fleet is the largest example of lagoonal habitat in England and has a range of environmental conditions supporting a correspondingly diverse flora and fauna of marine species.
Wintering waterbirds	The Fleet and adjacent areas support internationally significant populations of non-breeding wigeon and dark-bellied brent goose.

III) Our approach

- NE'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]. Our final published proposal for a stretch of ECP 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 NE.
- 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 landowners, 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 landowners or occupiers, conservation organisations or the local access authority. In these ways, any nature conservation concerns are discussed early, and constructive solutions identified as necessary.
- The conclusions of this assessment are approved by a member of NE 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 NE.
- 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. To ensure full compliance with this ruling, NE has reviewed the HRA previously published with our 2015 proposals for Lyme Regis to Rufus Castle and carried out an appropriate assessment. As part of revising and updating this HRA, NE 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.

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

10. We have considered whether our detailed proposals for coastal access between Lyme Regis and Rufus Castle might have an impact on Lyme Bay and Torbay SAC, Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA & Ramsar site, and Isle of Portland to Studland Cliffs 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 Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA & Ramsar site, and Isle of Portland to Studland Cliffs SAC. 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 below.

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

Risk to conservation objectives	Relevant design features of the access proposals
Loss of, or damage to, habitat due to path improvements	<ul style="list-style-type: none"> ■ A proposed route that largely follows the established SWCP around the landward periphery of cliff and coastal European sites. ■ Where new infrastructure is planned to be installed within European sites, this will be within the confines of the SWCP or other established paths and will be carried out by DC only after SSSI assent under CROW has been obtained and taking care to minimise impacts on surrounding vegetation whilst the works are carried out.
Abrasion of cliff vegetation from climbing	<ul style="list-style-type: none"> ■ The proposals support current voluntary approaches and include flexibility to restrict or exclude new access rights should this be necessary in the future.
Trampling of shingle and saltmarsh vegetation by recreational activities	<ul style="list-style-type: none"> ■ A proposed route for the trail that largely follows the SWCP and avoids beaches with shingle vegetation and areas of saltmarsh. ■ Investing in, and maintaining, the SWCP to a high standard - which helps to manage footfall from recreational activities. ■ Directions to restrict or exclude new access rights that mirror current restrictions over Chesil Beach and The Fleet shore. ■ Updated signs and notices about access restrictions over Chesil Beach and The Fleet.
Damage to coastal lagoons by recreational activities	<ul style="list-style-type: none"> ■ A proposed route for the trail landwards of The Fleet lagoon and largely following the established SWCP.

	<ul style="list-style-type: none"> ■ Investing in, and maintaining, the SWCP to a high standard - which helps to manage footfall from recreational activities. ■ A new section of path on the low cliffs above Pirates Cove, which we expect most people to favour over the current beach route, in particular at high tides. ■ Directions to ensure the extent of new access rights is broadly consistent with existing access rights over the foreshore and open waters of The Fleet. ■ Updated signs and notices to encourage people to stick to the SWCP rather than walk over sensitive areas closer to the lagoon. ■ Exclusions seaward of a proposed new section of trail at West Fleet, in conjunction with signs and physical barriers.
Disturbance of non-breeding waterbirds by recreational activities	<ul style="list-style-type: none"> ■ A proposed route for the trail landwards of The Fleet lagoon and largely following the established SWCP. ■ Targeted improvements to the SWCP, so the route is more convenient and therefore attractive to walk on than the foreshore. ■ A new section of path on the low cliffs above Pirates Cove, which we expect most people to favour over the current beach route, in particular at high tides. ■ Directions to ensure the extent of new access rights is broadly consistent with existing access rights over Chesil Beach and The Fleet. ■ Updated signs and notices about access restrictions over Chesil Beach where necessary. ■ Winter closure of the proposed new section of trail between Horsepool Road and Rodden Hive at West Fleet and provision of an alternative route. ■ Exclusions seaward of a proposed new section of trail at West Fleet to create a buffer zone, in conjunction with signs and physical barriers. ■ Monitoring in the West Fleet area.
Disturbance of non-breeding waterbirds by construction works	<ul style="list-style-type: none"> ■ Constraints on when and how construction works are carried out.

VI) Implementation

11. Once a route for the trail has been confirmed by the Secretary of State, we will work with DC 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

12. The preparation of this assessment has been informed by input from people with relevant expertise within NE and other key organisations. We are particularly grateful to Dorset Council (DC) and to other organisations and local experts whose contributions

and advice have helped inform the development of our proposals. We are also grateful to all those who responded to the call for evidence we carried out as part of updating this HRA.

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

PART A: Introduction and information about the England Coast Path

A1. Introduction

13. NE 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 (ECP); 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.
14. 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.
15. 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 HRA must be carried out.
16. The conclusions of this assessment are approved by a member of NE 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 NE.
17. NE'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 memorandum² 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 NE to update the HRAs of any proposals that were not determined before April 2018.
18. NE published our proposals to Secretary of State for the stretch of coast from Lyme Regis to Rufus Castle on 8 July 2015 [1]. In the HRA carried out at the time, we concluded the access proposals would be unlikely to have a significant effect on any European sites, either alone or in combination with other plans or projects [3]. However, in reaching this conclusion our assessment took account of measures intended to avoid or reduce possible harmful effects of the proposals. In this revised version of the assessment, we conclude at Part C that the proposals would be likely to have a

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

² Published at:

<http://publications.naturalengland.org.uk/publication/5327964912746496?category=50007>

significant effect and in Part D of this document have carried out an Appropriate Assessment.

19. NE's proposals for Lyme Regis to Rufus Castle were subject to a public inquiry that concluded on 13 December 2016. Because the proposals had not been determined by April 2018, the Secretary of State has asked NE to update its HRA before deciding whether to approve NE's coastal access report for this stretch of the coast.

Call for evidence

20. In preparation for updating the HRA, in September 2022 we made a request for new data or evidence. The request was circulated to local wildlife and conservation groups and anyone that objected to the 2015 proposals for reasons that included impacts on wildlife. A summary of who we contacted, and their responses is included in Annex 1. The information provided in these responses has been considered when revising and updating the HRA.

A2. Details of the plan or project

21. This assessment considers NE's proposals for coastal access along the stretch of coast between Lyme Regis and Rufus Castle as published on 8 July 2015. Our access proposals were developed following the statutory methodology for implementing coastal access [2] and are presented in a report to the Secretary of State that explains how we propose to implement the programme along this stretch of the coast [1].
22. Coastal access proposals have several elements and in this part of the HRA we describe those relevant to the assessment.

England Coast Path

23. A continuous walking route around the coast – the England Coast Path National Trail (ECP) – is being 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 [4]. Parts of the ECP 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.
24. There is already an established National Trail route along the stretch of coast between Lyme Regis and Rufus Castle – the South West Coast Path (SWCP). The SWCP is well-used by walkers and our default proposed alignment for the England Coast Path is to follow the existing trail. In a few places, our alignment criteria (as described in Chapters 4 and 5 of the Coastal Access Scheme [2]) have led us to propose a different route; typically to bring the path closer to the sea, but also in places for better views or to move the trail away from sensitive areas. The reasons for proposed changes are set out in more detail in the relevant chapters of the coastal access report [1]. The most significant of these changes are between:

- Lyme Regis Golf Club and Charmouth - see chapter 1 of the proposals

- Charmouth Footbridge and Cain's Folly - see chapter 2
- Abbotsbury Swannery (Horsepool Farm) and Rodden Hive - see chapter 6

25. All are sections highlighted to us in discussions with user interest groups, where the SWCP is a significant distance from the sea. In addition, we also propose less extensive changes at the following places:

- Lyme Regis sea front - see chapter 1 of the proposals
- West Bay car park – see chapter 3
- Cogden Beach (Burton Mere) - see chapter 5
- East Cogden Beach to West Bexington - see chapter 5
- Abbotsbury Swannery - see chapter 6
- Littlesea Holiday Park - see chapter 8
- Pirates Cove (west of Ferry Bridge) – see chapter 8
- Portland Bill – see chapter 11
- Cheyne Weares – see chapter 12

Coastal Margin

26. 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.

27. Although coastal margin is by default subject to new Coastal Access Rights (CARs), on some parts of the coast a significant proportion of it is excepted, is subject to certain other public access rights³, or is locally excluded from them. CARs are rights of access on foot for open air recreation. 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 [2].

28. Where the public has an existing right of access by statute or by express or implied permission (for example where there already are public-facing signs or messaging) CARs exist in parallel. Coastal access arrangements do not change the position for people using the land under other types of rights - for example to shoot or to exercise rights of common there.

29. The position in relation to pre-existing statutory open access rights varies according to their type:

- Any that already apply within the margin under Part 1 of the Countryside and Rights of Way Act 2000 (CROW) are replaced by the new coastal access, because the detailed CROW rules are somewhat different on the coast.
- But most other pre-existing open access rights - for example over urban commons or those with their own Act of Parliament - continue to apply instead of

³ As defined in CROW section 15

CARs coming into force. This is in part because they often include higher rights, for example to ride horses on the land, as well as open-air recreation on foot.

30. Where public access on foot already takes place on land within the margin because people are ‘helping themselves’ to it without any right to be there (as happens for example on many beaches), the new CARs secure this existing use legally, subject to the normal national restrictions on CARs, and to any additional local restrictions or exclusions that may prove necessary.

Local restriction or exclusion of Coastal Access Rights

31. Local restrictions and exclusions, where needed, are normally put in place through directions given by NE. NEs direction making powers are explained in Chapter 6 of the Coastal Access Scheme [2].
32. There must be valid grounds to make a direction; and these are set out in CROW. Particularly relevant to this assessment are directions made on grounds of nature conservation (s26(3)(a) of CROW) and where saltmarsh and flats are unsuitable for public access (s25A of CROW). In estuaries where there are extensive areas of saltmarsh and flats that are unsuitable for public access, we normally use our general exclusion making power under s25A, supplemented by directions made on other grounds to cover additional areas where necessary. Should a direction no longer be required in the future under the grounds upon which it was made, NE would consider whether any other type of direction is needed in its place before it is revoked.
33. Specific directions are discussed in Part D of this assessment as necessary, and a list of directions proposed on nature conservation grounds is included at Annex 2.

Access management

34. Through the coastal access programme, we can deliver practical access management measures that help to avoid or reduce possible impacts of recreation on sensitive sites. Interventions may be an inherent feature of the access proposals (eg providing a managed path that avoids more sensitive parts of a site) or additional measures added to the proposals for conservation reasons (eg installing new screening between a path and sensitive area). Theoretically possible impacts of coastal access are often avoided at the design stage by how the path is aligned and other inherent features of the proposals, such as exclusion of CARs for reasons of public safety. Our proposals for ECP often make use of existing routes or create CARs over areas where there is established access (a common situation at the coast where public access to the foreshore is widely accepted). In this situation, the access proposals may not create any new issues, and the interventions delivered through the programme are more relevant to improving the management of existing pressures.
35. Our general approach to access management is described in our Coastal Access Scheme (see Chapter 6 for our general approach and Part C for discussion of particular coastal land types and land uses) [2]. Our practical experience, and that of practitioners,

national organisations and professional bodies we work with⁴, is that access management measures work best when used in combination and deployed as part of an integrated, area wide approach. Uncertainty about how people will respond to a particular set of circumstances can be reduced by using range of approaches, rather than relying on a single technique. The specific proposals we make are tailored to local circumstances and new interventions are often combined with existing access management and natural features of the site.

36. The main types of access management delivered by the programme are:

- Manipulation of the physical environment (eg improving the surface of a path or installing barriers);
- Limited access rights with local restrictions or exclusions where necessary; and,
- Signs directing or encouraging people to behave in particular ways.

37. Direct manipulation of the physical environment, for example by the alignment or surfacing of a path or installing barriers to make certain routes or areas attractive or unusable, are a widely used group of techniques for managing access to sensitive sites. Such practical measures are favoured by practitioners where circumstances allow and are widely used for controlling where people walk on sensitive sites. Local restriction or exclusion of CARs is likely to work best at locations where social norms have not been established and alternatives are readily available. In contrast, imposing limitations on access will generally be less effective where the behaviour they are directed at has already become normalised and socially accepted, and enforcement or surveillance is difficult.

38. On-site signs or notices are often needed to convey messages to access users, for example where there are restrictions on dogs. Signs alone are unlikely to be an effective way of changing already established behaviour at a site. Signs are more likely to be effective when used alongside other measures and have the advantage of being low-cost and always present. Where signs are specified in ECP proposals they are used alongside other access management measures (such as path alignment and restrictions) and designed to suit the local circumstances, using principles established from practitioner experience).

39. Specific access management measures included in the proposals are discussed in Part D of this assessment.

Promotion of the England Coast Path

40. The trail along this length of coast will continue to be managed and promoted as part of the SWCP. On the ground, the path is 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 are used to guide people along the route. A detailed survey of route was undertaken with DC as part of developing the access proposals and

⁴ Including: Outdoor Recreation Network, The Conservation Volunteers, The Institute of Public Rights of Way and the Access Management and Countryside Managers Association

places where existing signs and way markers will be retained, replaced or improved identified.

41. Information about the SWCP is available on-line including things for users to be aware of, such as temporary closures and diversions. The route is depicted on Ordnance Survey (OS) maps using the green diamond (lozenge) symbol for promoted route placed along the route and named South West Coast Path with the National Trail acorn symbol placed alongside the name. Alternative routes are shown by hollow version of the green diamond (lozenge) symbol.
42. 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 to clarify the scope and/or extent of CARs. The extent of the coastal margin is depicted on OS maps by a newly created symbol, a 10% magenta wash bounded on its landward edge by distinctive magenta semi-circles. The reason for this is to clearly reflect the different nature of this new designation from open access, which is depicted by a yellow wash. An explanation about the margin and about CARs, where they do and don't apply and how to find out about any local restrictions or exclusions is provided in the map key.

Establishment and maintenance of the trail

43. Establishment works to make the trail fit for use and prepare for opening, including any additional measures that have been identified as necessary to protect the environment, will be carried out before the new public rights come into force on this stretch. Details of the works to be carried out and the estimated cost are provided in the access proposals. The cost of establishment works will be met by NE. Works on the ground to implement the proposals will be carried out by DC, subject to any further necessary consents being obtained, including to undertake operations on a SSSI. NE will provide further advice to the access authority carrying out the work as necessary.
44. The access proposals provide for the permanent establishment of a path and associated infrastructure, including any additional measures referred to in this assessment and described in the access proposals. Ongoing maintenance of the route will continue to be overseen by the SWCP Trail Partnership led by the SWCP Association and along this section of the route carried out by DC. The Partnership oversee delivery of the SWCP and there is regular reporting and scrutiny of key performance indicators, including the condition of the trail.

Responding to future change

45. The legal framework that underpins coastal access allows for adaptation in light of future change. In such circumstances NE has powers to change the route of the trail and limit CARs 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 any unforeseen future change.

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

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

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

46. Six European sites occur within or near to the project area and could potentially be affected by the proposals. These are:

- Lyme Bay and Torbay SAC
- Sidmouth to West Bay SAC
- Isle of Portland to Studland Cliffs SAC
- Chesil and The Fleet SAC
- Chesil Beach and The Fleet SPA
- Chesil Beach and The Fleet Ramsar site

47. A brief description of each of these sites and list of their corresponding qualifying features is provided in this section of the assessment. Maps showing the extent of these sites in relation to the project area are included in Annex 3.

Marine sites

Lyme Bay and Torbay SAC

48. The Lyme Bay and Torbay SAC is a marine site that lies off the counties of Dorset and Devon. It is the range and diversity of the reef and sea cave habitats that distinguish the area as one of conservation significance.

49. Qualifying features of the Lyme Bay and Torbay SAC are listed in Table 3.

Table 3. Qualifying features of Lyme Bay and Torbay SAC

Qualifying features
H1170 Reefs
H8330 Submerged or partially submerged sea caves

Cliff sites

Sidmouth to West Bay SAC

50. The Sidmouth to West Bay SAC stretches for some 33km along the coast of East Devon and West Dorset. The site lies within the East Devon Area of Outstanding Natural Beauty (AONB), the Dorset AONB, and the Jurassic Coast World Heritage Site. Geologically the underlying rocks are from the Triassic, Jurassic and Cretaceous Periods. This geology, the geomorphological process that act upon it and the fossils it yields are recognised as

being of outstanding universal value under the UNESCO World Heritage Site designation.

51. The underlying geology is inherently unstable in much of the SAC and consequently there are large areas of unstable cliffs along the length of the coast, with past and present active land slipping and cliff falls frequent in many places. Land slipping tends to be associated mainly with prolonged periods of wet weather, though high tide storm surges as well as drought and freeze thaw conditions can also cause significant geomorphological activity.
52. The SAC is in many places subject to minimal management intervention and supports a stunning range of wildlife. Natural succession has created a varied range of habitats from open bare ground, calcareous, acidic and neutral grassland, springs, wet flushes, scrub and woodland. There is a diverse invertebrate fauna associated with these habitats and notable plants include the early gentian (*Gentianella anglica*) and purple gromwell (*Lithospermum purpureocaeruleum*). The foreshore is mostly rock and shingle, providing suitable habitat for a number of specialist plants and animals including sea kale and the scaly cricket.
53. Qualifying features of Sidmouth to West Bay SAC are listed in Table 4.

Isle of Portland to Studland Cliffs SAC

54. The Isle of Portland to Studland Cliffs Special Area of Conservation (SAC) stretches for some 40 km along the coast of South Dorset (containing the St Albans Head to Durlston Head SAC).
55. The cliffs support species-rich calcareous grassland with particularly large populations of several species that are scarce in the UK such as wild cabbage *Brassica oleracea* var. *oleracea*, early spider-orchid *Ophrys sphegodes* and Nottingham catchfly *Silene nutans*. The endemic sea lavender *Limonium recurvum* ssp *recurvum* is locally frequent. The Portland peninsula demonstrates clearly the contrast between an exposed western coast, with sheer rock faces and sparse maritime vegetation, and a more sheltered eastern side. On this sheltered coast and on the mainland cliffs east of White Nothe there are extensive slumped undercliffs and landslides with a mix of massive fallen boulders, grassland and scrub. The scrub contains a high proportion of wayfaring-tree *Viburnum latana*, while wood spurge *Euphorbia amygdaloides* occurs widely in the grassland. The open habitats that occur on sands and clays as a result of frequent landslips are an especially rich habitat for many localised invertebrate species. Calcareous boulders in this turf support important and restricted lichen and bryophyte assemblages. Semi-natural dry grassland occurs in both inland and coastal situations on both chalk and limestone. The site contains extensive species-rich examples of tor-grass *Brachypodium pinnatum* grassland and smaller areas of sheep's-fescue – meadow oat-grass (*Festuca ovina* – *Helictotrichon pratense*) grassland occur on shallow soils on steeper slopes. It also supports important long-standing populations of early gentian *Gentianella anglica* numbering several thousands of plants.
56. The site lies partly within the Dorset AONB, and wholly within the Jurassic Coast World Heritage Site. Geologically the underlying rocks are from the Triassic, Jurassic and Cretaceous Periods. This geology, the geomorphological process that act upon it and the

fossils it yields are recognised as being of outstanding universal value under the UNESCO World Heritage Site designation.

57. Qualifying features of Isle of Portland to Studland Cliffs SAC are listed in Table 4.

Table 4. Qualifying features of Sidmouth to West Bay SAC and Isle of Portland to Studland Cliffs SAC

Qualifying Feature	Sidmouth to West Bay SAC	Isle of Portland to Studland Cliffs SAC
H1210 Annual vegetation of drift lines	X	X
H1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	X	X
H9180 <i>Tilio-Acerion</i> forests of slopes, screes and ravines	X	
H6210 Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) ¹		X
S1654 Early gentian, <i>Gentianella anglica</i>		X

Notes:

¹ Includes the priority feature "important orchid rich sites"

Chesil Beach⁵ and The Fleet

Chesil and The Fleet SAC

58. The Chesil Beach is situated on the West Dorset coast, stretching 29 km from West Bay to Portland, and is one of the five largest shingle beaches in Britain. Due to longshore drift and other contributing factors, the beach material is precisely graded from pea-gravels at West Bay to cobbles at Chiswell, Portland (although there are local variations).

59. The Fleet is the largest example of a lagoonal habitat in England, covering approximately 495 ha, supporting the greatest diversity of habitats and species of any lagoon in the UK. It is very shallow, with a minimum depth of approximately 30 cm at its western extreme, deepening to 5 m under Ferry Bridge. It is illustrative of two of the five lagoonal types found in the UK as it is predominantly a lagoonal inlet but also has features of percolation lagoons. It is bordered by the fossil shingle barrier structure of Chesil Beach, through which seawater is proposed to percolate into the lagoon, certainly during the development of 'cann's' under particular conditions, but most of its water exchange occurs through the narrow channel that links it to Portland Harbour. A low freshwater input produces fully saline conditions throughout most of The Fleet, with reduced salinity occurring only in the west. The lagoon is extremely sheltered from wave action and has weak tidal streams, except in the eastern Narrows and entrance channel at Ferry Bridge. The tidal range is much smaller and temperature range far greater than on the open coast. This suite of environmental conditions is rarely found in the UK in a single lagoon and influences the diversity and composition of its biological communities.

⁵ Chesil Beach is sometimes called Chesil Bank. In this document we have opted to use Chesil Beach, except when referring to places (eg Chesil and The Fleet SAC or Chesil and The Fleet Nature Reserve) or title of reports.

60. The Fleet can be divided into three zones; the lower Fleet or lagoonal inlet channel which is a typical estuarine lagoon, and the mid- and west Fleet which is a classic lagoon and also includes the third, smaller, reduced salinity zone at the far western end at Abbotsbury. Much of the seabed of The Fleet is composed of fine mud and sands to coarse cobbles and pebbles but there are also areas of bedrock within the tide-swept Narrows. Where the sediment is coarser and consists more of gravels, pebbles and cobbles in the eastern section of the lagoon between Smallmouth and the Narrows, the snakelocks anemone *Anemonia viridis* occurs in unusually high densities with the starfish *Asterina gibbosa*. The pebble habitat, adjacent to Chesil Beach, is surprisingly stable and is encrusted with low growing algae whilst a number of invertebrates live in the gaps amongst the pebbles themselves. Extensive seagrass communities are found in the lower, mid- and west Fleet but are absent from Abbotsbury embayment and the fast-flowing Narrows eastward.
61. Where seawater percolates through Chesil Beach at the low shore level, small saline springs occur and flow into the lagoon. These springs support an unusual assemblage of molluscs including DeFolin's lagoon snail *Caecum armoricum*, which is known only from two other sites in the UK. Where the fast-flowing water in the Narrows scours the only subtidal bedrock in The Fleet, large conspicuous species, particularly sponges and large seaweeds, survive in the strong water flow carrying nutrients from the western Fleet. Notable species include the rare sponge *Suberites massa* and the sponge *Halichondria bowerbankii*.
62. The Fleet is an important nursery ground for a number of fish species and is a designated sea bass nursery. Over 25 different species of fish have been recorded, including grey mullet, Couch's, sand and common gobies, and two species of pipefish; 17 species of fish occur predominantly in the eastern section of The Fleet. [5]
63. Qualifying features of Chesil and The Fleet SAC are listed in Table 5.

Chesil Beach and The Fleet SPA

64. The Chesil Beach is situated on the West Dorset coast, stretching 29 km from West Bay to Portland, and is one of the five largest shingle beaches in Britain. Due to longshore drift and other contributing factors, the beach material is precisely graded from pea-gravels at West Bay to cobbles at Chiswell, Portland (although there are local variations). The Fleet is the largest example of a lagoonal habitat in England, covering approximately 495 ha, supporting the greatest diversity of habitats and species of any saline lagoon in the UK. The lagoon is extremely sheltered from wave action and has weak tidal streams, except in the eastern Narrows and entrance channel at Ferry Bridge. The tidal range is much smaller and temperature range far greater than on the open coast. This suite of environmental conditions is rarely found in the UK in a single lagoon and influences the diversity and composition of its biological communities.
65. Birds rely on several intertidal, subtidal and terrestrial habitat types for nesting, loafing, resting and foraging. The shingle beach provides nesting for internationally important populations of breeding little tern *Sternula albifrons*, and although not features of the site, it also supports increasing numbers of breeding common tern *Sterna hirundo* and a small number of breeding ringed plover *Charadrius hiaticula*. The Fleet provides important foraging for internationally important populations of wigeon *Mareca penelope* via

extensive seagrass communities, comprising *Zostera marina* var. *angustifolia* and *Z. noltii* and two species of tasselweed, *Ruppia maritima* and the rare spiral tasselweed *R. cirrhosa*, which are found in the lower, mid- and west Fleet but are absent from Abbotsbury embayment and the fast-flowing Narrows eastward. There are also extensive stands of *Phragmites* reedbed grading to wet meadows behind at the Abbotsbury embayment and in places along the west and east Fleet hinterland shore. Areas of mudflats occur in the east Fleet and along the hinterland shoreline, and saltmarsh habitats occur as thin linear features throughout. The Fleet is an important nursery ground for a number of fish species and is a designated sea bass nursery. As such, it provides an important food source for little tern, foraging over The Fleet for small fish. [6]

66. Qualifying features of Chesil Beach and The Fleet SPA are listed in Table 5⁶. Note that dark-bellied brent goose is not a qualifying feature of the SPA, but NE considers this feature is relevant to this HRA by virtue of the Chesil Beach and The Fleet Ramsar site designation – see paragraph 68 below.

Chesil Beach and The Fleet Ramsar site

67. The site includes the whole of The Fleet lagoon and the adjacent Chesil Beach. The Fleet is the largest and best example of a barrier-built saline lagoon in the UK. The salinity gradient, peculiar hydrographic regime and varied substrates, together with associated reedbed and intertidal habitats and the relative lack of pollution in comparison to most other lagoons, have resulted in The Fleet becoming extraordinarily rich in wildlife. Outstanding communities of aquatic plants and animals are present, supporting large numbers of wildfowl and waders. Chesil Beach is of great significance to the study of coastal geomorphology and supports nationally important populations of shingle plants and invertebrates. It is also an important breeding site for seabirds. [8]
68. The site currently supports an internationally important over-wintering population of dark-bellied brent goose *Branta bernicla bernicla*, which winter around The Fleet and rely on the seagrass meadows for feeding habitat.
69. The features NE considers to be qualifying features for Ramsar site conservation objectives are listed in Table 5.

⁶ At the time the previous HRA of the access proposals was carried out, there was uncertainty about the status of qualifying features of Chesil Beach and The Fleet SPA. This matter has since been resolved and clarification made by JNCC in 2017 - [7]

Table 5. Qualifying features of potentially affected European sites – Chesil and The Fleet

Qualifying feature	Chesil and The Fleet SAC	Chesil Beach and The Fleet Ramsar site	Chesil Beach and The Fleet SPA
H1220 Perennial vegetation of stony banks	X	X ¹	
H1420 Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosi</i>)	X	X ¹	
H1210 Annual vegetation of drift lines	X	X ¹	
H1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)	X	X ¹	
H1150 Coastal lagoons	X	X ¹	
Bass, <i>Dicentrarchus labrax</i>		X	
Little tern, <i>Sternula albifrons</i> – A050 (breeding)			X
Dark-bellied brent goose, <i>Branta bernicla</i> (non-breeding)		X	
Wigeon, <i>Mareca penelope</i> – A195 (non-breeding)			X

Notes:

¹ Habitat features of Chesil Beach and The Fleet Ramsar site are shingle and coastal lagoon. For the purposes of this assessment, we consider these habitats to be synonymous with the overlapping SAC features.

B2. European Site Conservation Objectives (including supplementary advice)

70. NE 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.

71. 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.

72. Where Supplementary Advice on Conservation Objectives (SACOs) 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. NE has published SACOs for the following sites:

- Lyme Bay and Torbay SAC [9]
- Sidmouth to West Bay SAC [10]
- Chesil and The Fleet SAC [5]
- Chesil Beach and The Fleet SPA [6]
- Isle of Portland to Studland Cliffs SAC [11]

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

74. Ramsar sites included in this assessment are:

- Chesil Beach and The Fleet Ramsar site

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

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)?

76. For the most part, the access proposals are not directly connected with or necessary to the management of the European sites for nature conservation listed in B1 above. Exceptions to this are where conservation measures are delivered through the programme that are not a necessary element of the access proposals or designed to avoid or reduce possible impacts.
77. At Portland Bill, roped enclosures have been installed to manage footfall. The coast path project team has in principle agreed to support this conservation work and will review at establishment stage whether there is a need for further funding, for example to repair or replace the enclosures and associated notices. As these works would be carried out for habitat restoration reasons, no further assessment of them is required.
78. Other conservation measures may be added to the access proposals at establishment stage.

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

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 HRA is required.

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

79. 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.
80. 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).

81. 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).
82. 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

83. 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.
84. 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.
85. There are six European sites to consider for the coast between Lyme Regis and Rufus Castle, Portland. For this part of the assessment we have grouped the sites as shown in Table 6. Corresponding Coastal Access Report chapters are shown in the table.

Table 6. Grouping of sites for LSE Screening

Section	Area	European sites	Report Chapters
2.1A	Marine sites	Lyme Bay and Torbay SAC	1-5
2.1B	Cliff sites	Sidmouth to West Bay SAC Isle of Portland to Studland Cliffs SAC	1-3 and 10-12
2.1C	Chesil and The Fleet	Chesil and The Fleet SAC Chesil Beach and The Fleet SPA Chesil Beach and The Fleet Ramsar site	4-9

2.1A Marine sites

86. The risk of significant effects alone from the access proposals on Lyme Bay and Torbay SAC is considered in Table 7.

Table 7. Assessment of likely significant effects alone – Lyme Bay and Torbay SAC

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Reefs, Submerged or partially	Physical damage	The marine features of Lyme Bay and Torbay SAC do not occur within the project area. Advice on	The access proposals do not present a risk to	No

submerged sea caves		operations indicates that walking and other recreational activities within the scope of the access proposals would be unlikely to impact on these features.	these marine features.	
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2.1B Cliff sites

87. The risk of significant effects alone from the access proposals on Sidmouth to West Bay SAC and Isle of Portland to Studland Cliffs SAC is considered in Table 8. Note that *Tilio-Acerion* forests of slopes, screes and ravines is a feature of Sidmouth to West Bay SAC but does not occur within the project area. This feature is associated with an area of active landslipping west of the project area, between Axmouth and Lyme Regis.

Table 8. Assessment of likely significant effects alone - Sidmouth to West Bay SAC and Isle of Portland to Studland Cliffs SAC

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Clifftop grassland and species ¹ Vegetated sea cliffs of the Atlantic and Baltic coasts	Loss of, or damage to, habitat due to proposed path improvements	Improvements to the SWCP, or where it is proposed to establish a new alignment for the route, could cause temporary damage to habitat or lead to a permanent loss in extent of a feature.	Because some route changes and trail improvements are proposed within or near to qualifying habitats a significant effect is considered likely at this stage of the assessment and possible impacts will be considered in detail in Part D of this assessment.	Yes

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Annual vegetation of drift lines	Trampling of habitat by recreational activities	Annual vegetation of drift lines is an ephemeral habitat of annual or short-lived perennial vegetation that grows in a narrow ecological niche at the top of beaches. Constituent species are adapted to grow in disturbed environments however, plants will not establish where there is repeated trampling of the upper littoral zone from recreational activities.	There is established public use of beaches by locals and visitors to the area in those parts of Sidmouth to West Bay SAC and Isle of Portland to Studland Cliffs SAC that are within the project area. Creation of CARs provides some additional legal surety of public access rights over beaches, but this technical change is unlikely to affect established pattern of recreational use. No practical interventions on the ground are proposed to provide facilities or infrastructure to make it easier to access beaches within the project area. Neither is management of established access affected by the proposals, for example dog restrictions at West Bay. For these reasons, the access proposals will not significantly affect the distribution or intensity of trampling pressure on annual vegetation of drift lines.	No
Clifftop grassland and species ¹	Trampling of habitat by recreational activities	These grasslands and the associated plants are found in the designated areas all around the Isle of Portland primarily on flat cliff top areas and in old quarries. Calcareous grasslands can be sensitive to trampling as they are generally of low productivity and here are often on very thin soils leading to erosion.	There is good access to the cliffs around the Isle of Portland, via the SWCP and other existing routes. Walkers stick to the established paths because the cliffs are otherwise inherently difficult to access on foot and the extent of access rights is not a limiting factor. Ongoing upkeep of the SWCP around the Isle of Portland is supported by the proposals, and several path improvements are proposed to be made as part of implementing coastal access that will help to manage footfall (see row 1 of this table for consideration of possible impacts of path improvements). For these reasons, mapping of Coastal Margin and automatic creation of CARs is unlikely to affect the pattern of recreational use and therefore trampling pressure in areas where these SAC habitats and species occur.	No

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Vegetated sea cliffs of the Atlantic and Baltic coasts	Trampling of habitat by recreational activities	The vegetation of cliffs and slopes within Sidmouth to West Bay SAC and Isle of Portland to Studland Cliffs SAC is varied and strongly influenced by natural processes associated with coastal erosion. Excessive localised trampling may interrupt natural succession of vegetation, including by accelerating erosion.	There is good access to both the cliffs between Lyme Regis and West Bay and around the Isle of Portland via the SWCP and other existing routes. Walkers stick to the established paths because both the soft slumping cliff slopes of Sidmouth to West Bay SAC and steep rocky slopes around the Isle of Portland are otherwise inherently difficult to access on foot and the extent of access rights is not a limiting factor. The ease and convenience with which people can use the SWCP is supported by the proposals, helping to ensure walkers stick to the path. For these reasons, mapping of Coastal Margin and automatic creation of CARs is unlikely to affect the pattern of recreational use and therefore trampling pressure in areas where these SAC habitats occur.	No
Clifftop grassland and species ¹ Vegetated sea cliffs of the Atlantic and Baltic coasts	Abrasion from climbing and coasteering	Abrasion from climbing and coasteering can damage cliff vegetation and is identified as a possible threat in the SACOs for Isle of Portland to Studland Cliffs SAC, which includes hard cliffs suited to these activities.	Access for climbing and scrambling are included within CARs and these activities make use of cliffs that would otherwise be physically inaccessible. Creating CARs is unlikely to cause an increase in the intensity or distribution of access to cliffs around the Isle of Portland since, at this site, a lack of access rights is not a limiting factor to where and when these activities take place. However, because climbing and coasteering are identified as threats to the site conservation objectives, a significant effect is considered likely at this stage of the assessment and possible impacts will be considered in detail in Part D of this assessment.	Yes

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone?
Clifftop grassland and species ¹ Vegetated sea cliffs of the Atlantic and Baltic coasts	Nutrient enrichment due to dog walking	Nutrient enrichment from dog faeces can result in a reduction in number and abundance of plant species in the sward and stimulates growth of competitive species (grasses) at the expense of other plants notably broad-leaved herbs.	Dog walking is a year-round activity and most visits by people with dogs are made by people living or staying locally who will already be aware of coastal sites suitable for dog walking. There is good access to both the cliffs between Lyme Regis and West Bay and around the Isle of Portland via the SWCP and other established paths – although people bringing their dog to the coast are likely to favour sites where there is easy access to the beach. Neither the proposed improvements to the SWCP or creation of CARs where there is existing access to beaches, is likely to significantly increase dog walking activity. Management of established access is unaffected by the proposals, for example zonation of access with dogs at West Bay. For these reasons, the access proposals will not significantly affect the intensity or distribution of nutrient enrichment from dog faeces over the cliffs of Sidmouth to West Bay SAC or Isle of Portland to Studland Cliffs SAC.	No

Notes

¹Clifftop grassland and species refers to the two qualifying features: semi-natural dry grasslands and scrubland facies: on calcareous substrates and early gentian

2.1C Chesil and The Fleet

88. The risk of significant effects alone from the access proposals on Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site is considered in Table 9.

Table 9. Assessment of likely significant effects alone - Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Ramsar site

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone ?
Shingle and saltmarsh habitats ¹	Loss of, or damage to, habitat due to proposed path improvements	Improvements to the SWCP, or where it is proposed to establish a new alignment for the route, could cause temporary damage to habitat or lead to a permanent loss in extent of a feature.	Because some route changes and trail improvements are proposed within or near to qualifying habitats a significant effect is considered likely at this stage of the assessment and possible impacts will be considered in detail in Part D of this assessment.	Yes
Shingle and saltmarsh habitats ¹	Trampling of vegetation by recreational activities	The extensive shingle of Chesil Beach and foreshore of the Fleet supports diverse plant communities that are sensitive to physical damage such as abrasion from repeated trampling.	There is established use of Chesil Beach and The Fleet for recreation. The intensity and distribution of footfall from recreation is largely determined by ease of access from car parks or residential and holiday homes combined with measures to manage visitors for nature conservation and other reasons. NE proposes to implement coastal access in a way that supports management of the site, and this requires consideration of the use of CROW restrictions and exclusions where current restrictions to access imposed by landowners apply. For this reason, a significant effect is considered likely at this stage of the assessment and the details of proposed mitigation measures will be considered in detail in Part D of this assessment.	Yes
Coastal lagoons	Damage to coastal lagoons by recreational activities	Several component habitats of the lagoon are highly sensitive to removal, smothering, siltation, abrasion and nutrient / organic enrichment, which could be caused by visitors and dogs accessing the shore and entering the water.	NE proposes to implement coastal access in a way that supports management of the site, and this requires consideration of the use of CROW restrictions and exclusions where current restrictions to access imposed by landowners apply. For this reason, a significant effect is considered likely at this stage of the assessment and the details of proposed mitigation measures will be considered in detail in Part D of this assessment.	Yes

Qualifying features	Relevant pressure	Sensitivity to coastal access proposals	Assessment of risk to site conservation objectives	LSE alone ?
Bass	Changes to the marine ecosystem	Bass are a marine species that occur in parts of the site outside the project area.	Localised impact on lagoon habitats from access at the shore of the lagoon will be considered in this assessment (see above) but these would be unlikely to have a negative impact on bass through changes to the marine ecosystem. For this reason, we conclude that the access proposals do not pose a credible risk of causing significant harm to this feature.	No
Little tern (breeding)	Disturbance of breeding tern by recreational activities	The breeding colony of little tern at Chesil is currently site faithful to an area of shingle to the east of The Fleet lagoon. Little tern is a migratory species present between April and August. Breeding success is sensitive to repeated disturbance from recreational activities or physical trampling of nests.	The tern colony on Chesil beach is wardened, fenced and has volunteer support through a partnership led by the RSPB. The colony had declined from a maximum of 100 pairs in 1997 to 10 pairs in 2008, but through the recovery project the numbers have increased: up to 50 pairs were recorded in 2020 [12]. The proposed route for ECP follows the SWCP on the other side of Fleet from the breeding site. No CARs will be created over the breeding site because this part of Chesil beach is a registered common and, in this situation, the existing rights continue to apply instead. For these reasons, the access proposals will not materially change the current access and conservation arrangements.	No
Wigeon & dark-bellied brent goose (non-breeding)	Disturbance of non-breeding waterbirds by recreational activities	Birds could be disturbed by changes in the type, pattern or intensity of recreational activities that might occur because of the access proposals.	Waterbirds are present in significant numbers at many locations within the project area and detailed consideration needs to be given to possible impacts and the need for mitigation measures, so a significant effect is considered likely and possible impacts will be considered in detail in Part D of this assessment.	Yes
Wigeon & dark-bellied brent goose (non-breeding)	Disturbance of non-breeding waterbirds from path improvement works	Waterbirds may be disturbed by construction activities necessary for the physical establishment of the proposed path.	Waterbirds are present in significant numbers in many locations on this stretch of coast and new and replacement infrastructure will be installed at various locations within and close to the designated sites. A significant effect is considered likely and possible impacts will be considered in detail in Part D of this assessment.	Yes

Notes:

¹ Shingle and saltmarsh habitats include SAC qualifying features: perennial vegetation of stony banks, Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosa*), annual vegetation of drift lines and Atlantic salt meadows (*Glaucopuccinellietalia maritima*)

Conclusion for C2.1 - Risk of Significant Effects Alone

The plan or project alone is likely to have a significant effect on:

- Sidmouth to West Bay SAC
- Chesil and The Fleet SAC
- Chesil Beach and The Fleet SPA
- Chesil Beach and The Fleet Ramsar site
- Isle of Portland to Studland Cliffs SAC

The plan or project alone is unlikely to have a significant effect on:

- Lyme Bay and Torbay SAC

The plan or project alone is unlikely to have a significant effect on the following qualifying features of Sidmouth to West Bay SAC:

- Annual vegetation of drift lines
- *Tilio-Acerion* forests of slopes, screes and ravines

The plan or project alone is unlikely to have a significant effect on the following qualifying feature Isle of Portland to Studland Cliffs SAC:

- Annual vegetation of drift lines

The plan or project alone is unlikely to have a significant effect on the following qualifying feature of Chesil Beach and The Fleet SPA:

- Little tern (breeding)

The plan or project alone is unlikely to have a significant effect on the following qualifying feature of Chesil Beach and The Fleet Ramsar site:

- Bass

(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

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

90. NE 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.

91. 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

92. On the basis of the details submitted, NE 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.

Conclusion - Overall Screening Decision for the Plan/Project

In light of sections C1 and C2 of this assessment above, NE 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.

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

PART D: Appropriate Assessment and Conclusions on Site Integrity

D1. Scope of Appropriate Assessment

94. 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.
95. The Sites and the Qualifying Features 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 described in Table 10.

Table 10. Scope of Appropriate Assessment

Environmental pressure	Site and Qualifying Feature(s) affected	Risk to Conservation Objectives
Loss of, or damage to, habitat due to proposed path improvements	<p>Sidmouth to West Bay SAC</p> <ul style="list-style-type: none"> ■ Vegetated sea cliffs of the Atlantic and Baltic coasts <p>Chesil and The Fleet SAC</p> <ul style="list-style-type: none"> ■ Perennial vegetation of stony banks ■ Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosa</i>) ■ Annual vegetation of drift lines ■ Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) <p>Chesil Beach and The Fleet Ramsar site</p> <ul style="list-style-type: none"> ■ Shingle <p>Isle of Portland to Studland Cliffs SAC</p> <ul style="list-style-type: none"> ■ Vegetated sea cliffs of the Atlantic and Baltic coasts ■ Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) ■ Early gentian 	Construction works associated with improvements to the SWCP, or where it is proposed to establish a new alignment for the route, cause temporary damage to areas of habitat or lead to a permanent loss in extent of features.
Abrasion of cliff vegetation from climbing	<p>Isle of Portland to Studland Cliffs SAC</p> <ul style="list-style-type: none"> ■ Vegetated sea cliffs of the Atlantic and Baltic coasts ■ Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>) ■ Early gentian 	Increased damage to cliff vegetation because of expansion in climbing activities permitted under CARs

Environmental pressure	Site and Qualifying Feature(s) affected	Risk to Conservation Objectives
Trampling of shingle and saltmarsh vegetation by recreational activities	Chesil and The Fleet SAC <ul style="list-style-type: none"> ■ Perennial vegetation of stony banks ■ Mediterranean and thermo-Atlantic halophilous scrubs (<i>Sarcocornetea fruticosa</i>) ■ Annual vegetation of drift lines ■ Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>) Chesil Beach and The Fleet Ramsar site <ul style="list-style-type: none"> ■ Shingle 	Changes in the extent and distribution of shingle and saltmarsh vegetation along Chesil Beach and around the shore of The Fleet, where evidence shows that existing levels and patterns of access have had a cumulative effect through trampling.
Damage to coastal lagoons by recreational activities	Chesil and The Fleet SAC <ul style="list-style-type: none"> ■ Coastal lagoons Chesil Beach and The Fleet Ramsar site <ul style="list-style-type: none"> ■ Coastal lagoon 	Increased damage to components of the lagoon because of trampling, abrasion, smothering, siltation that occurs when people or dogs enter the water or nutrient enrichment from dog faeces.
Disturbance of non-breeding waterbirds by recreational activities	Chesil Beach and The Fleet SPA <ul style="list-style-type: none"> ■ Wigeon (non-breeding) Chesil Beach and The Fleet Ramsar site <ul style="list-style-type: none"> ■ Dark-bellied brent goose (non-breeding) 	Changes to the populations and distribution of wintering birds on The Fleet, its shoreline and adjoining fields, in respect of which evidence shows the presence of people or dogs can cause disturbance, resulting in reduced feeding/resting time and/or loss of suitable available habitat for these activities.
Disturbance of non-breeding waterbirds by construction works	Chesil Beach and The Fleet SPA <ul style="list-style-type: none"> ■ Wigeon (non-breeding) Chesil Beach and The Fleet Ramsar site <ul style="list-style-type: none"> ■ Dark-bellied brent goose (non-breeding) 	Undertaking works to install access management infrastructure disturbs qualifying features causing temporary or enduring effects on their population and/or distribution within the site.

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

Cliff sites

Sidmouth to West Bay SAC

96. Sidmouth to West Bay is an example of a highly unstable soft cliff coastline subject to mudslides and landslips. The principal rock types are soft mudstones, clays and silty limestones, with a small chalk outlier in the west. The cliffs in part of the site that is in the project area – between Lyme Regis and West Bay - are subject to frequent mudslides. Vegetated sea cliffs of the Atlantic and Baltic coasts is widely distributed within this part of the site. Its extent and distribution is overwhelmingly dictated by geomorphological processes acting upon the coast/cliffs. Maintaining the natural functioning of these

processes is the priority for conservation. The cliffs on which this feature occurs are largely inaccessible to people due to the topography and dense vegetation.

Isle of Portland to Studland Cliffs SAC

97. The western part of the site, comprising the hard limestone cliffs of the Isle of Portland, are within the project area. The following qualifying features occur in this part of the site:

- Vegetated sea cliffs of the Atlantic and Baltic coasts
- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*)
- Early gentian

98. Key aims for conservation are to maintain conditions for the natural coastal processes that support these habitats. At some locations, the level of recreational activities, and particularly climbing, have been identified as a threat to cliff vegetation and so the frequency of these activities need to be monitored and action taken to reduce pressure where it is having an adverse impact on a feature's constituent vegetation communities.

Chesil Beach and The Fleet

99. The following accounts relate to Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site.

Shingle and saltmarsh habitats

100. Chesil Beach is one of the largest shingle beaches in the UK and comprises a single linear feature of 30km length linking the Isle of Portland to the mainland. It is a unique physiographic feature comprising a ridge of shingle, with different characteristics on the landward and seaward sides.

101. The vegetation of Chesil Beach includes the following qualifying features:

- Perennial vegetation of stony banks - found on the lee slopes of the shingle bar and above the storm crest
- Mediterranean and thermo-Atlantic halophilous scrub - fringing the strandlines of the shingle bar on the margins of The Fleet
- Annual vegetation of drift lines - also fringing the strandlines of the shingle bar on the margins of The Fleet
- Atlantic salt meadows, found in sheltered areas on the Fleet shoreline, most notably at the Abbotsbury Swannery

102. There have been several surveys of the vegetation communities that occur on Chesil Beach, most recently in 2018, when NE commissioned ecological consultants to undertake a comprehensive survey using the National Vegetation Classification and make comparisons with previous surveys [13]. The overall conclusions of this study were that there has been some change in the extent of vegetation communities since previous surveys but overall, the shingle vegetation of Chesil Beach is in a stable condition, given the intrinsically dynamic nature of the habitat. Specific recorded changes in the extent of

shingle vegetation communities since a previous survey in 2005 were attributed to: losses following storm events; transitions between successional stages; and methodological differences between surveys.

103. During the survey, observations were also made of the amount and distribution of litter and intensity and distribution of trampling. Litter washed up from the sea was most common in the central section of the shingle barrier beach and mostly comprised flotsam including rope, plastic bottles, other plastic items, white goods, shoes and driftwood. Litter was also noted in close to the western car parks (discarded barbeques, packaging etc). Litter picking around the Chesil Beach Centre was noted to be effectively limiting litter except for in the shingle grassland adjacent to the Portland Beach Road where roadside litter is common.
104. The distribution of trampling over Chesil Beach and the shore of The Fleet was noted to be strongly related to ease of access. Few signs of trampling were noted in the central section of the barrier beach except around access points for boats. Intense trampling on the beach at either end of The Fleet is limiting pioneer vegetation in these areas. West of Abbotbury, there is intense trampling around access points, although vegetation in these areas is limited due to storm damage and wave action. On the landward shore of The Fleet, localised trampling at access points was observed to be impacting on vegetation communities.
105. The extent of perennial vegetation of stony banks and annual vegetation of drift lines has declined from baseline values for this site and the SACOs for Chesil and The Fleet SAC [5] include restore targets for these features. The equivalent target for Mediterranean and thermo-Atlantic halophilous scrub and Atlantic salt meadows is to maintain current distributions and extent.

Lagoon habitats

106. The Fleet is the largest lagoon in England and supports a great diversity of habitats and species. Condition assessment of The Fleet lagoon as a marine feature within a Marine Protected area was completed in 2018 and updated in 2019 [14]. The coastal lagoon feature is identified to be in unfavourable condition due to decline in the extent and distribution of the seagrass bed communities, a key supporting habitat and feature in this coastal lagoon. The most recent survey of the seagrass bed communities has shown some stunted recovery of the seagrass but no increase in extent. The cause of the seagrass loss has not yet been identified but is likely the result of a number of factors, including water quality and its knock-on effects. The secondary attribute, supporting processes: water quality - nutrients, has failed to meet the target as there are on-going water quality issues regarding nitrogen and phosphorus [15]. Some measures are in place to reduce the input of nitrogen and phosphorus from agriculture but there is a risk that the inputs from both agriculture and sewage treatment works may be permitted to increase.

Non-breeding waterbirds

107. The Fleet is the largest regularly tidal lagoon in Britain. The freshwater inputs give rise to a range of saline to brackish conditions. The open waters and shoreline of West Fleet are used by wintering waterbirds for feeding, resting, preening and roosting. The

presence of seagrass bed communities is of relevance for the bird populations as they provide an important food source for wigeon and dark-bellied brent goose.

Wigeon (non-breeding)

108. Wigeon are found throughout most of the site, from the Abbotsbury embayment to Lynch Cove. Wigeon feed on aquatic plants as well as grasses and rhizomes. They forage in shallow water at the margins of The Fleet and roost along the margins under Chesil Beach and the inland shore and occasionally in adjoining fields. They are generally absent east of the Narrows to Ferry Bridge and their distribution within the site has strong bias towards the eastern end of the west Fleet, between Seventeen Acre Point and Langton Hive Point and east to Butterstreet Cove.
109. The overwintering population of wigeon in The Fleet builds from September, reaching a peak in mid-winter and drops sharply in March. Table A4.4 in Annex 4 shows five-year average monthly counts for Fleet WeBS sectors from 2016/17 to 2020/21 [16]. A map of Fleet WeBS sectors is provided in Annex 5.
110. High and medium WeBS Alerts have been triggered for long term (up to 25 years) and change since baseline (the baseline winter is 93/94) respectively [17]. The long-term change is -54% and change since baseline -41%. However, these alerts are difficult to interpret due to ongoing fluctuations in numbers of Wigeon on the site and because the reference period for the long-term trend, which was also the first year of the baseline period, coincided with an unusually high count of Wigeon on this site. The medium-term change (10 years) is -7% and short-term (5 years) +16%.
111. In light of these long-term population trends, and owing to concerns about the water quality of The Fleet and extent of underwater seagrass beds (a key food source for wigeon), the relevant SACOs for Chesil Beach and The Fleet SPA include restore targets relating to supporting habitat and availability of food, and also to restrict aqueous contamination of The Fleet and restrict disturbance caused by human activity, including recreation [6].

Dark-bellied brent goose (non-breeding)

112. Dark-bellied brent goose feed in the intertidal area on the lagoon, drink at freshwater issues and also graze on agricultural fields along The Fleet hinterland. During the day they move about the site, foraging for sea grasses within The Fleet, mainly from Lynch Cove to Rodden Hive Point, and feeding on exposed green algae on the sandflats at Ferrybridge. They also graze arable crops and grassland on farmland in the area. Birds will often rest and roost in these areas too.
113. The Fleet's wintering population of dark-bellied brent goose arrives in October and have left the area by the beginning of March. Table A4.5 in Annex 4 shows five-year average monthly counts for Fleet WeBS sectors from 2016/17 to 2020/21 [16]. A map of Fleet WeBS sectors is provided in Annex 5.
114. Brent geese began overwintering on the site in increasing numbers from the late 1980s. Dark-bellied brent goose is not a qualifying feature of Chesil Beach and The Fleet SPA; however, BTO have evaluated the population trend using the same methodology

as for wigeon. No WeBS Alerts for dark-bellied brent goose have been triggered by this method. The long-term (up to 25 years) change is +25% and medium-term change (10 years) is +133% and short-term (5 years) +69% [17].

Managing recreational activities

115. The coast of west Dorset is a well-known and popular destination for tourists. Chesil Beach and The Fleet designations include attractions like beaches and facilities at West Bay and West Bexington, the Swannery at Abbotsbury and tourist accommodation and facilities in the Weymouth area. Several organisations, including National Trust, Crown Estates, Dorset Wildlife Trust, RSPB, DC and Ilchester Estates are involved in managing associated environmental pressures affecting the sites through provision of facilities, engagement, regulation, on-site measures and other means.

Site Improvement Plan

116. In 2015, a Site Improvement Plan (SIP) for Chesil Beach and The Fleet SPA [18] was written as part of the Improvement Programme for England's Natura 2000 Sites LIFE funded project (IPENS). This plan recognises the potential of The England Coast Path proposals to pose a threat to the bird populations, if access is not managed appropriately. The actions described in the SIP that will be required to manage that threat include the use of wardens and a partnership approach to disseminate information and best practice to the general public.

117. There are a number of partners working on such programmes with the general public. Site wardens (working with volunteers from the local community) focus effort on the area around the visitor centre and tern colony at the east end of the site.

Chesil Bank and Fleet Nature Reserve

118. The Chesil Bank and the Fleet Nature Reserve is an informal reserve managed by wardens appointed by the Ilchester Estates. The reserve covers land owned by Ilchester Estates: the whole of The Fleet lagoon and Chesil Beach from approximately 2km west of Abbotsbury Beach car park to the boundary stone (a carved stone on the top of the beach opposite Littlesea marking the boundary between Portland and Chickerell and also the boundary between Crown Estate land and Ilchester Estates land). The Fleet Warden produces an annual report [19] covering reserve management, study and research, biological recording, visitor management, resources, and other topics.

119. Part of the work of the wardens is to help visitors enjoy visiting the reserve whilst co-operate with conserving its flora and fauna. Impacts arising from recreational activities and how they are managed is discussed in the wardens annual reports [19] including on-going management to discourage people from walking along the crest of Chesil Beach and inner shore of The Fleet and new challenges such as a surge in visits following COVID 19 lockdowns and the growth in popularity of paddleboarding. New measures recently introduced include a permit system for access to the reserve and new notices to guide walkers away from more sensitive areas.

Baseline survey of recreational activity

120. In 2019, NE commissioned a study to investigate the type and distribution of recreational activity around The Fleet and how these activities are impacting on habitat and species features [20]. The findings of the study provide a baseline and method for future surveys to monitor and assess change.
121. The results of the baseline survey show how the distribution of activity is strongly related to known access points. East Fleet is more heavily used than elsewhere, being close to the main road, Visitor Centre, and the urban areas of Wyke Regis and Ferry Bridge. Activity is particularly intense at Pirates Cove and the area around the Visitor Centre. Other hotspots of activity are around Lynch Cove, Herbury, and Langton and Chickerell Hive Points. All of these localities are close to access points and/ or holiday parks. Relatively few activities were recorded on Chesil Beach itself (with those that were mainly concentrated around the south-eastern end of the East Fleet). The most frequent activities recorded in the survey were walking with and without a dog.
122. Trampling of shingle vegetation and bird disturbance comprised the most frequently recorded impact types, with dog walkers and walkers without a dog causing the largest number of observed impact events. 72% of observed events involving dog walkers caused some degree of disturbance to birds; whilst 75% of observed events involving walkers without a dog were trampling of the shingle vegetation. Footfall at locations where these activities are concentrated was noted to prevent or impede natural development and succession of shingle vegetation.

Interim strategy for mitigating the effects of new development

123. In 2020, NE advised DC that pressure arising from recreational activity at Chesil Beach and The Fleet is adversely affecting the internationally important habitats and species at the site and that a long-term strategy is needed to ensure development under the Local Plan will not add to these pressures by increasing demand for spaces for recreation over baseline levels. This has resulted in DC putting in place an Interim Strategy for mitigating the effects of pressures from recreational activities on Chesil Beach and The Fleet SAC, SPA and Ramsar site [21]. The Interim Strategy secures funding for some ongoing measures (such as protection of a little tern colony) and builds on existing access management, including implementation of a comprehensive monitoring strategy [22].

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

124. 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.
125. In reviewing the ability of any incorporated measures to avoid harmful effects, NE 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 Approach to assessment of risks

126. In assessing risks to the conservation objectives, we have considered the relevant environmental pressures, the nature of activities associated with the proposals and sensitivity of features to those activities. Direct risks from the access proposals are loss of habitat from installing new infrastructure and disturbance from construction works. Indirect risks of disturbance to birds or damage to habitats arises from the way the interventions delivered by the programme affect the distribution, intensity or type of recreational activities that take place in areas where sensitive features may be present. The risks to the site conservation objectives are summarised at the start of this Appropriate Assessment - in Table 10 on page 33. In this part of the assessment, we make some general points about assessment of each of the risks identified and our approach to predicting how the interventions will affect recreational activities. In D3.2 we consider the detailed design of the access proposals and possible impacts at specific locations and in D3.3 we summarise our conclusions.

Possible impacts of the access proposals

Loss of, or damage to, habitat due to path improvements

127. The SWCP is an important means for people to enjoy the natural environment along this length of coast; and is also a key tool for managing access to protected sites in a sustainable way. Working with DC, NE has undertaken a full survey of the route as part of developing the access proposals. The trail has been well-maintained over the years and is generally in good condition, however, there are a few places where path infrastructure or surfaces need improving or replacing to meet National Trail quality standards. Worn out infrastructure is regularly repaired or replaced as part of DCs maintenance of the SWCP. Replacement infrastructure will usually occupy the same or similar footprint as current structures meaning that there will be no new loss of habitat.

128. At a few locations within or close to protected sites, NE has identified a need to install new infrastructure or has proposed realigning the route of the trail. Detailed consideration of possible impacts of these proposed improvements on Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA, Chesil Beach and The Fleet Ramsar site and Isle of Portland to Studland Cliffs SAC is made in sections D3.2A, D3.2B, D3.2D and D3.2E of this assessment.

Abrasion of cliff vegetation from climbing

129. The hard limestone cliffs of the Isle of Portland are a well-known and popular location for climbing and other outdoor pursuits. NE has identified recreational activities using the cliffs as a possible threat to the site conservation objectives of Isle of Portland to Studland Cliffs SAC. In section D3.2E of this assessment we consider how provisions of the access proposals might affect where, when and how the cliffs of the peninsular are used for these activities.

Trampling of shingle and saltmarsh vegetation by recreational activities

130. Chesil Beach is a shingle structure stretching 28km between Bridport and the Isle of Portland and with extensive and varied vegetation communities. Parts of the beach are

popular destinations for recreation and trampling arising from activities exerts an environmental pressure that influences the extent and composition of shingle vegetation. The baseline intensity and distribution of footfall from recreation is largely determined by ease of access from car parks or residential and holiday homes. It is unlikely these patterns of access will be changed by provisions included within the access proposals and NE proposes to implement coastal access in a way that supports management of the site. In D3.2B, D3.2C and D3.2D we consider in more detail what difference the access proposals might make to the distribution and intensity of visitor footfall over Chesil Beach and where specific interventions (CROW restrictions and exclusions in particular) are required, for example to reinforce established restrictions on public access for conservation reasons.

Damage to coastal lagoons by recreational activities

131. The Fleet is the largest coastal lagoon in England and supports a great diversity of habitats and species. In places, the shore of the lagoon is used for recreation and where activities are concentrated this has an impact through pressures including direct physical damage of seagrass beds and shingle springline communities from trampling or indirectly, for example smothering where sediments are disturbed. It is unlikely established patterns of access will be changed by provisions included within the access proposals and NE proposes to implement coastal access in a way that supports management of Chesil and The Fleet SAC. In D3.2B, D3.2C and D3.2D we consider in more detail what difference the access proposals might make to the distribution and intensity of recreational activity around the shoreline of The Fleet and where specific interventions (CROW restrictions and exclusions in particular) are required, for example to reinforce established restrictions on public access for conservation reasons.

Disturbance of non-breeding waterbirds by recreational activities

132. The open waters and shoreline of The Fleet are used by wintering waterbirds for feeding, resting, preening and roosting. Wigeon are present between September and March and dark-bellied brent goose are present October to February.
133. Recreational activities, including walkers and their dogs, can cause interruptions to birds' behaviour by disturbance. Responses of birds to disturbance vary from occasional, short-term, 'low cost' events affecting a few birds (for example increased alertness and a small reduction in feeding rates lasting a few minutes) to major disruption on a regular basis (such as large flocks abandoning a key roost site or feeding area and flying several kilometres to the nearest alternative site). The degree to which birds' behaviour is interrupted is affected by factors such as the frequency, intensity, duration and location of disturbance events and variations have been observed between species or according to context. To ensure there is no adverse effect on site integrity, we have followed the principle that 'significant' disturbance - as defined by the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) and used in NE's supplementary advice on the conservation objectives for marine SPAs - must be avoided. The definition is: "Disturbance should be judged as significant if an action (alone or in combination with other effects) impacts on (water)birds in such a way as to be likely to cause impacts on populations of a species through either: (i) changed local distribution on a continuing

basis; and/or (ii) changed local abundance on a sustained basis; and/or (iii) the reduction of ability of any significant group of birds to survive, breed, or rear their young.”

134. We consider the risk that provisions included within the access proposals might lead to changes in the patterns or levels of access that increase the frequency, intensity or duration of disturbance in sensitive areas in sections D3.2B, D3.2C and D3.2D of this assessment. NE proposes to implement coastal access in a way that supports management of the site, and our assessment focuses on how the access proposals might affect established patterns of recreational activity and the effectiveness of mitigation measures built into the design of the proposals. A key location for the assessment is between Abbotsbury and Rodden Hive at the western end of The Fleet, where a new section of trail is proposed inland of the lagoon: these proposals are considered in detail in D3.2C. Possible impacts of the proposals on other parts of Chesil Beach and The Fleet SPA and Ramsar site are considered in D3.2B and D3.2D.

135. The detailed assessment that follows draws on several sources of environmental data. For this assessment we have used WeBS Core Count Data available up to the 2019/20 season [16]. A map of relevant WeBS sectors is in Annex 5. WeBS data were provided by BTO and summary tables are included in Annex 4. We have also used data from the website, including alerts and low tide counts [23]. In addition, when developing our proposals, NE commissioned several site-specific studies and reports from an ecological consultancy (Footprint Ecology), between June 2014 and May 2015. These included information about how birds use the site [24] and studies of bird responses in the presence of people and dogs [25]. Additional evidence in the form of a report focussing on birds was provided by the warden of the Chesil and The Fleet Nature Reserve [26] and is supplemented by further information about managing visitors contained in annual reports for the Reserve [19].

Disturbance of non-breeding waterbirds from path improvement works

136. The SWCP is an important means for people to enjoy the natural environment along this length of coast; and is also a key tool for managing access to protected sites in a sustainable way. Working with DC, NE has undertaken a full survey of the route as part of developing the access proposals. The trail has been well-maintained over the years and is generally in good condition, however, there are a few places where path improvement works are required to implement the proposed route for the ECP. The design, timing and method of carrying out any works that might affect a SSSI will be subject to obtaining the necessary assent at establishment stage - when any necessary limitations to reduce or avoid disturbance will be specified. An indicative list of stipulations that may be required to avoid or reduce disturbance is included in Annex 6 of this assessment.

137. The risk of works carried to implement the proposed route causing significant disturbance to non-breeding waterbird features of Chesil Beach and The Fleet SPA and Ramsar site is further considered in sections D3.2C and D3.2D of this assessment.

Predicting how the access proposals will affect recreational activity

138. The Coastal Access Programme delivers interventions to improve or secure public access to the coast (as outlined in A2). Detailed proposals are developed through an

iterative design process during which constraints and opportunities are considered, including any relating to nature conservation. In this assessment we consider possible direct impacts of the proposals on affected European sites and features from path improvement works and indirect impacts that might arise from changes to patterns and levels of recreational activity because of the interventions made.

139. Assessment of indirect impacts requires an understanding of the baseline access situation and how this will be affected by the access proposals. Detailed consideration of possible impacts is made in sections D3.2A to D3.2E of this assessment; in this section we describe the general approach we have used to predicting how the access proposals are likely to affect recreational activity, expanding on the method outlined in Chapter 6 of the Coastal Access Scheme [2].

Access baseline

140. For the purposes of this assessment, the baseline patterns and levels of recreational activity is inferred by combining evidence from several sources including:

- Data that provides an indication of how a site is used, for example user apps like Strava⁷ [27], automated pedestrian counters and car park provision
- Site-specific visitor surveys, including a study of recreational activity around The Fleet commissioned by NE [20]
- Information about recreation and access to sites in printed and on-line maps, guides, apps etc
- User generated information such as Open Street Map⁸ [28] and the British Mountaineering Councils Regional Access Database [29]
- Advice from local access professionals, conservation site managers, rangers and land managers
- Bespoke walk over surveys to look for signs of use, such as well beaten paths

141. By combining evidence from these and other sources a comprehensive picture of access at a given location can be established.

142. In addition, several sources of data provide background information about demand for access, including the Monitor of Engagement with the Natural Environment (MENE) survey [30] and its successor, the People and Nature Survey [31], that provide information about broader trends in how people use the natural environment at a national and local authority level.

143. Also relevant to this assessment is access in the sense of people having access for recreational purposes. Broadly speaking, public access may be 'given' or 'taken'. Access that is given includes all forms of statutory access (like CARs), access under local acts or

⁷ Strava is an app used by recreational users to record activities. Strava Metro provide aggregated data to active transport planners to help understand mobility patterns, identify opportunities for investment and evaluate the impact of infrastructure changes.

⁸ OpenStreetMap is a free, editable map of the world created and maintained by users. It was started in 2004 in the UK and includes data about roads, buildings, addresses, shops and businesses, points of interest, railways, trails, transit, land use and natural features, and much more.

where dedication of access has occurred or permission for access has been given. Some types of access rights are easily identified, for example from OS maps, others can be more difficult to establish. There are often clues on the ground, for example where a means of access has been provided or there are regulations concerning specific activities, but given access can be difficult to prove conclusively and may appear similar to access that is taken. Access that is taken is sometimes referred to as *de facto* access: meaning that it is true in fact but is not legally sanctioned. *De facto* access is access that is taken without force, without secrecy and without permission. In this assessment, where the legal status of current access is unclear, we refer to 'existing access'.

Predicting change

144. The types of access management interventions delivered through the programme are described in Part A of this HRA. Access management techniques like these are widely used by site managers, and this provides a basis for predicting what impact they are likely to have on recreational activity at a given location. The specific proposals we make are tailored to local circumstances and new interventions are often combined with existing access management and natural features of the site.

145. CARs are a new form of access rights and there are some minor differences in the limitations that apply, however, they are very similar to other statutory access rights from which reasonable assumptions can be made about how they are likely to affect recreational activities at a given location. Members of the public rarely, if ever, distinguish between the many forms public access can take beyond whether access is or isn't allowed at a particular location and any advertised limitations that apply. Monitoring open access confirmed the strong tendency of people in open spaces to follow defined paths and tracks and also that this tendency is not generally affected by the creation of open access rights [32]. More important for predicting how a site might be used for recreation are the types of factor listed in the method outlined in Chapter 6 of the Coastal Access Scheme [2]. Therefore the predictions we have made are assessments made at the local level considering factors such as existing use, terrain, physical barriers, access points, proximity to settlements, alternatives, legal limitations, and other factors, as well as the detailed design of specific interventions proposed, such as the position of the path, any improvements to the path and any other physical interventions.

D3.2 Assessment of the detailed access proposals

146. For this part of the assessment, we have sub-divided the project area into five areas:

- Cliffs from Lyme Regis to West Bay
- Chesil Beach, from Chiswell Cove to West Bay⁹
- The inland shore of the West Fleet from Abbotsbury to Rodden Hive

⁹ Note that it is proposed to follow the same route across the causeway to and from Portland and the mainland and this alignment was approved by the Secretary of State on 29th June 2012 as part of the stretch of the England Coast Path linking Lulworth Cove (northeast of Ferry Bridge) and Rufus Castle (on the east coast of Portland). The approved route would not be affected by our proposals for this stretch of coast, but the coastal margin would newly extend over the south-western side of the causeway.

- The inland shore of Mid and East Fleet, from Rodden Hive to Ferry Bridge
- Cliffs around the Isle of Portland

147. For each area we consider how establishing the ECP and associated CARs might impact on Qualifying Features of a European site and explain how the detailed design of our proposals takes account of possible risks.

148. Pressures relevant to each of these sections are shown in Table 11 below. For readers who wish to cross-refer between this assessment and corresponding chapters of the Coastal Access Report in which access proposals are described, the relationship between the areas in this assessment and way the stretch is sub-divided into chapters is also shown.

Table 11. Coastal site locations and impacts

Location	HRA Section	Report Chapter	Loss of, or damage to, habitat due to path improvements	Abrasion of cliff vegetation from climbing	Trampling of shingle and saltmarsh vegetation by recreational activities	Damage to coastal lagoons by recreational activities	Disturbance of nb waterbirds by recreational activities	Disturbance of nb waterbirds by path improvement works
Cliffs from Lyme Regis to West Bay	D3.2A	1-3	✓					
Chesil Beach, Chiswell Cove to West Bay	D3.2B	4-9	✓		✓	✓	✓	
West Fleet (inland) Abbotsbury to Rodden Hive	D3.2C	6			✓	✓	✓	✓
Mid & East Fleet (inland) Rodden Hive to Ferry Bridge	D3.2D	7-8	✓		✓	✓	✓	✓
Cliff around the Isle of Portland	D3.2E	10-12	✓	✓				

149. Maps of the access proposals from Abbotsbury to Ferry Bridge are included in Annex 7 of this assessment. A full set maps for the stretch, showing detailed route alignment and other aspects of the access proposals, can be found in relevant chapters of the Coastal Access Report. Where relevant, the reference number for report maps is included in the following accounts, for example 'report map 6b' (which refers to map 6b in Chapter 6 of the Coastal Access Report). A key to report maps for Chapters 6-8 is provided in Annex 8 of this assessment.

D3.2A Cliffs from Lyme Regis to West Bay

Access proposals

150. In this section of the HRA we consider possible impacts of the access proposals for the section of coast between Lyme Regis and West Bay on Sidmouth to West Bay SAC. The proposals comprise:

Route proposal

151. A long-distance walking route to form part of the England Coast Path as described in Chapters 1 to 3 of the coastal access proposals and shown on the map in Annex 7 and in more detail on Report Maps 1a-c, 2a-d and 3a-c. The proposed route follows the existing SWCP National Trail other than:

- Between Cobb Gate Jetty, Lyme Regis and Charmouth Road Car Park, Lyme Regis as indicated on the Report Map 1a. The proposed route brings the trail much closer to the sea by utilising the new promenade along the sea wall and a newly constructed path up the cliff.
- Between Fern Hill Coppice and Charmouth Beach Footbridge as indicated on the Report Map 1b. The trail follows an entirely new route, addressing the long inland road diversion of the SWCP here due to landslips. The proposed route between Lyme Regis Golf Club and Charmouth brings the trail nearer to the sea by utilising a new path around the boundary of the Golf Club and a combination of footpaths and residential streets through Charmouth.
- Between Charmouth and Cain's Folly as indicated on Report Map 2a. The proposed route avoids areas of active landslip and erosion but is much closer to the sea.

152. There would be some limited physical improvements to the existing SWCP to make it more convenient to walk on in particular places. Works required may be subject to any necessary consents being obtained. There may also be limited improvements to directional signs in places where the project team judges this would be beneficial to clarify the route.

Coastal margin

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

- Land within 2 metres of the route to either side
- All other land seaward of the route as far as the furthest extremity of the foreshore.

154. The coastal margin described above would be subject to public rights of access on foot, except any parts of it that fall into categories of excepted land defined by the legislation. This would include:

- Any land covered by buildings or the curtilage of buildings;
- Any land used as a park or garden;

- Arable land so long as it is cultivated or otherwise disturbed at least every 12 months; and,
- The Lyme Regis Golf course (other than in places where the proposed route crosses it).

Current situation

Access baseline

155. The SWCP National Trail runs the entire length of the SAC, allowing public access along the coast, although much of the SAC and cliffs are largely inaccessible due to topography and dense unmanaged cliff scrub and woodland. Public access to the coast and beaches is high in some locations (principally Sidmouth, Branscombe, Lyme Regis and Charmouth), the attractions being fossil collecting, open air recreation, walking etc. There are a number of locations where development, including car parks and beach huts, are close to the beach such as at Branscombe and Monmouth Beach in Lyme Regis.

Environmental baseline

156. This part of the assessment considers possible impacts of the access proposals between Lyme Regis and West Bay on Sidmouth to West Bay SAC. The qualifying feature possibly affected is vegetated sea cliffs of the Atlantic and Baltic coasts, which is widely distributed on cliff slopes within this part of the site.

Assessment of possible risks

157. A possible risk from the access proposals considered for the section of coast between Lyme Regis and West Bay is loss of, or damage to, habitat due to path improvements.

Loss of, or damage to, habitat due to path improvements

158. The proposed route between Lyme Regis and West Bay largely follows that of the SWCP along the cliff tops of this part of the coast. Much of the route is at or near to the landward boundary of the SAC, which covers the extensive cliff slopes. Maintaining the SWCP to a high standard, so that it is easy to follow and use, is a key part of managing footfall through the site. A detailed survey of the route has been carried out by NE with the local authority and this has identified some improvements it is proposed to make to the route as part of implementing the access proposals. Other than where a new route for the path is proposed, the improvements to the path surface and signage are all within the confines of the established path and will be carried out by DC taking care to minimise impacts on surrounding vegetation whilst the works are carried out. Assent for undertaking the work within the SSSI will be obtained by DC at the time the works are carried out.

159. As highlighted above, a few changes to the route of the SWCP are proposed between Lyme Regis and West Bay:

- Those between Lyme Regis and Charmouth are outside of Sidmouth to West Bay SAC.
- Between Charmouth Footbridge and Cain's Folly (Report Map 2a, trail sections LRR-2-S001 to LRR-2-S008) the current route of the SWCP is subject to active landslip and erosion and therefore it is proposed to realign this section of the trail inland of the SAC.

160. At Golden Cap (LRR-2-S030), a waymarker post will be repositioned and new step installed within the SAC to divert the flow of footfall and help protect a scheduled monument. Installing the step will lead to a very small (less than 1m²) loss of habitat to the side of the current route where the new infrastructure is installed but will be beneficial in helping to manage trampling and reduce the risk of erosion at this location. No other new infrastructure is proposed to be installed within the SAC that would be outside the confines of the existing SWCP.
161. For these reasons, NE concludes the proposed improvements to the SWCP to be delivered as part of the coastal access programme between Lyme Regis and West Bay will not have an adverse effect on Sidmouth to West Bay SAC.

D3.2B Chesil Beach, Chiswell Cove to West Bay

Access proposals

162. In this section of the HRA we consider possible impacts of the access proposals for Chesil Beach, between Chiswell Cove and West Bay – which is part of Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site. (Note that possible impacts of the access proposals landwards of The Fleet, between Abbotsbury and Ferry Bridge, are considered in sections D3.2C and D3.2D of this assessment.) The proposals for Chesil Beach comprise:

Route proposal

163. A long-distance walking route to form part of the England Coast Path as shown on the maps in Annex 7 and in more detail on report maps 4a-b, 5a-e, 9a-b. (Note that possible impacts of the proposed route landwards of The Fleet between Abbotsbury and Ferry Bridge are considered in sections D3.2C and D3.2D of this assessment.)
164. In places the proposed route would in the future be able to roll back to a new alignment in response to coastal erosion and other geomorphological processes. If this is necessary, a new route would be chosen by a NE access officer after detailed discussions with the relevant experts and with any potentially affected owners or occupiers. This appraisal does not assess the potential impacts on the designated site of such future route options; where there is a risk of impacts on the site, NE would assess them according to the circumstances at the time and subject them to the same tests under the Habitats Regulations etc as the initial proposals. However, Secretary of State approval is not required for changes made using rollback. The places where use of the roll back provision is proposed are:

- West Bay (report map 4a) to Abbotsbury beach car park (report map 5e)

165. Any other changes to the route for other reasons in these places, and changes in places where rollback is not proposed, will usually require approval from the Secretary of State (see part 8 of the Overview to NE's report to the Secretary of State).

166. This proposed route is the same route as that currently managed as the SWCP with the following exceptions (west to east):

- Cogden Beach (see report map 5b) - Here the proposed route follows a well-worn path across the shingle beach that the majority of walkers are using in preference to the route currently managed as the SWCP. The existing SWCP is landward of Burton Mere. Both would be available for public use but only the proposed route would be promoted as a long-distance walking route.
- West Bexington (see report map 5c) - Here a branch of the SWCP called the South Dorset Ridgeway leaves the coast and provides an inland route to Osmington Mills on Weymouth Bay. This inland route would not be affected by our proposals.

167. In all the above cases there would be new access infrastructure to facilitate public access along parts of the route that do not form part of the route currently managed as the SWCP, as indicated on the relevant maps. There would also be some limited physical improvements to the existing coast path:

- to make it more convenient to walk on in particular places; and
- to direct people along it in places where NE judges this would be beneficial to clarify the existing route.

168. The initial purchase and installation costs for signs and infrastructure that would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Landward boundary of the coastal margin

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

- land within 2 metres of the route to either side
- all other land seaward of the route as far as the furthest extremity of the foreshore (mean low water on the seaward side of Chesil Beach)

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

171. Landward boundary proposals would not, on the length of coast here under consideration, extend the coastal margin any significant distance landward of the route. Such effects are not visible on any of the available maps but are detailed in the chapters

that explain the access proposals for the whole coast between Lyme Regis and Rufus Castle, Portland.

172. Unless NE proposes access restrictions or exclusions (a direction is proposed in the following paragraphs), the coastal margin described above would be subject to CARs, except any parts of it that fall into categories of excepted land defined by the legislation.

Directions to restrict or exclude access

173. The coastal margin includes parts of Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site, which are protected areas for natural features of international importance, some of which are known to be sensitive to public access. NE proposes that CARs are restricted or excluded by direction, as listed in Annex 2 and shown on the maps in Annex 7 (and in more detail on the maps which accompany chapters 6 to 9 of the coastal access report).

174. Under the terms of these directions there would be no new access rights to Chesil Beach or The Fleet between Abbotsbury and Ferry Bridge except as follows:

- access rights to the outer side of Chesil Beach (facing the sea) between Abbotsbury and the Chickerell firing range would be limited to the period from September 1st to March 31st each year, as indicated by the relevant zone shown on the maps in Annex 7 (and maps which accompany chapters 6 to 8 of the report). However, people would not have rights to walk along the crest of the bank during this period, in order to reduce the risk of increased disturbance to birds on the inner beach and The Fleet itself.
- the direction to exclude CARs over The Fleet would not affect arrangements for people to access boats moored on The Fleet land shore or to use those boats to access parts of The Fleet or Chesil Beach that would be otherwise excluded by direction.
- access to the part of the beach falling within the Chickerell Range (report map 8a) would continue to be subject to military byelaws and controlled by the armed forces when firing is taking place.
- existing access rights to the Chesil Beach between Ferry Bridge and Littlesea (report maps 8b-c and 9a) are not subject to NE's direction-making powers and would remain in force.

Public information

175. People are more likely to support and observe the new access arrangements if they are clearly explained and justified. To this end NE proposes that there should be information boards in places along the route where people join the trail and/or arrive at The Fleet, to make them aware of the extent of their rights, the nature conservation interests and how to further the conservation effort. NE will discuss the need for new or replacement notices with the reserve warden and other local interests at the time establishment works are carried out for the Coast Path. Where existing information boards are satisfactory, they will be retained and where not, new ones will be provided for as part of the England Coast Path establishment works.

176. Some information at other key points in the wider coastal margin may also be beneficial for the same reason – for example to explain access arrangements at the Boundary Stone on Chesil Beach, where the warden reports that the existing information is inadequate. NE would discuss this with the warden and other interests in due course. The exact location of the boards and notices would be determined in consultation with DC, land managers and other local interests.
177. NE further proposes to provide information about the local access arrangements to local accommodation providers and other people and organisations that promote the reserve as a destination to the general public, so that they and their customers are aware of the new access arrangements and limitations. NE would discuss with local information providers how best to provide this information.
178. The initial purchase and installation costs for signs and notices would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Current situation

Access baseline

179. Chesil Beach and The Fleet are iconic features of the internationally famous Jurassic Coast World Heritage Site, are partly situated within the West Dorset Area of Outstanding Natural Beauty and lie close to the resort town of Weymouth and its suburbs. The area is already promoted by a number of voluntary bodies and businesses on the web. Whilst the west end of Chesil Beach between West Bay and Abbotsbury is marketed as a traditional tourist destination, local tourist providers trade on the image of The Fleet as a tranquil and sensitive natural environment. Part is managed as a nature reserve with restricted access arrangements in places.
180. The south-eastern end of Chesil Beach from Chiswell Cove on Portland to the Boundary Stone (a carved stone on the top of the beach opposite Littlesea marking the boundary between Portland and Chickerell and also the boundary between Crown Estate land and Ilchester Estates land) is a registered common which is accessible by right on foot (see report maps 8b-c and 9a-b). During the bird breeding season visitors are asked to avoid areas of the inner (Fleet) face of the bank where birds are nesting. This part of Chesil Beach is readily accessible from the Visitor Centre carpark at Ferry Bridge and is more visited, in particular by bird watchers and anglers. However, the physical challenges of walking along the shingle beach act as a natural deterrent to public use which increases with distance from the access points at either end.
181. From the Boundary Stone westwards to Abbotsbury (see report maps 6a-e, 7a-d and 8a) there is no access to the inner part of Chesil Beach at any time, other than for personal safety, or by people crossing The Fleet by boat to fish on the outer beach). Those interested in visiting this part of the Beach are invited to apply to the warden's office on the nature reserve website. Access along the outer (seaward) face of the beach is permitted between September 1st and 30th April. These arrangements are advertised at the Boundary Stone. There are fencing and signs at the west (Abbotsbury) end of Chesil Beach discouraging trespass and the reserve and swannery staff actively enforce these arrangements.

182. The reserve manager [33] reports that:
- people making authorised use of the outer beach are generally fishing or walking the whole beach from Portland to Abbotsbury;
 - between 20 and 50 unauthorised visits to Chesil Beach occur each year, typically people seeking shelter or easier walking from the outer beach;
 - organised and commercial activities occur, generally by prior arrangement with the reserve management.
183. Managing visitors to Chesil Bank and Fleet Nature Reserve is an ongoing activity for the reserve warden [19]. There are regular reports of visitors straying into restricted parts of Chesil Beach or undertaking prohibited activities, for example camping on the beach at Abbotsbury. In the latter case, a Public Space Protection Order is being consulted on to support management of this issue, including possible police intervention.
184. Inspection of Strava Metro data confirm this pattern of access, showing few Strava users make trips along Chesil Beach between Ferry Bridge and Abbotsbury beyond the access points at either end of this section.
185. From Abbotsbury westwards to West Bay, which is the western end of the Chesil and The Fleet SAC, the SWCP runs along the shingle beach or on low cliffs just above it (see report maps 4a-b and 5a-e), providing ready access to the beach and foreshore for locals and holiday makers. There are car parks at Abbotsbury (see report map 5e), West Bexington (report map 5c) Hive Beach and Cogden Beach (report map 5a), and West Bay (report map 4a) and holiday accommodation within walking distance of the beach in these and other places, including Freshwater Beach Holiday Park (see report maps 4a-b).
186. No recent counts are available for this section of the Coast Path, however SWCP Association and NE have active counters at nearby West Bay and Undercliffs (10 and 23 miles west of Rodden Hive respectively). Recent data from these counter locations are shown in Annex 10.
187. Usage levels of the SWCP vary considerably according to ease of access and other factors. The SWCP Association have recently installed an automated people counter along a popular section of the Path at West Bay. The average annual total at this location is 230,162¹⁰.

Environmental baseline

188. This part of the assessment considers possible impacts on European sites within the project area between Ferry Bridge and Rodden Hive on:
- Chesil and The Fleet SAC
 - Chesil Beach and The Fleet SPA
 - Chesil Beach and The Fleet Ramsar site

¹⁰ Data courtesy of the SWCP Association

189. The following habitats and species relevant to this assessment occur within the project area at this location:

Shingle and saltmarsh habitats

190. Extensive shingle vegetation is present on Chesil Beach, including the following SAC qualifying habitats:

- Perennial vegetation of stony banks
- Mediterranean and thermo-Atlantic halophilous scrub
- Annual vegetation of drift lines
- Atlantic salt meadows

191. Concerns over the effect of trampling on the extent and distribution of SAC vegetation communities (and also disturbance of ground nesting birds on the shingle and wintering birds using The Fleet) led the owners to the exclusion of access on the inner slope of the Chesil Beach from the Boundary Stone to Abbotsbury. The Chesil and The Fleet Nature Reserve maintains a wardening presence and monitors and deters unauthorised access to areas of foreshore along The Fleet where there are concerns over trampling of sensitive vegetation (and also disturbance to roosting/feeding birds). Temporary fencing, wardening and education are deployed to manage disturbance at the nesting colony site of the Little Terns at the east end of Chesil Beach. This is undertaken by a partnership project managed by RSPB with a full-time member of staff and volunteer help.

192. The distribution and extent of shingle vegetation communities was surveyed in 2018 [13]. As part of this survey, field observations were made of the impact of trampling, including from recreational activities. These observations provide a baseline assessment of trampling pressure and context for considering possible impacts of the access proposals. A summary by SSSI units is reproduced in Annex 9.

193. The dynamic impact of recent (in the last 10 years) storms and natural renewal of shingle vegetation at West Bexington is discussed in the report of a recent survey by Dorset Wildlife Trust [34]. The SWCP runs along the back of the beach here, on the leeward side of a shingle bank. The route remains viable after recent storms, but it is recommended in the report that this is monitored.

Coastal lagoons

194. On the inner side of Chesil Beach, between Abbotsbury and Ferry Bridge, is The Fleet lagoon. The following SAC qualifying habitats are present in the lagoon:

- Coastal lagoons

195. Environmental pressures affecting the lagoon are discussed earlier in the assessment (see paragraph 106). The lagoon is inherently unsuitable for access on foot and impacts from walking and associated recreational activities are limited to the margins of the lagoon at key access points.

Non-breeding waterbirds

196. Over-wintering populations of wigeon and dark-bellied brent goose use The Fleet lagoon – for an overview see paragraph 107 onwards in section D2 of this HRA.
197. As noted above in connection with shingle habitats, there is no public access to the inner slope of the Chesil Beach from the Boundary Stone to Abbotsbury. Part of the reason for this is to reduce the risk of disturbance to wintering birds using the lagoon from people on Chesil Beach. The Chesil and The Fleet Nature Reserve team maintain some on-site presence help deter and monitor unauthorised access to this area.

Assessment of possible risks

198. Possible risks from the access proposals considered for Chesil Beach are:

- Loss of, or damage to, habitat due to path improvements
- Trampling of shingle and saltmarsh vegetation by recreational activities
- Damage to coastal lagoons by recreational activities
- Disturbance of non-breeding waterbirds by recreational activities

Considering these in turn:

Loss of, or damage to, habitat due to path improvements

199. The proposed route for the trail follows the SWCP. Between West Bay and Abbotsbury, the SWCP runs along the shingle beach or on low cliffs just above it and much of the route is at or near to the landward boundary of the SAC. Maintaining the SWCP to a high standard, so that it is easy to follow and use, is a key part of managing footfall through the site. A detailed survey of the route has been carried out by NE with the local authority and this has identified some improvements it is proposed to make to the route as part of implementing the access proposals. No new access management infrastructure will be installed within the boundaries of European sites along this section. Where replacement or repairs to the existing path surface and signage are proposed, these are all within the confines of the established path and will be carried out by DC taking care to minimise impacts on surrounding vegetation whilst the works are carried out. Assent for undertaking the work within the SSSI will be obtained by DC at the time the works are carried out.
200. For these reasons, NE concludes the proposed improvements to the SWCP between West Bay and Abbotsbury will not have an adverse effect on Chesil and The Fleet European sites.

Trampling of shingle and saltmarsh vegetation by recreational activities

201. An assessment of trampling pressure on the shingle and saltmarsh vegetation of Chesil Beach and the Fleet shore was made for NE as part of a vegetation survey carried out in 2018 [13]. The survey provides a baseline for considering possible impacts of the access proposals on trampling pressure. The findings of this study are summarised in D2 (paragraph 100 onwards) and details reproduced in Annex 9 of this

HRA. The distribution of trampling over Chesil Beach was noted to be strongly related to ease of access.

202. Physical access to the beach would not be improved by provisions of the access proposals. As described above (in the access baseline - from paragraph 179), the beach is already readily accessible from several places between West Bay and Abbotsbury car park, challenging between Abbotsbury car park and Ferry Bridge and easily accessible between Ferry Bridge and Chiswell Cove on Portland.

203. In developing detailed access proposals, NE has considered how coastal access would apply to Chesil Beach and where necessary modified the proposals to reinforce existing access arrangements, including by restricting or excluding CARs and improving on-site signage. From Ferry Bridge at the east end of Chesil Beach, to West Bay at the west end:

- Existing access rights to the urban common at the east end of Chesil Beach, that extends from Ferry Bridge to Boundary Stone, would be unaffected by the access proposals.
- Neither the proposed route nor the alternative route would have the effect of creating CARs over the land subject to military byelaws. People would be able to walk along the seaward-facing side of Chesil Beach between 1st September and 31st March but, as currently, would sometimes be required to wait until it is safe to cross the range.
- NE proposes directions to exclude and restrict CARs over Chesil Beach between Abbotsbury and the western side of Chickerell MOD range. CARs would be excluded on the crest of Chesil Beach and on the landward side of the beach, year round and would be restricted along the seaward side of Chesil Beach between 1st April and 31st August.
- The Dorset beaches Anti-social Behaviour Related Public Spaces Protection Order¹¹ that came into effect on 1st July 2022 is unaffected by the access proposals.
- There is established public access over Chesil Beach from Abbotsbury to West Bay, including to the beaches at West Bexington, Hive Beach and Cogden Beach and CARs would be created by default seawards of the SWCP.

204. In practice, and as far as the nature conservation features are concerned, this mirrors current access arrangements, including the limitations on permissive access to Chesil and The Fleet Nature Reserve. Ongoing resources are needed to for management of visitors to Chesil Beach and The Fleet and these have been further secured by DC through the planning process [21].

205. There may be, as a result of improvements to public information about the access arrangements that apply (see paragraph 175 onwards), a slight decrease in unauthorised activity on the most sensitive part of the beach between Abbotsbury Beach car park and the Boundary Stone.

¹¹ [b7147a2f-c23a-e35c-2cd0-c4da00dd7d3c \(dorsetcouncil.gov.uk\)](https://b7147a2f-c23a-e35c-2cd0-c4da00dd7d3c.dorsetcouncil.gov.uk)

206. There is likely to be a modest increase in the number of visitors walking along Cogden Beach as a result of the proposed modification to the SWCP there. However, the modification is designed to reflect and consolidate existing patterns of use.

207. For the reasons explained above, and because the physical limitations around suitable access points to the beach and difficult terrain underfoot will be unchanged, NE confidently expects no significant change in the levels or patterns of public access on Chesil Beach as a result of its proposals. We therefore conclude that the access proposals will not add to the trampling pressure affecting the shingle vegetation of Chesil Beach (note that possible impacts of trampling on the inland shore of The Fleet are considered in sections D3.2C and D3.2D of this assessment).

Damage to coastal lagoons by recreational activities

208. In this part of the assessment, we consider possible impacts of the access proposals for the Chesil Beach (seawards) side of The Fleet on the lagoon – see sections D3.2C and D3.2D for consideration of the access proposals on the landwards side of the lagoon. For the reasons explained in connection with trampling of shingle and saltmarsh vegetation, NE concludes the access proposals will not lead to a significant change in the levels or patterns of public access over Chesil Beach. The direction proposed to exclude CARs over the inner bank of Chesil Beach extends over The Fleet itself as described in paragraph 174 and shown on the maps in Annex 7 (and in more detail on the maps which accompany chapters 6 to 9 of the coastal access report). For these reasons, and because the lagoon is physically unsuitable for access on foot, NE concludes that the access proposals for the Chesil Beach side of The Fleet will not lead to any significant increase in damage to the lagoon's flora and fauna.

Disturbance of non-breeding waterbirds from recreational activities

209. In this part of the assessment, we consider possible impacts of the access proposals for the Chesil Beach (seawards) side of The Fleet on use of the lagoon by non-breeding wigeon and dark-bellied brent goose – see sections D3.2C and D3.2D for consideration of the access proposals on the landwards side of the lagoon. For the reasons explained in connection with trampling of shingle vegetation, NE concludes the access proposals will not lead to a significant change in the levels or patterns of public access over Chesil Beach. The direction proposed to exclude CARs over The Fleet includes the crest and inner bank of Chesil Beach and extends over The Fleet itself, as described in paragraph 174 and shown on the maps in Annex 7 (and in more detail on the maps which accompany chapters 6 to 9 of the coastal access report). As at present, people would have access to the outer (seaward) side of the bank from 1st September to 31st March; however, this part of the beach is screened from the lagoon. Unauthorised events are currently infrequent [33] and are effectively managed by wardening and the intrinsic nature of the shingle, which is hard to walk on. This keeps the unauthorised intrusions at a level that does not adversely affect the bird populations. Ongoing resources for management of visitors to Chesil Beach and The Fleet have recently been further secured by DC through the planning process [21]. For these reasons, NE concludes that the access proposals for the Chesil Beach side of The Fleet will not lead to any significant increase in disturbance to non-breeding wigeon and dark-bellied brent goose.

D3.2C West Fleet (inland) - Abbotsbury to Rodden Hive

Access proposals

210. In this section of the HRA we consider possible impacts of the access proposals on Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site for the western end of The Fleet between Abbotsbury and Rodden Hive. (Note that possible impacts of the access proposals on Chesil Beach, between Chiswell Cove and West Bay are considered in section D3.2B of this assessment, and on Mid & East Fleet in section D3.2D.) The proposals for the western end of The Fleet comprise:

Route proposal

211. A long-distance walking route to form part of the England Coast Path as shown on Map 1 in Annex 7 (and in more detail on report maps 6a-g). This proposal includes:

- an alternative route at the western end of The Fleet which would operate during the winter to prevent increased disturbance to wintering birds (see paragraph 224 below).

212. In places the proposed route would in the future be able to roll back to a new alignment in response to coastal erosion and other geomorphological processes. Use of the roll back provision is not proposed along this section of the route.

213. Future changes to the route of the England Coast Path along this section will usually require approval from the Secretary of State (see part 8 of the Overview to NE's report to the Secretary of State).

214. This proposed route is the same route as that currently managed as the SWCP with the following exceptions (west to east):

- Abbotsbury Swannery (see report map 6a) - here the proposed route provides a more direct route to the Swannery entrance from the west. The route currently managed as the SWCP would be available for public use but only the proposed route would be promoted as a National Trail.
- Horsepool Farm to Rodden Hive (see report maps 6b-e) - here the proposed route would pass significantly closer to Chesil and The Fleet SAC and Chesil Beach and The Fleet SPA & Ramsar site than the route currently managed as the SWCP. Access to this part of the proposed route would be excluded during the winter for nature conservation reasons, at which time the existing SWCP route would operate as an official alternative route - see paragraphs 224 below.

215. In both the above cases there would be new access infrastructure to facilitate public access along parts of the route that do not form part of the route currently managed as the SWCP, as indicated on the relevant maps. There would also be some limited physical improvements to the existing coast path:

- to make it more convenient to walk on in particular places; and

- to direct people along it in places where NE judges this would be beneficial to clarify the existing route.

216. The initial purchase and installation costs for signs and infrastructure that would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Landward boundary of the coastal margin

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

- land within 2 metres of the route to either side
- all other land seaward of the route as far as the furthest extremity of the foreshore (mean low water on the seaward side of Chesil Beach)

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

219. Landward boundary proposals would not, on the length of coast here under consideration, extend the coastal margin any significant distance landward of the route. Such effects are not visible on any of the available maps but are detailed in the chapters that explain the access proposals for the whole coast between Lyme Regis and Rufus Castle, Portland.

220. Unless NE proposes access restrictions or exclusions, the coastal margin described above would be subject to public rights of access on foot, except any parts of it that fall into categories of excepted land defined by the legislation.

Directions to restrict or exclude access

221. The coastal margin includes parts of Chesil and The Fleet SAC and Chesil Beach and The Fleet SPA & Ramsar site, which are protected areas for natural features of international importance, some of which are known to be sensitive to public access.

222. NE proposes that public access rights to parts of the coastal margin where these features occur is excluded by direction, as indicated by the relevant exclusion zone shown on Map 1 in Annex 7 and those which accompany chapters 6 to 9 of the report. At the western end of The Fleet, this zone would include agricultural land between The Fleet and the proposed route of the trail, as indicated on Map 1 in Annex 7 and in more detail on report maps 6a-e, in order to provide a buffer zone between the trail where people would be walking and the boundary of the protected site.

223. Under the terms of this direction there would be no new access rights to any part of Chesil and The Fleet SAC and Chesil Beach and The Fleet SPA & Ramsar site (including the inner side of Chesil Beach facing The Fleet, the crest of Chesil Beach, and The Fleet itself) except as follows:

- the direction would not affect arrangements for people to access boats moored on The Fleet land shore or to use those boats to access parts of The Fleet or Chesil Beach that would be otherwise excluded by direction.

A winter diversion along part of the West Fleet

224. At the western end of The Fleet, NE proposes to exclude access to part of the ordinary route during the winter to reduce the risk of disturbance to birds, in particular dark-bellied brent goose, wintering on The Fleet and fields adjoining The Fleet. This exclusion would operate between 1st October and 28th February each year (the months when records show that this species is present in significant numbers).
225. The exclusion would affect the route between the new gate by Tiny Coppice (at the junction with New Barn Road) and the gate at the junction with the existing SWCP at Rodden Hive (route sections LRR-6-S011 to LRR-6-S026 as shown on report maps 6b-e). In the interests of clarity and cohesion NE further proposes that access to the land between this part of the route and the buffer zone described in paragraph 222 should be excluded during the same period, as indicated by the relevant exclusion zone shown on Map 1 in Annex 7 and report maps 6b and 6c.
226. An alternative route, following the existing SWCP, would operate when this exclusion is in operation between Horsepool Farm (report map 6b) and Rodden Hive (report map 6e) as indicated by the orange line shown on Map 1 in Annex 7 and on report maps 6f and 6g. Fingerposts at Horsepool Farm and Rodden Hive would be changed at the beginning and end of the exclusion period to direct people along the route in operation at the time. Pedestrian gates at Tiny Coppice and Rodden Hive would be padlocked to prevent unauthorised access along excluded sections of the route when the winter route diversion is in operation. The initial purchase and installation costs for these measures would be met by NE as part of the establishment works to prepare the route for use. DC would maintain them in line with national standards that apply to all National Trails.
227. The winter diversion arrangement described above is a precautionary approach which would be subject to review if new evidence should emerge concerning the distribution of dark-bellied brent goose on the site and/or their sensitivity to public access on foot. Review is a statutory requirement for all directions that would exclude access annually for any period of more than five years and in this case, any changes to the proposed arrangements would probably entail further assessment under the Habitat Regulations.

Physical barriers

228. The route between Abbotsbury and Rodden Hive is wherever practicable landward of an existing field boundary such as a fence or hedge, which would discourage people from approaching the areas of sensitivity more closely and would prevent their dogs from doing so.
229. Some sections of the proposed route are not separated from the excluded areas by field boundaries. In these places NE proposes to erect new post and wire fences designed to achieve the same purpose. These are shown on Map A7.1 in Annex 7 and

report maps 6c and d. These fences would be fitted with sheep netting and a single (top) strand of barbed wire to prevent dogs from crossing them.

230. Existing boundaries would be strengthened in specific places, in order to further discourage people leaving the proposed route at these points:

- new fence and vehicle gate at the junction of route sections LRR-6-S020 and LRR-6-S021 across the track leading past South Sleight Coppice to the landing stage on West Fleet below it (see report map 6d). The gate across the track would be lockable and of a design to deter people climbing over it;
- repairs to existing wall and hedgerow to strengthen those boundaries at the junction of route sections LRR-6-S017 and LRR-6-S018 where the proposed route would enter Berry Coppice from the south.

231. The initial purchase and installation costs for these measures that would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Public information

232. People are more likely to support and observe the new access arrangements if they are clearly explained and justified. To this end NE proposes that there should be information boards in places along the route where people join the trail and/or arrive at The Fleet, to make them aware of the extent of their rights, the nature conservation interests and how to further the conservation effort. NE will discuss the need for new or replacement notices with the reserve warden and other local interests at the time establishment works are carried out for the Coast Path. Where existing information boards are satisfactory, they will be retained and where not, new ones will be provided for as part of the England Coast Path establishment works.

233. NE also proposes to post shorter, smaller notices in places along the route between Horsepool Farm and Rodden Hive where there are private access routes into areas that under the direction proposed above (paragraph 222) would be excluded to the public such as field gates, horse jumps and the track to the landing stage at Morkham Lake. These notices would remind the public of the extent of their rights and, in particular, when the winter diversion described in paragraph 224 is in operation.

234. The exact location of the boards and notices would be determined in consultation with DC, land managers and other local interests.

235. NE further proposes to provide information about the local access arrangements to local accommodation providers and other people and organisations that promote the reserve as a destination to the general public, so that they and their customers are aware of the new access arrangements and limitations. NE would discuss with local information providers how best to provide this information.

236. The initial purchase and installation costs for signs and notices would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

237. In the West Fleet area, NE proposes to arrange guided walks to coincide with when the new section of trail is opened and aimed at local people that are likely to become regular users of the route. Ways in which members of the public can support conservation of The Fleet would be explained and discussed at these events.

Monitoring

238. NE proposes that monitoring should be carried out in the West Fleet area in connection with the new section of trail between Horsepool Road and Rodden Hive.

239. The purpose of the monitoring would be to:

- make a baseline assessment of access to the land adjoining the route to seaward before access rights are introduced;
- measure change following the introduction of rights; and,
- check the measures included in the proposals to protect wintering birds and other qualifying features are working as expected.

240. Doing so would help assess the public benefit from the introduction of new access arrangements and inform future statutory review of the access exclusions described above.

241. Details of the monitoring plan will be finalised during establishment stages. The places where monitoring is conducted would be decided in discussion with NE's protected site lead and representatives of the landowner. Our working assumption is to install beam counters in places along both the proposed route and the proposed alternative route (winter diversion). Spot surveys of wintering birds in the buffer zone will also be carried out.

242. We would expect this monitoring to continue for an initial period of 2 years, with the option to extend subject to the views of interested parties. Costs would be met by NE.

Current situation

Access baseline

243. There is no public means of access to The Fleet shoreline between Abbotsbury and Rodden Hive. Those interested in carrying out research in this part of The Fleet are invited to apply to the warden's office on the nature reserve website.

244. From the east, at Rodden Hive the Coast Path cuts inland over a kilometre from the shoreline before returning to the open coast at the western end of The Fleet near Abbotsbury and continuing westwards in the direction of West Bay.

245. DC have previously measured use of the SWCP in The Fleet area using an automated people counter. The counter was installed at Langton Hive for 3 years (2006-8) and Rodden Hive for 4 years (2009-12). Data from this counter are shown in Annex 10. The level of use of the Coast Path at Rodden Hive (average total 12,999 per year) is less than at Langton Hive (average total 18,958 per year). The monthly daily average count at Rodden Hive is lower over the winter months. From October to March the

monthly daily average count is between 9 and 30 per day, compared with 43 to 70 per day from April to September¹².

246. No recent counts are available for this section of the Coast Path, however SWCP Association and NE have active counters at nearby West Bay and Undercliffs (10 and 23 miles west of Rodden Hive respectively). Recent data from these counter locations are shown in Annex 10. Usage levels of the SWCP vary considerably according to ease of access and other factors as illustrated by these two sites: at Undercliffs the average annual total is 16,546, compared with 230,162 at West Bay¹³. The counter at Undercliffs has been active since June 2016 and provides an indication of use of the SWCP over a longer period – which has been broadly similar over the last 7 years. The counter was inactive between October 2019 and March 2021 but data from other National Trails showed increased levels of activity after COVID-19 lockdowns and particularly in early summer 2020 – since when levels of activity have returned to previous levels.
247. At Abbotsbury there is a car park within walking distance of the western end of The Fleet, but access to the lagoon is restricted to paying visitors to the Swannery or by prior arrangement with the reserve. There is a short promoted circular walk from Abbotsbury to St Catherine's Chapel, which is on the other side of the coast path from The Fleet.
248. On this part of The Fleet shoreline, where there is no statutory or permitted access, the reserve manager reports that unauthorised access occurs less than 10 times a month [33]. At Brook East (adjacent to Rodden Hive on report map 7a), the nearest point at which the SWCP runs adjacent to The Fleet shoreline, he reports that it occurs between 10 and 49 times a month.
249. In 2019, NE commissioned a recreational activity study for part of The Fleet [20]. The western-most vantage point used in the study was from Chesil Bank, opposite the slipway at Langton Hive Point. From here, observations were made looking west as far as the landing stage below Higher Barn/ South Sleight Coppice and east towards Moonfleet. A low level of activity, mostly people walking with or without a dog, was observed along the shore west of Langton Hive Point to where the SWCP goes inland at Rodden Hive. No terrestrial activity was recorded west of Rodden Hive.
250. The Strava Metro heatmap in this area shows some activity in the Swannery area and along New Barn Lane itself, and no activity over agricultural land between New Barn Lane and The Fleet [27].

Environmental baseline

251. This part of the assessment considers possible impacts on European sites within the project area between Ferry Bridge and Rodden Hive on:

- Chesil and The Fleet SAC
- Chesil Beach and The Fleet SPA
- Chesil Beach and The Fleet Ramsar site

¹² Data courtesy of Dorset Council

¹³ Data for West Bay courtesy of the SWCP Association

252. The following habitats and species relevant to this assessment occur within the project area at this location:

Shingle and saltmarsh vegetation

253. A survey of Chesil Beach vegetation was carried out in 2018, including parts of the inner shore of The Fleet where shingle vegetation occurs [13]. There is very little shingle vegetation between Abbotsbury and Rodden Hive. East from the reed-swamp in the bay at Abbotsbury, the shore is narrow beach of small blocky rocks with little vegetation. A small strip of SAC habitat 'annual vegetation of drift lines', approximately 24m in extent, was recorded in SSSI Unit 24, on an area of beach next to a reedbed at Rodden Hive. No sign of trampling was observed at this location in the 2018 survey (see Annex 9 – SSSI Units 24 & 25).

254. The SAC habitat 'Atlantic salt meadows' is present in the bay at Abbotsbury; a vegetation survey carried out in 2018 [13] recorded this habitat in a grazed field on the west side of the bay. No sign of access to these areas was observed in the 2018 survey (see Annex 9 – SSSI Unit 18).

Coastal lagoons

255. Lagoon habitats are present within the project area between Abbotsbury and Rodden Hive.

Non-breeding waterbirds

256. The open waters and shoreline of The Fleet, and adjacent agricultural land, are used by wintering waterbirds for feeding, resting, preening and roosting.

Wigeon

257. Most of the section of The Fleet from Abbotsbury to Rodden Hive is within WeBS Sector 12505 (Reeds End to Rodden Hive), though the western end of WeBS Sector 12504 (Rodden Hive to Moonfleet) covers the bay at Rodden Hive (a map showing these WeBS sectors is included in Annex 5). Wigeon are present in both these sectors. The highest counts are usually made in Sector 12504 (see Table A4.2 in Annex 4).

258. During developing proposals for coastal access, NE commissioned a more detailed survey to determine the patterns of usage of wintering birds at West Fleet. The study area was divided into 19 200m sectors and it was found that the distribution of wigeon is generally concentrated towards the eastern end of West Fleet, between South Sleight Coppice and Langton Hive Point and particularly in the bay at Rodden Hive, with a scattering of birds further west, including around below Berry Coppice and Berry Knap [24]. A map showing the study sectors and a summary of count data is included in Annex 11.

259. Wigeon feed on aquatic plants as well as grasses and rhizomes. Wigeon were not seen feeding on the fields during survey visits, but it is noted in the patterns of usage study that they might do so if short, sweet grass were available [24]. Most birds were counted on the outer shore of The Fleet, behind Chesil Bank, and it is suggested they roost here and fly out at night to feed in the surrounding area.

260. WeBS data show that wigeon are present on West Fleet between September and March each year. Numbers are generally highest in October and December and fall off in the New Year. Five-year average monthly counts for the period 2016/17 to 2020/21 are reproduced in Table A4.4 of Annex 4. This seasonal pattern is confirmed in the pattern of usage study [24].

261. A further survey of wintering waterbirds in the months of August and September was carried out by Don Moxom and Alan Bennet [26]. This study found small numbers of wigeon (up to 25) present in the Rodden Hive area at the end of August, increasing to up to 390 by the end of September. These figures concur with the pattern found in other surveys of wigeon numbers building during the month of September.

Dark-bellied brent goose

262. As described above in connection with wigeon, most of the section of The Fleet from Abbotsbury to Rodden Hive is within WeBS Sector 12505 (Reeds End to Rodden Hive), though the western end of WeBS Sector 12504 (Rodden Hive to Moonfleet) covers the bay at Rodden Hive (a map showing these WeBS sectors is included in Annex 5). Dark-bellied brent goose are present in both these sectors with the highest counts usually made for Sector 12504 (see Table A4.3 in Annex 4).

263. During developing proposals for coastal access, NE commissioned a more detailed survey to determine the patterns of usage of wintering birds at West Fleet. The study area was divided into 19 200m sectors and it was found that dark-bellied brent goose are present towards the eastern end of West Fleet, between South Slight Coppice and Langton Hive Point [24]. A map showing the study sectors and a summary of count data is included in Annex 11.

264. Dark-bellied brent goose generally preferentially forage on vegetative material such as eelgrasses and other aquatic plants when available [35] and as found in and along the shore of The Fleet. Dark-bellied brent goose will also graze grassland fields outside the SPA & Ramsar site and this behaviour was observed in the patterns of usage study, along with other species of goose, in fields NW of The Fleet between South Slight Coppice and Rodden Hive [24].

265. WeBS data show that dark-bellied brent goose are present at West Fleet between October and February each year. Five-year average monthly counts for the period 2016/17 to 2020/21 are reproduced in Table A4.5 of Annex 4. This seasonal pattern is confirmed in the pattern of usage study [24]. No dark-bellied brent goose were observed in the months of August and September in the wintering birds survey carried out by Don Moxom and Alan Bennet [26].

Assessment of possible risks

266. Possible risks from the access proposals considered for the section of coast between Abbotsbury and Rodden Hive are:

- Trampling of shingle and saltmarsh vegetation by recreational activities
- Damage to coastal lagoons by recreational activities
- Disturbance of non-breeding waterbirds by recreational activities

■ Disturbance of non-breeding waterbirds from path improvement works

267. No new access management infrastructure will be installed within European sites along this section.

Predicted levels and pattern of use

268. NE expects an increase in numbers of people visiting this part of The Fleet as a result of our proposals following opening of the new route. The reasons for this judgement are explained below.

269. The new coast path route between Rodden Hive and Abbotsbury would be closer to the lagoon, but still a minimum of one field's width from the shoreline. We would expect an initial increase in the frequency of visits as local people explore the new route and enthusiasts from other places return to the area to sample it. We would expect this increase to peak between April 1st and September 30th of the first year of operation and then settle to a more regular pattern of use through the year as the new route for the SWCP becomes better known and established.

270. The new coast path route would give significantly better views of the lagoon, Chesil Beach and the sea. In addition, it would form, in conjunction with the underlying public rights of way which the SWCP currently follows between Horsepool Farm and Rodden Hive, a potential circular route of approximately 5.5 miles that may attract local people and tourists looking for day walks – but only between March 1st and September 30th, when both routes would be available for use. There is a car park at Abbotsbury and more limited, unadvertised parking places at Langton Herring and along New Barn Lane (east of Horsepool Farm) from which to start such a walk. There are no plans to promote the circular route. We would therefore expect an increase in the frequency of visits in the medium to long-term as people discover this possibility by word of mouth, social media etc. There is no reliable means to predict the scale of the increases described above, but local authority staff agree with NE that any overall increase in visitor numbers is very unlikely to exceed twenty percent of recent visitor numbers (see paragraph 245 for recent figures).

271. The majority of visitors are expected to be relatively well-organised, able and experienced walkers because such a walk involves a commitment of several hours and because there are shorter circular walks from both Abbotsbury and Langton Herring that would be more attractive to less able or experienced walkers. There are other parts of The Fleet and neighbouring coastlines that are more readily accessible in relation to car parks and holiday accommodation. Most visits to the natural environment are under 2 hours¹⁴ and these places are more attractive in general to people less willing to walk for more than a couple of hours, such as families and local people who wish to exercise their dog.

272. NE does not expect long-distance and day walkers to stray off the path as frequently as people seeking a shorter walk or walking primarily to exercise their dogs. Nevertheless people walking along the new route may be tempted to take a short detour,

¹⁴ For example, NE's People and Nature Survey found that over the last 12 months, the time spend doing an activity in the natural environment was less than 2 hours for 78% of visits [31]

for example to view the lagoon from close quarters, to watch birds or to let their dogs bathe or drink particularly on hot days. Dogs running off lead may approach The Fleet even while the people they are with stick to the marked route. The factors most likely to influence this behaviour are in our analysis the distance between the path and the open water, visible/established private access routes to and from the shoreline, presence/absence of physical barriers or impediments to access such as field boundaries and gates, wet ground or dense vegetation cover. NE is confident in these assumptions on the basis of professional knowledge and experience and views expressed by local authority officers with professional knowledge of the area.

273. The quiet waters of The Fleet are a potentially attractive destination to people with canoes and paddleboards. However, we would not expect such people to be attracted by the proposed new section of route between Abbotsbury and Rodden Hive because there are other places closer to car parks further east along The Fleet from which to launch. NE is confident in these assumptions on the basis of professional knowledge and experience and views expressed by local authority officers with professional knowledge of the area.

Trampling of shingle and saltmarsh vegetation

274. Shingle and saltmarsh vegetation occurs along this section of the inner shore of The Fleet. Saltmarsh, including transitional saltmarsh–shingle vegetation communities, occur at the margins of The Fleet, most notably at the Abbotsbury Swannery. In a 2018 vegetation survey [13], patches of the SAC habitat Atlantic salt meadows were identified in a grazed field on the west side of Abbotsbury Swannery. The same survey also found a short strip of ‘annual vegetation of drift lines’ near Rodden Hive.
275. No new CARs would be created along the inner shore of the Fleet between Abbotsbury and Rodden Hive because it is within the area over which NE proposes a year-round exclusion. Further measures to prevent access to The Fleet from the proposed route for the ECP are described in detail in the following section of this assessment, concerning disturbance of non-breeding waterbirds. There will be no changes in access to the Swannery site where the main areas of saltmarsh occur. At Rodden Hive, NE’s route proposal follows the established SWCP at this location and there is a line of trees and reedbeds between the path and the shore where the strandline vegetation occurs. Because no new access rights will be created, and because shingle and saltmarsh vegetation communities have a limited distribution along this part of the shore and occur in places that physically difficult to access, NE concludes that the access proposals will not add to the trampling pressure on these habitats along the inner shore of The Fleet west from Rodden Hive.

Damage to coastal lagoons by recreational activities

276. Lagoon habitats occur all along the inner shore of the Fleet between Abbotsbury and Rodden Hive. The lagoon is within the area over which NE proposes a year-round exclusion. Further, to prevent adverse effects on protected sites and features that might result from more access from the coast path in the direction of The Fleet, NE proposes measures to deter unauthorised access in that direction, including by extending the proposed exclusion to include a buffer zone, physical barriers in places where

unauthorised access is most likely (for example by gating New Barn Farm Lane), a winter path diversion and public information to explain the reasons for these measures. These proposals are discussed in detail in the next section of this assessment, concerning disturbance of non-breeding waterbirds. The measures are not expected to eliminate unauthorised access: they are designed to prevent any significant increase in the overall levels of access – taking into account access for purposes authorised by the land owner – to the sensitive areas as a result of the new route. Better information may result in a modest reduction in unauthorised access as public understanding of the protection measures increases. For these reasons, and because the lagoon is physically unsuitable for access on foot, NE concludes that the access proposals for the inner shore of The Fleet between Abbotsbury and Rodden Hive will not lead to any significant increase in damage to the lagoon's flora and fauna over baseline levels.

Disturbance of non-breeding waterbirds from recreational activities

277. The use of the lagoon and adjacent agricultural land at West Fleet by wigeon and dark-bellied brent goose is described above (from paragraph 256). A new route for the SWCP at West Fleet is proposed, that would take walkers closer to sensitive areas, and for this reason a number of avoidance and mitigation measures have been incorporated into the access proposals - as described above (from paragraph 210). In this section of the assessment, we consider possible impacts of implementing the modified proposals on wigeon and dark-bellied brent goose at West Fleet.

The Fleet

278. No access rights are proposed along the main route from 1st October to 28th February each year. DC would be responsible for managing seasonal closure of the route, including signposting and locking gates. This winter closure of the route largely avoids any disturbance impacts occurring to wintering waterbirds using West Fleet and its shoreline during this time.

279. The proposed route that would operate outside these times is designed to have a boundary feature or barrier in the form of a hedge or fence which prevents access for people or dogs to the excluded land and where there is none presently includes provision for new fencing. At gates and jumps along the proposed route notices are proposed to remind users of the route and the exclusions. At entry points to the route there will be more information with regard to the site sensitivities.

280. No access rights are proposed in the coastal margin between the main route and the shoreline and the distance between the two varies along the length of the path, referred to as the 'buffer zone'. The areas where the buffer zone is narrowest pose the higher potential risk for bird disturbance to occur, as the probability of a bird response declines with distance [25].

281. These closest points are (a) 127m at Berry Knapp, (b) 302m at Holywell Spring (and 230m to the spring itself), (c) 250m at Morkham's Lake, (d) 291m at a location east of South Sleight Coppice and (e) 205m where there is a freshwater inflow to Rodden Hive bay. Refer to Annex 12 for a map showing the buffer zone and the location of these points.

282. Data obtained from WeBS and an additional relevant report [35] show that dark-bellied brent geese are almost totally absent from West Fleet during the months of March and September. Recent five-year average monthly counts for West Fleet WeBS sectors are reproduced in Annex 4 to this assessment - see Table A4.5. The potential risk to this population on and around the West Fleet, from the main route being open during these months, does not therefore materialise.
283. WeBS data also show that a proportion of the wigeon population will be present during March and September on West Fleet. Recent five-year average monthly counts for West Fleet WeBS sectors are reproduced in Annex 4 to this assessment - see Table A4.4. These figures show that numbers are reduced from the larger numbers usually recorded during the winter months. Their distribution is generally concentrated towards the eastern end of West Fleet, between South Sleight Coppice and Langton Hive Point and particularly in the bay at Rodden Hive, with a scattering of birds further west, including around below Berry Coppice and Berry Knap [24].
284. Additional bird surveys in August and September 2015, undertaken by the Chesil and The Fleet Nature Reserve staff [26] also show that wigeon can be present during the period the main route is open, particularly in September. The distribution matches that suggested by the WeBS in that the wigeon were recorded at the location known as The Brook, between Rodden Hive Point and Rodden Hive bay.
285. This means the majority of the wigeon present in March and September, which are using the open waters of West Fleet and the shoreline, will be in areas at a distance further than 200m from the proposed path i.e. the source of any potential disturbance.
286. To inform the design of the proposals, a bird disturbance study was undertaken on the East Fleet [25], part of the same SPA, Ramsar site. Bird responses that occurred as a result of human recreational activity, such as showing increased alertness or taking flight, were observed and measured. Typically, responses occurred when people/dogs were within 100m, although responses were recorded up to a maximum distance of 170m away.
287. Taking a precautionary approach, waterbirds that have unobstructed views of people at distances more than 200m are unlikely to respond in a way that would constitute significant disturbance [36], such that mortality rates increase or breeding performance is affected. This rules out localised effects on birds emanating from people on the path at points b), c), d) and e) referred to in paragraph 281 above.
288. In addition, it is important to have regard to any screening or vegetation between the source of potential disturbance (humans/dogs) and receptors (birds). This is because where visual cues are obscured; there is a reduced likelihood that a bird response will occur, at any given distance.
289. This applies in particular to point a) referred to at paragraph 281 above, i.e. the localised area below Berry Coppice and Berry Knap, where the buffer zone is less than 200m. Here, there is a line of marginal vegetation and scrub along the shoreline. This will partially obstruct the visual pathways between any birds present in this location and any people present on the path, reducing any risk that birds will respond to the presence of people/dogs on the main route.

290. Given that main route will be closed between October to February and only a proportion of the wigeon population can physically be present at this specific location at any given moment in time when people pass by on the main route; the frequency and intensity of any potential disturbance event (i.e. when the birds and people are coincidentally present) is predicted to be low. For wigeon, a migratory species, this will only occur in March and September. These types of relatively infrequent, low intensity and localised effects would be unlikely to lead to increased winter mortality rates or have carry-over effects on the ability to migrate or subsequent breeding performance.

The fields north-east of The Fleet

291. A feature of the feeding ecology of wigeon and dark-bellied brent goose is that they graze grassland fields outside the SPA, Ramsar site, during the winter months. Suitable grassland for this important function is found to the north-east of West Fleet, including close to the proposed main route.
292. It can be difficult to reasonably to predict exactly when and where these feeding birds might be present. For this reason, along with the requirement to be precautionary, a winter diversion of the route following the existing SWCP would operate between October 1st and February 28th, the peak months for presence of wintering birds, with locked gates and signage and directions to an alternative route (as shown on Map A7.1 in Annex 7 and report maps 6f and 6g). The diverted route will be between 240 and 1200m from the boundaries of the fields used and given the topography largely out of sight. This will avoid any potential disturbance events during this period.
293. As described in 282, WeBS data show that dark-bellied brent goose are almost totally absent from the relevant areas of the West Fleet and surrounding immediate fields. Furthermore, dark-bellied brent goose generally preferentially forage on vegetative material such as eelgrasses and other aquatic plants towards the end of the winter period [35] (as well as start), such that are present on and adjacent to The Fleet.
294. For wigeon, no foraging birds were identified using the grassland fields at all during the site-specific wintering bird surveys, which covered the period October to February [24]. Whilst it is likely that this is also the case during March and September when the main route is open, WeBS data show that relatively low-moderate numbers of wigeon are present in the count sectors that most closely match the area in question during both September and March - see Table A4.4 in Annex 4. These numbers vary widely from year to year.
295. The WeBS count sector that includes Rodden Hive bay (12504) generally is of higher importance for wigeon during these months than the one further west (12505). Although the data do not allow for a field by field analysis, it is known that one of the areas favoured by grazing and roosting wildfowl (including wigeon) is the south-western slope of The Brook [33], above Rodden Hive bay. At its closest point, this is located 205m from the main route (see map in Annex 12). This distance is sufficient to avoid disturbance effects, such that would be significant or endanger the conservation objectives.

Conclusion

296. The main route alignment includes a buffer zone between the path and the shoreline, where access rights are excluded. When the presence of partial screening provided by the vegetation along the shore of The Fleet is also taken into account, this is sufficient to avoid significant disturbance to birds using West Fleet and the shoreline. The alternative winter route is included mainly as an avoidance measure for dark-bellied brent goose feeding in the fields, but also serves to protect all wintering birds during the core winter months of October to February.

Disturbance of non-breeding waterbirds by path improvement works

297. Path improvement works are required to give effect to the route proposals described above (from paragraph 210). Works will be carried out by local authority staff or approved contractors using method statements prepared by the local access authority based on the principles described in Annex 6 and agreed with Natural England before works commence. For the section of the route between the new proposed gate by Tiny Coppice (at the junction with New Barn Road) and the gate at the junction with the existing SWCP at Rodden Hive, works will be undertaken outside of the period when wintering wigeon and dark-bellied brent goose are present. Natural England will monitor and, where necessary, supervise works to ensure that mitigation is implemented correctly.

D3.2D Mid & East Fleet (inland) - Rodden Hive to Ferry Bridge

Access proposals

298. In this section of the HRA we consider possible impacts of the access proposals on Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA and Chesil Beach and The Fleet Ramsar site for The Fleet between Rodden Hive and Ferry Bridge. (Note that possible impacts of the access proposals on Chesil Beach, between Chiswell Cove and West Bay are considered in section D3.2B of this assessment, and on West Fleet in section D3.2C.) The proposals for Mid & East Fleet comprise:

Route proposal

299. A long-distance walking route to form part of the England Coast Path as shown on the maps in Annex 7 (and in more detail on report maps 7a-d and 8a-c). This proposal includes:

- a temporary diversion at Chickerell Range which would operate as at present when firing takes place (see report map 8a).

300. In places the proposed route would in the future be able to roll back to a new alignment in response to coastal erosion and other geomorphological processes. If this is necessary, a new route would be chosen by a NE access officer after detailed discussions with the relevant experts and with any potentially affected owners or occupiers. This assessment does not assess the potential impacts on the designated site of such future route options; where there is a risk of impacts on the site, NE would

assess them according to the circumstances at the time and subject them to the same tests under the Habitats Regulations etc as the initial proposals. However, Secretary of State approval is not required for changes made using rollback. Along this section of the route, the places where use of the roll back provision is proposed are:

- Rodden Hive (report map 7a) to Chickerill Hive Point (report map 7d)
- selected places along the low cliffs from RE Bridging Hard to Ferry Bridge

301. Any other changes to the route for other reasons in these places, and changes in places where rollback is not proposed, would normally require approval from the Secretary of State (see part 8 of the Overview to NE's report to the Secretary of State).

302. This proposed route is the same route as that currently managed as the SWCP with the following exceptions (west to east):

- Littlesea Holiday Park (see report map 8b) - Here the proposed route would follow other existing walked routes that are landward of The Fleet and do not form part of the designated site.
- Pirates Cove (see report map 8c) - Here the route currently managed as the SWCP crosses the beach within the designated site. The proposed route would pass over land behind the beach that is not part of the designated site. This part of the route currently managed as the SWCP would be subject to the direction described below.

303. In all the above cases there would be new access infrastructure to facilitate public access along parts of the route that do not form part of the route currently managed as the SWCP, as indicated on the relevant maps. There would also be some limited physical improvements to the existing coast path:

- to make it more convenient to walk on in particular places; and
- to direct people along it in places where NE judges this would be beneficial to clarify the existing route (e.g. at Gore Cove, Herbury Point).

304. The initial purchase and installation costs for signs and infrastructure would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Landward boundary of the coastal margin

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

- land within 2 metres of the route to either side
- all other land seaward of the route as far as the furthest extremity of the foreshore (mean low water on the seaward side of Chesil Beach)

306. In places NE proposes that a suitable physical feature should form the landward boundary of the coastal margin instead of the default boundary 2m landward of the route. This is in order to provide clarity where practicable about the extent of access rights.

Typically the boundary in such cases would be a fence, wall, hedge or ditch adjacent to the route.

307. Landward boundary proposals would not, on the length of coast here under consideration, extend the coastal margin any significant distance landward of the route. Such effects are not visible on any of the available maps but are detailed in the chapters that explain the access proposals for the whole coast between Lyme Regis and Rufus Castle, Portland.
308. Unless the NE proposes access restrictions or exclusions (see proposed direction to exclude access below), the coastal margin described above would be subject to public rights of access on foot, except any parts of it that fall into categories of excepted land defined by the legislation. Excepted land would include:
- any land covered by buildings or the curtilage of buildings, including the Bridging Hard (see report map 8c) and the huts etc on Chesil Beach used by fishers;
 - arable land at Herbury (see report map 7b), so long as it is cultivated or otherwise disturbed at least every 12 months; and
 - the firing range at Chickerill (see report map 8a), which is subject to military byelaws, but there would continue to be a public right of way along the proposed route across the Chickerill range when firing is not taking place and an alternative route to landward (also marked as a route proposal on report map 8a) would be accessible by right during firing.

Direction to exclude access (Chesil Beach and Fleet)

309. The coastal margin includes parts of Chesil and The Fleet SAC and Chesil Beach and The Fleet SPA & Ramsar site, which are protected areas for natural features of international importance, some of which are known to be sensitive to public access.
310. NE proposes that public access rights to parts of the coastal margin where these features occur is excluded by direction, as indicated by the relevant exclusion zone shown on Maps 2-4 in Annex 7 and those which accompany chapters 7 to 8 of the report.
311. Under the terms of this direction there would be no new access rights to any part of the Chesil and The Fleet SAC and Chesil Beach and The Fleet SPA & Ramsar site (including the inner side of Chesil Beach facing The Fleet, the crest of Chesil Beach, and The Fleet itself) except as follows:
- the direction would not affect arrangements for people to access boats moored on The Fleet land shore or to use those boats to access parts of The Fleet or Chesil Beach that would be otherwise excluded by direction.
 - access to the part of the bank falling within the Chickerell Range (report map 8a) would continue to be subject to military byelaws and controlled by the armed forces when firing is taking place.
 - existing access rights to the Chesil Bank between Ferry Bridge and Littlesea (report maps 8b-c and 9a) are not subject to Natural England's direction-making powers and would remain in force.

Public information

312. People are more likely to support and observe the new access arrangements if they are clearly explained and justified. To this end NE proposes that there should be information boards in places along the route where people join the trail and/or arrive at The Fleet, to make them aware of the extent of their rights, the nature conservation interests and how to further the conservation effort. Where existing information boards are satisfactory for this purpose they would be retained. Where they are not, new ones would be provided as part of the ECP establishment works.
313. The exact location of the boards and notices would be determined in consultation with DC, land managers and other local interests.
314. NE further proposes to provide information about the local access arrangements to local accommodation providers and other people and organisations that promote the reserve as a destination to the general public, so that they and their customers are aware of the new access arrangements and limitations. NE would discuss with local information providers how best to provide this information.
315. The initial purchase and installation costs for signs and notices would be met by NE as part of the establishment works to prepare the route for use. The local authority would maintain them in line with national standards that apply to all National Trails.

Current situation

Access baseline

316. By car, the only promoted public access point to this part of The Fleet shoreline is the car park at Ferry Bridge at the southeastern end of Chesil Beach (report map 9a), where there is a visitor centre promoting the wildlife interest of the reserve. It is also possible to park quite close to the inland shore of The Fleet in various places between Ferry Bridge and Rodden Hive, but these are not promoted as public access points to The Fleet.
317. Land adjoining The Fleet is readily accessible on foot along public rights of way leading from the southwestern suburbs of Weymouth and outlying villages, and from the many nearby camping and caravan sites and other tourist accommodation including the Moonfleet Manor Hotel (report map 7c).
318. The SWCP provides managed and promoted year-round access on foot along this part of The Fleet. A temporary diversion operates at Chickerell range (Tidmoor point) when the firing range is in use (see report map 8a).
319. DC have previously measured use of the SWCP in The Fleet area using an automated people counter. The counter was installed at Langton Hive for 3 years (2006-8) and Rodden Hive for 4 years (2009-12). Data from this counter are shown in Annex 10. The annual total count at Langton Hive is 18,958. The monthly daily average count at Langton Hive is lower over the winter months. From November to March the monthly

daily average count is between 9 and 40 per day, compared with 32 to 113 per day from April to October¹⁵.

320. No recent counts are available for this section of the Coast Path, however SWCP Association and NE have active counters at nearby West Bay and Undercliffs (11 and 24 miles west of Langton Hive respectively). Recent data from these counter locations are shown in Annex 10. Usage levels of the SWCP vary considerably according to ease of access and other factors as illustrated by these two sites: at Undercliffs the average annual total is 16,546, compared with 230,162 at West Bay¹⁶. The counter at Undercliffs has been active since June 2016 and provides an indication of use of the SWCP over a longer period – which has been broadly similar over the last 7 years. The counter was inactive between October 2019 and March 2021 but data from other National Trails showed increased levels of activity after COVID-19 lockdowns and particularly in early summer 2020 – since when levels of activity have returned to previous levels.

321. Access closer to the shoreline and to the water itself (seaward of the Coast Path) is generally discouraged with information boards at main arrival points and notices all along the shore to Rodden Hive. Campsites and other accommodation providers in the area appear to market The Fleet as a nature area on their websites and do not encourage people to walk off the Coast Path.

322. The reserve manager reports that:

- access to moored boats is tolerated, mainly as a means for people to cross The Fleet to Chesil Beach to fish;
- shore-angling in The Fleet is poor, which probably limits visits to The Fleet for this purpose;
- shore-angling and bait-digging in The Fleet are tolerated in particular places but not others;
- various other unauthorised activities - chiefly walking and dog walking, both on and off lead - nevertheless occur on some parts of the shoreline;
- the frequency of such activities is higher in places where access to the shore is a short distance from a road, track, path, hotel or campsite, and highest of all on the East Fleet closest to Weymouth;
- the highest reported frequency of such activities is between 100 and 200 a month, on the East Fleet, at Pirates Cove;
- The Fleet is attractive as a place for people to bring dogs to swim and exercise, but not as a place for people to swim.

323. A full breakdown of these observations and estimates is given on page 27 of an unpublished 2014 report [33].

324. A baseline survey of recreational activity at Mid & East Fleet was carried out for NE in 2019 [20]. The study includes terrestrial and water-based recreation, and the report of the study includes heatmaps showing the distribution and intensity of activity. The most

¹⁵ Data courtesy of Dorset Council

¹⁶ Data for West Bay courtesy of the SWCP Association

frequent terrestrial activities observed were walking with and without a dog. The findings for these activities are summarised in the report as follows:

- Dog walkers were largely restricted to the inner shore of The Fleet and were barely recorded on Chesil Beach itself. They were generally recorded in bays, and along stretches of shoreline, in proximity to the SWCP and/or other access points (e.g. the end of Pirates Lane). The highest density of dog walkers was observed in and around Pirates Cove, within the East Fleet, with lower concentrations recorded in proximity to Ferry Bridge, Lynch Cove, Moonfleet, and Chickerell Hive and Langton Hive Points.
- Walkers/ramblers exhibited a broadly similar distribution to dog walkers, although they were recorded more frequently on Chesil Beach, both along the East Fleet shoreline and on the shingle opposite Moonfleet and Langton Hive Point. A high density of walkers was again recorded in and around Pirates Cove, as well as at Ferry Bridge (in proximity to the main road and the Visitor Centre). Nevertheless, the highest density of walkers/ramblers overall was recorded from Lynch Cove, in proximity to Haven Littlesea Holiday Park.

325. These findings broadly agree with the observations made by the reserve manager outlined above and commentary about ongoing warden activity in Chesil Bank and the Fleet Nature Reserves Annual Reports [19].

326. The Strava Metro heatmap in this area shows the majority of activity is along the SWCP, with some on-foot activity along the shore [27].

Environmental baseline

327. This part of the assessment considers possible impacts on European sites within the project area between Ferry Bridge and Rodden Hive on:

- Chesil and The Fleet SAC
- Chesil Beach and The Fleet SPA
- Chesil Beach and The Fleet Ramsar site

328. The following habitats and species relevant to this assessment occur within the project area at this location:

Shingle and saltmarsh vegetation

329. There is a narrow beach of silty shingle backed by low soft cliffs along much of the inner shore of Mid & East Fleet. A survey of Chesil Beach vegetation was carried out in 2018 [13]. Target notes were written for SSSI Units and a few small parcels of shingle vegetation mapped. Small patches of saltmarsh vegetation were also observed, for example on the shore at Tidmoor Point (SSSI Unit 32). Some trampling was noted at popular access points to the lagoon, for example at Pirates Cove – details of these observations are reproduced in Annex 9 (SSSI Units 29, 30, 32, 34 & 38).

330. A baseline survey of the impacts recreational activity at Mid & East Fleet on ecological features was carried out for NE is 2019 [20]. Most of the observed activities were at East Fleet, and particularly around Pirates Cove (to the east of Wyke Regis) and

in and around Lynch Cove (in proximity to Haven Littlesea Holiday Park). In Mid Fleet, hotspots of activity were at the slipways at Chickerell and Langton Hive Points. Trampling of vegetation was the most frequently observed impact (43% of events) and of these the majority were in connection with walking without a dog.

Lagoon habitats

331. Lagoon habitats are present throughout Mid & East Fleet. A baseline survey of the distribution and intensity of recreational activity along the Mid & East Fleet shore was carried out for NE is 2019 [20]. As noted above in connection with shingle and saltmarsh vegetation, impacts are concentrated at established access points to the lagoon.

Non-breeding waterbirds

Wigeon

332. Three WeBS Sectors cover Mid & East Fleet: 12504 (Rodden Hive to Moonfleet), 12503 (Moonfleet to Chickerell Hive Point) and 12502 (Chickerell Hive Point to Ferry Bridge). A map showing these WeBS sectors is included in Annex 5. Wigeon are present in all three sectors, favouring Sector 12504 and with low counts for East Fleet (see Table A4.2 in Annex 4).

333. WeBS data show that wigeon are present at The Fleet between September and March each year. Numbers are generally highest in October and December and fall off in the New Year. Five-year average monthly counts for the period 2016/17 to 2020/21 are reproduced in Table A4.4 of Annex 4.

Dark-bellied brent goose

334. As described above in connection with wigeon, three WeBS Sectors cover Mid & East Fleet. Flocks of dark-bellied brent goose occur in all three sectors (see Table A4.3 in Annex 4).

335. WeBS data show that dark-bellied brent goose are present at The Fleet between October and February each year. Five-year average monthly counts for the period 2016/17 to 2020/21 are reproduced in Table A4.5 of Annex 4.

Impacts of baseline recreational activity

336. A baseline survey of the impacts recreational activity at Mid & East Fleet on ecological features was carried out for NE is 2019 [20]. Most of the observed activities were at East Fleet, and particularly around Pirates Cove (to the east of Wyke Regis) and in and around Lynch Cove (in proximity to Haven Littlesea Holiday Park). In Mid Fleet, hotspots of activity were at the slipways at Chickerell and Langton Hive Points. Disturbance of birds was one of the impacts observed (26% of events) and of these the majority were in connection with dog walking.

Assessment of possible risks

337. Possible risks from the access proposals considered for the section of coast between Ferry Bridge and Rodden Hive:

- Loss of, or damage to, habitat due to path improvements

- Trampling of shingle and saltmarsh vegetation by recreational activities
- Damage to coastal lagoons by recreational activities
- Disturbance of non-breeding waterbirds by recreational activities
- Disturbance of non-breeding waterbirds from path improvement works

338. Considering each of these in turn:

Loss of, or damage to, habitat due to path improvements

339. The proposed route follows the existing SWCP which in places is within the landward boundary of the European sites. New infrastructure is proposed to be installed at two locations within the European sites:

- Up to 34m of wooden revetment to help prevent erosion of the path surface where it passes seawards of East Fleet Camping & Caravan Site (trail section LRR-7-S025)
- 2 timber steps to help prevent erosion of the path surface where it passes seawards of Chesil Vista Holiday Park (trail section LRR-8-S045)

340. Both these improvements are within the footprint of the existing SWCP and will not lead to any loss of qualifying habitats.

341. Several items of existing infrastructure on trail sections within the European sites will be replaced at establishment stage, including: 2 signposts, 3 pedestrian gates and a footbridge. No qualifying habitat will be lost as a result of these works.

Trampling of shingle and saltmarsh vegetation by recreational activities

342. There is very little shingle and saltmarsh vegetation along the inner shore of Mid & East Fleet. NE's route proposal follows the established SWCP with two minor exceptions at Littlesea Holiday Park and Pirates Cove. At both these locations it is proposed to redirect the SWCP behind, rather than over, the beach (as described above in paragraph 302). In addition, improvements to directional signs along the coast path, for example at Gore Cove (see report map 7b) and improvements to the surface of the coast path planned as part of the physical establishment of the route, will make it more convenient and therefore attractive to walk on than the foreshore in places where it is improved. Prior to carrying out works on the ground, NE and DC will be checking on the condition of the path and associated infrastructure and updating details of planned works as necessary. No new CARs would be created along the inner shore of Mid & East Fleet because it is within the area over which NE proposes a year-round exclusion. Because only minor changes to the SWCP are proposed (and these will direct walkers away from the shore) and no new access rights will be created in places where shingle or saltmarsh vegetation might occur, NE concludes that the access proposals will not add to the trampling pressure on these habitats along the inner shore of Mid & East Fleet.

Damage to coastal lagoons by recreational activities

343. Lagoon habitats occur all along the inner shore of Mid & East Fleet. NE confidently expects no significant change in the levels or patterns of public access on the inner

shore of The Fleet where these habitats occur as a result of the access proposals described above (from paragraph 298). There may be, as a result of limited physical improvements to the Coast Path, a modest decrease in unauthorised activity on the intertidal areas of this part of the lagoon which would be beneficial to nature conservation interests. The reasons for this judgement are explained below.

344. The extent of access rights would be broadly consistent with those currently available. There would be access rights along the Coast Path and to limited areas between the Coast Path and the lagoon at Littlesea Holiday Park (see report map 8b) and Ferry Bridge (see report maps 8c and 9a), but access to the foreshore and open water of The Fleet would be excluded. The coast path would be unchanged except for minor alterations at Littlesea and Pirates Cove.
345. We expect that, in spite of the exclusion, unauthorised access to the foreshore would continue in places where it is easy to reach from the Coast Path because it would continue to be attractive in places as a walking route when the tide is out and as a place for dogs to swim and exercise. We would expect modest localised decrease in such activity as a result of the following features of the access proposals:
- the new section of path on the low cliffs above Pirates Cove (see report map 8c), which we expect most people to favour over the current beach route, in particular at high tides;
 - improvements to directional signs along the coast path, for example at Gore Cove (see report map 7b), which aim to discourage people mistakenly following other existing walked routes that pass more closely to parts of the foreshore used by birds for roosting and feeding;
 - carefully targeted public information explaining the nature conservation value and sensitivity of the lagoon;
 - improvements to the surface of the coast path planned as part of the physical establishment of the route, which would make it more convenient and therefore attractive to walk on than the foreshore in places where it is improved.
346. There are some improvements to the route where it follows the SWCP along the edge of The Fleet between Rodden Hive and Fleet Bridge. These include an alteration of the route at Pirates Cove to take users off the intertidal zone and improved waymarkers and interpretation between the Moonfleet hotel and the Herbury where it is predicted that an improvement in levels of intrusion and associated trampling will be reduced and meaning that any cumulative effects along the length of The Fleet would similarly be reduced. Prior to carrying out works on the ground, NE and DC will be checking on the condition of the path and associated infrastructure and updating details of planned works as necessary.
347. For these reasons, and because the lagoon is physically unsuitable for access on foot, NE concludes that the access proposals for the inner shore of Mid & East Fleet will not lead to any significant increase in damage to the lagoon's flora and fauna over baseline levels.

Disturbance of non-breeding waterbirds by recreational activities

348. As explained above in connection with lagoon habitats, NE confidently expects no significant change in the levels or patterns of public access on the inner shore of The Fleet as a result of the access proposals and notes that there may be, as a result of limited physical improvements to the Coast Path, a modest decrease in unauthorised activity on the intertidal areas of this part of the lagoon which would be beneficial to nature conservation interests. The shallow waters of Mid & East Fleet provide extensive foraging habitat for non-breeding wigeon and dark-bellied brent goose, however; for the reasons explained above, NE concludes that the access proposals for the inner shore of Mid & East Fleet will not lead to any significant increase over baseline levels in disturbance to non-breeding waterbirds from recreational activities.

Disturbance of non-breeding waterbirds by path improvement works

349. Path improvement works are required to give effect to the route proposals described above. The risk of significant disturbance to non-breeding waterbirds from path improvement works between Rodden Hive and Ferry Bridge is low because the proposed route follows the existing SWCP and only minor works would be needed. Works will be carried out by local authority staff or approved contractors using method statements prepared by the local access authority based on the principles described in Annex 6 and agreed with Natural England before works commence. Natural England will monitor and, where necessary, supervise works to ensure that mitigation is implemented correctly.

D3.2E Cliffs around the Isle of Portland

Access proposals

350. In this section of the HRA we consider possible impacts of the access proposals around the Isle of Portland on Isle of Portland to Studland Cliffs SAC. The proposals comprise:

Route proposal

351. A long-distance walking route to form part of the England Coast Path as described in Chapters 10 to 12 of the coastal access proposals and shown on the map in Annex 7 and in more detail on Report Maps 10a-b, 11a-b and 12a-b. The proposed route follows the existing SWCP National Trail other than:

- At Portland Bill. Here the trail follows a different existing walked route across existing access land to bring the trail closer to the sea and enable better sea views;
- At Cheyne Weare, east of Southwell Road. Here the trail follows a new route, to bring the trail away from Southwell Road, closer to the sea and to enable better sea views.

352. In addition, at West Weares, the proposed route will follow the existing temporary diversion of the SWCP at Tout Quarry.

353. There would be some limited physical improvements to the existing Coast Path to make it more convenient to walk on in particular places. There may also be limited improvements to directional signs in places where the project team judges this would be beneficial to clarify the route.

Coastal margin

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

- Land within 2 metres of the route to either side
- All other land seaward of the route as far as the furthest extremity of the foreshore.

355. The coastal margin described above would be subject to public rights of access on foot, except any parts of it that fall into categories of excepted land defined by the legislation. This would include:

- Any land covered by buildings or the curtilage of buildings;
- Any land used as a park or garden;
- Arable land so long as it is cultivated or otherwise disturbed at least every 12 months;
- Land the use of which is regulated by military byelaws
- Land covered by works used for the purposes of a statutory undertaking or the curtilage of such land.

Current situation

Access baseline

356. There is good access to the cliffs around the Isle of Portland via the SWCP and network of other connecting paths. The peninsular is a well known destination for climbers and the BMC have 14 sites listed in their database [29].

Environmental baseline

357. The western part of the site, comprising the hard limestone cliffs of the Isle of Portland, are within the project area. The feature vegetated sea cliffs of the Atlantic and Baltic coasts occurs on the cliffs all around the Isle of Portland. The feature semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*) occurs mainly on the more sheltered eastern side of the peninsular which has sloping cliffs supporting scrub and grassland communities. Colonies of early gentian occur all around the peninsular, favouring steep, south-facing slopes with areas of bare ground or in thin turf kept open by grazing and trampling. Distribution maps of SAC habitat features are included in a management plan for the Isle of Portland prepared by Dorset Wildlife Trust [37]. A more recent survey of SAC habitats on the Isle of Portland was carried out by the Dorset Environmental Records Centre [38].

358. Portland has an extensive network of paths which provide good access to the site. Dorset Wildlife Trust note that the paths need to be maintained to a high standard and ideally to allow access for less mobile people [37]. Grassland communities occurring on flatter areas show strong resilience to trampling; however, at a few locations where there are large numbers of visitors, the intensity of footfall needs to be managed to prevent erosion [11]. Portland Bill is a well-known tourist destination and management measures in the form of roped enclosures have been introduced here to direct visitors and reduce trampling with good results.

359. Away from established paths, most of the site is inaccessible to walkers due to the topography. In some locations the cliffs are used for climbing and coasteering and in the SACOs it is noted that the type and frequency of these activity needs to be monitored and action taken to reduce pressure where it is having an adverse impact on habitat features [11]. Voluntary climbing restrictions are in place from 1st March to 30th June to protect cliff nesting birds at several locations around the peninsular including at: Blacknor North and Central, Cheyne Cliffs and Wallsend Cove¹⁷.

Assessment of possible risks

360. Possible risks from the access proposals considered for cliffs around the Isle of Portland are:

- Loss of, or damage to, habitat due to path improvements
- Abrasion of cliff vegetation from climbing

361. Considering each of these in turn:

Loss of, or damage to, habitat due to path improvements

362. Two changes to the route of the SWCP around the Isle of Portland are proposed:

- North of Portland Bill to the Old Higher Lighthouse, the proposed route follows an existing path across a common (Report Map 11b). The common is an area of open grassland over which a right of access on foot for the public is already established. There are multiple routes used over this parcel of land, as is evident on site and from user apps like Strava. The path it is proposed to follow already receives much of the footfall from people walking around this part of the coast because it offers good views. The surface of the path is in good condition and its being more formally the route of the SWCP is unlikely to have an adverse effect on adjacent grassland. The condition of the path surface will be regularly checked as part of the maintenance standards for National Trails and action taken should the surface become damaged. The route takes walkers away from early gentian locations in this area.
- A different route is proposed on Southwell Road (Report Map 12b), through the Cheyne Weares car park and picnic area (LRR-12-S020) and then following another existing walked route across an area of access land. This section of the route is within the SAC. On route sections LRR-12-S022 to LRR-12-S025, it is

¹⁷ Full details are in the BMC Regional Access Database, available on-line at: [The British Mountaineering Council \(thebmc.co.uk\)](http://thebmc.co.uk)

proposed to install new steps because there are steep slopes and on route section LRR-12-S023, it is proposed to install a new stone slab (clapper) bridge to span a deep crevice in the underlying rock. At route section LRR-12-S023, the proposed new alignment connects with the currently promoted route of the SWCP. The proposed alignment is a more direct route from this path junction (marked 'B' on Report Map 12b) and the car park and picnic area. Partly because of this, it already receives a portion of the footfall from people walking around this part of the cliffs. Because this part crosses steep slopes, its surface is liable to erosion. The proposed improvements, and the continued maintenance of this route as part of the SWCP, will help to manage trampling pressure from footfall in this area.

363. In addition, the current route diversions at Tout (LRR-10-S014 to LRR-10-S017) and Bowers Quarries (LRR-10-S020), where existing sections of path have been closed to avoid dangerously eroding cliff edges, are proposed to be incorporated into the route. Both diverted sections are inland of the SAC.

364. Some new path infrastructure will be installed within the SAC as a result of the proposals, including new steps on steep slopes and a footbridge near Cheyne Weares (discussed above) and a small number of additional waymark posts (a total of 5 new waymarkers within the SAC around the Isle of Portland). The area habitat affected will be negligible because the works are of limited extent and new infrastructure will be installed within the footprint of existing paths or adjacent to them. Improved waymarking will help to manage footfall where the preferred route of the path might otherwise be unclear on the ground.

Abrasion of cliff vegetation from climbing

365. The sea cliffs around the Isle of Portland are a well-known destination for climbers. Climbing is permitted under the CARs that would be created by the access proposals; however, this is unlikely to lead to an increase in climbing visits or change the distribution of this activity as there is already established access for climbing. Voluntary climbing restrictions are in place at a number of sites (for cliff nesting birds) and this arrangement is not affected by the access proposals. The access proposals do not change the position for companies offering climbing or coastering experiences as such commercial activity is not permitted under CARs.

366. Climbing is a specialist activity that requires planning, organisation and equipment. Experience working with the climbing community, in the Portland area and at sensitive sites in other parts of the country, is that they are responsive to the need to care for the environment and that approaches such as voluntary restrictions brokered through BMC are an effective way of managing this activity without conflict.

367. For the reasons explained above NE does not anticipate that the access proposals will lead to an increase in abrasion of cliff vegetation from climbing and considers that pressures from this activity are best managed in collaboration with climbing groups. Should the existence of CARs become an issue at any time in the future, CROW restrictions or exclusions could be imposed.

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

368. In this part of the HRA we draw together our conclusions concerning the risks considered within this Appropriate Assessment, taking account of the detailed design of the access proposals and including any extra or additional 'mitigation measures' specifically intended to avoid or reduce the potential harmful effects of the plan or project and which might enable a conclusion of no adverse effect on the integrity of the European Sites to be reached. In reviewing the ability of any such measures to avoid harmful effects, NE 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.

Loss of, or damage to, habitat due to path improvements

Risk to conservation objectives

369. Construction works associated with improvements to the SWCP or where it is proposed to establish a new alignment for the route, cause temporary damage to areas of habitat or lead to a permanent loss in extent of features.

Qualifying features affected

370. The following sites and qualifying features are affected:

Sidmouth to West Bay SAC

- Vegetated sea cliffs of the Atlantic and Baltic coasts

Chesil and The Fleet SAC

- Perennial vegetation of stony banks
- Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticose*)
- Annual vegetation of drift lines
- Atlantic salt meadows (*Glaucio-Puccinellietalia maritimae*)

Chesil Beach and The Fleet Ramsar site

- Shingle

Isle of Portland to Studland Cliffs SAC

- Vegetated sea cliffs of the Atlantic and Baltic coasts
- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*)
- Early gentian

Relevant design features of the access proposals

371. Works are needed where it is proposed to re-align the SWCP or make targeted improvements to the existing path. Details of path improvement works potentially affecting these sites and features are described in sections D3.2A, D3.2B, D3.2D and D3.2E of this assessment, and in more detail in the corresponding coastal access reports. In summary, these are:

- Improvements to the existing path surface, furniture, or directional signage where sections of the SWCP are within or near European sites (for example within Chesil and The Fleet SAC, improvements to an eroded section of path on a steep slope at Chesil Vista Holiday Park, or to directional signage at Gore Cove and Herbury Point where there are informal paths around the shore – D3.2D)
- Alignment changes that improve the managed route of the SWCP outside the boundary of a European sites (for example moving the trail inland of Sidmouth to West Bay SAC between Lyme Regis and Charmouth – D3.2A – or a minor realignment at Pirates Cove that guides people around rather than over a beach in Chesil and the Fleet SAC - D3.2D)
- A minor realignment within Sidmouth to West Bay SAC at Golden Gap that will help to clarify the route of the SWCP on the ground and reduce the risk of erosion (D3.2A)
- Realignments within Isle of Portland to Studland Cliffs SAC (details in D3.2E):
 - north of Portland Bill to the Old Higher Lighthouse where there are multiple paths over a common
 - on Southwell Road at Cheyne Weares car park and picnic area where an established path that is not currently part of the SWCP will be improved and adopted as part of the route
 - at Tout and Bowers Quarries where there are existing diversions to the SWCP following cliff falls.

Can ‘no adverse effect’ on site integrity be ascertained?

372. The proposed route largely follows the established SWCP around the landward periphery of these cliff and coastal sites. Most planned improvements where the route is within a European site will be to the established path. Where new infrastructure is planned to be installed this will be within the confines of the SWCP or other established paths and will be carried out by DC only after assent has been obtained and taking care to minimise impacts on surrounding vegetation whilst the works are carried out.

373. There may be a small new loss in extent of qualifying habitat as a result a minor path re-alignment at Golden Gap, within Sidmouth to West Bay SAC. The extent of the loss will be negligible (less than 1m²) and because the proposed action will help manage trampling pressure from footfall at this location there will not be an adverse effect on the site conservation objectives.

374. The extent of qualifying habitats ‘perennial vegetation of stony banks’ and ‘annual vegetation of drift lines’ within Chesil and The Fleet SAC is being impacted by several

pressures, including recreational activity, and NE has set targets to restore the extent of these habitats. As explained in D3.2B and D3.2D, there will be no permanent loss in extent of these habitat types because of planned path improvement works.

375. Taking account of the design features summarised above and assessed in detail in D3.2A, D3.2B, D3.2D and D3.2E, NE concludes the access proposals will not lead to an appreciable adverse effect on site integrity of Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet Ramsar site, or Isle of Portland to Studland Cliffs SAC.

Are there residual effects?

376. No, the access proposals will not lead to an adverse effect on the area of qualifying habitat.

Abrasion of cliff vegetation from climbing

Risk to conservation objective

377. Increased damage to cliff vegetation because of expansion in climbing activities permitted under CARs.

Qualifying features affected

378. The following site and qualifying features are affected:

Isle of Portland to Studland Cliffs SAC

- Vegetated sea cliffs of the Atlantic and Baltic coasts
- Semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*)
- Early gentian

Relevant design features of the access proposals:

379. Climbing is permitted under the CARs that would be created by the access proposals. Details of the extent of the affected area are described in section D3.2E of this assessment, and in more detail in the corresponding coastal access reports.

Can 'no adverse effect' on site integrity be ascertained?

380. Yes. The access proposals are unlikely to lead to an increase in climbing visits to Isle of Portland to Studland Cliffs SAC or change the distribution of this activity within the site as there is already established access for climbing. NE does not anticipate that the access proposals will lead to an increase in abrasion of cliff vegetation from climbing and considers that pressures from this activity are best managed through ongoing collaboration with climbing groups. Should the existence of CARs become an issue at any time in the future, CROW restrictions or exclusions could be imposed.

Are there residual effects?

381. No, the access proposals will not lead to an adverse effect on the area of qualifying habitat.

Trampling of shingle and saltmarsh vegetation by recreational activities

Risk to conservation objectives

382. Changes in the extent and distribution of shingle and saltmarsh vegetation along Chesil Beach between West Bay and Chiswell Cove, where evidence shows that existing levels and patterns of access have had a cumulative effect through trampling.

Qualifying features affected

383. The following sites and qualifying features are affected:

Chesil and The Fleet SAC

- Perennial vegetation of stony banks
- Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticose*)
- Annual vegetation of drift lines
- Atlantic salt meadows (*Glaucopuccinellietalia maritimae*)

Chesil Beach and The Fleet Ramsar site

- Shingle

Relevant design features of the access proposals

384. Details of the access proposals potentially affecting these sites and features are described in sections D3.2B, D3.2C and D3.2D of this assessment, and in more detail in the corresponding coastal access reports. In summary, relevant features of the access proposals are:

- A proposed route for the trail that largely follows the SWCP and avoids beaches with shingle vegetation.
- Investing in, and maintaining, the SWCP to a high standard which helps to manage footfall from terrestrial recreational activities within Chesil and The Fleet SAC.
- Directions to restrict or exclude CARs that mirror current access restrictions over parts of Chesil Beach adjoining The Fleet.
- Updated signs and notices about access restrictions over Chesil Beach (for example to explain the access arrangements at the Boundary Stone on Chesil Bank - D3.2B).

Can ‘no adverse effect’ on site integrity be ascertained?

385. On parts of Chesil Beach adjoining The Fleet, the access proposals include measures to mirror and reinforce the established access restrictions and will help to ensure the ongoing upkeep of the SWCP, which is the primary access route through the site.
386. On parts of the beach to the east and west of The Fleet access on the existing route of the SWCP is established with hot spots at points with car parking such as Chiswell Cove, Fleetsbridge, Abbotsbury, West Bexington, Burton Bradstock and West Bay. Because the SWCP is already a National Trail and there is existing access to the beach, patterns and levels of use are not expected to change significantly as a result of the access proposals.
387. A change to the existing coast path route at Burton Mere/Cogden is proposed which reflects current public use of the back of the beach. There is likely to be a modest increase in the number of visitors walking along Cogden Beach as a result of the proposed modification to the SWCP there. However, the modification is designed to reflect and consolidate existing patterns of use and so reduce the risk of trampling spreading at this location.
388. The qualifying habitats ‘perennial vegetation of stony banks’ and ‘annual vegetation of drift lines’ within Chesil and The Fleet SAC is being impacted by a number of pressures, including recreational activity, and NE has set targets to restore the distribution, extent, ability to respond to change and abundance of key species of these habitats. As summarised above and explained in more detail in D3.2B, D3.2C and D3.2D of this assessment, the access proposals are designed to help manage footfall from recreational activities, and particularly walking with and without a dog, over Chesil and The Fleet SAC and Chesil Beach and The Fleet Ramsar site and therefore avoid increasing trampling pressure over these habitats.
389. Taking account of the design features summarised above and assessed in detail in D3.2B, D3.2C and D3.2D, NE concludes the access proposals will not lead to an appreciable adverse effect on site integrity of Chesil and The Fleet SAC or Chesil Beach and The Fleet Ramsar site.

Are there residual effects?

390. No, the access proposals will not result in trampling from recreational activities that has adverse effects on the extent or distribution of, relevant qualifying habitats and/or associated assemblages of rare, vulnerable or endangered invertebrate or plants.

Damage to coastal lagoons by recreational activities

Risk to conservation objectives

391. Increased damage to components of the lagoon because of trampling, abrasion, smothering and siltation that occurs when people or dogs enter the water or nutrient enrichment from dog faeces.

Qualifying features affected

392. The following sites and qualifying features are affected:

Chesil and The Fleet SAC

- Coastal lagoons

Chesil Beach and The Fleet Ramsar site

- Coastal lagoon

Relevant design features of the access proposals

393. Details of the access proposals potentially affecting these sites and features are described in sections D3.2B, D3.2C and D3.2D of this assessment, and in more detail in the corresponding coastal access reports. In summary, relevant features of the access proposals are:

- A proposed route for the trail landwards of The Fleet lagoon and largely following the established SWCP.
- Improvements to the surface of the coast path planned as part of the physical establishment of the route, which would make it more convenient and therefore attractive to walk on than the foreshore in places where it is improved.
- A new section of path on the low cliffs above Pirates Cove, which we expect most people to favour over the current beach route, in particular at high tides – D3.2D.
- Investing in, and maintaining, the SWCP to a high standard which helps to manage footfall from recreational activities within Chesil and The Fleet SAC.
- Directions to ensure the extent of CARs is broadly consistent with existing access rights over the foreshore and open waters of The Fleet.
- Updated signs and notices about access restrictions over Chesil Beach (for example, clearer route signs at Gore Cove and Herbury where there is evidence that people stray off the path into sensitive areas closer to the lagoon – D3.2D).
- Proposed exclusions seaward of the new West Fleet section of the route, in conjunction with proposed signs and physical barriers – D3.2C.

Can ‘no adverse effect’ on site integrity be ascertained?

394. On parts of Chesil Beach adjoining The Fleet lagoon, the access proposals include measures to mirror and reinforce the established access restrictions and will help to ensure the ongoing upkeep of the SWCP, which is the primary access route through the site.

395. The Fleet lagoon is being impacted by several pressures, including agriculture and sewage treatment, and NE has set targets to restore attributes relating to water quality and the presence, distribution and species composition of lagoon habitats. As explained above, and in more detail in D3.2B, D3.2C and D3.2D, the access proposals are designed to help manage footfall from recreational activities within Chesil and The Fleet SAC and Chesil Beach and The Fleet Ramsar site and therefore avoid increasing any

risk of damage to the lagoon and associated habitats from terrestrial recreational activities that might arise from the access proposals.

396. Taking account of the design features summarised above and assessed in detail in D3.2B, D3.2C and D3.2D, NE concludes the access proposals will not lead to an adverse effect on site integrity of Chesil and The Fleet SAC or Chesil Beach and The Fleet Ramsar site.

Are there residual effects?

397. No, the access proposals will not result in any significant increase in damage from recreational activities that has appreciable adverse effects on the lagoon's flora and fauna.

Disturbance of non-breeding waterbirds by recreational activities

Risk to conservation objectives

398. Changes to the populations and distribution of wintering birds on The Fleet, its shoreline and adjoining fields, in respect of which evidence shows the presence of people or dogs can cause disturbance, resulting in reduced feeding/resting time and/or loss of suitable available habitat for these activities.

Qualifying features affected

399. The following sites and qualifying features are affected:

Chesil Beach and The Fleet SPA

- Wigeon (non-breeding)

Chesil Beach and The Fleet Ramsar site

- Dark-bellied brent goose (non-breeding)

Relevant design features of the access proposals

400. Details of the access proposals potentially affecting these sites and features are described in sections D3.2B, D3.2C and D3.2D of this assessment, and in more detail in the corresponding coastal access reports.

401. The risk of increased disturbance to wintering populations of wigeon and dark-bellied brent goose is a particular concern landwards of West Fleet, where a new seasonal route for the SWCP is proposed (see D3.2C). In summary, relevant features of the access proposals between Abbotsbury and Rodden Hive are:

- In respect of wigeon:
 - Alternative seasonal winter route between October and February
 - No CARs in the buffer zone between West Fleet and the proposed main route (for remaining lower numbers of wintering birds present in March and September)

- Effective buffer zone for the majority, with partial screening present along The Fleet shore in the localised area where the buffer zone is less than 200m wide
 - Effective access management measures
 - Monitoring in the West Fleet area
 - In respect of dark-bellied brent goose:
 - Alternative seasonal winter route between October and February
 - Effective access management measures
 - Monitoring in the West Fleet area
402. In addition, relevant features of the access proposals in respect of wintering waterbirds at other locations around The Fleet are:
- A proposed route for the trail landwards of The Fleet lagoon and largely following the established SWCP.
 - Improvements to the surface of the coast path planned as part of the physical establishment of the route, which would make it more convenient and therefore attractive to walk on than the foreshore in places where it is improved.
 - A new section of path on the low cliffs above Pirates Cove, which we expect most people to favour over the current beach route, in particular at high tides – D3.2D.
 - Directions to ensure the extent of CARs is broadly consistent with existing access rights over the foreshore and open waters of The Fleet, including access to Chesil Beach between Abbotsbury and the Chickerell firing range where there is no access to the Bank except to the outer (seaward) side of the bank from 1st September to 31st March – D3.2B.
 - Updated signs and notices about access restrictions over Chesil Beach (for example, clearer route signs at Gore Cove and Herbury where there is evidence that people stray off the path into sensitive areas closer to the lagoon – D3.2D – or to explain the access arrangements at the Boundary Stone on Chesil Bank - D3.2B).

Can ‘no adverse effect’ on site integrity be ascertained?

403. On parts of Chesil Beach adjoining The Fleet, the access proposals include measures to mirror and reinforce the established access restrictions and will help to ensure the ongoing upkeep of the SWCP, which is the primary access route through the site. At West Fleet, where a new seasonal route for the SWCP is proposed, a combination of access management measures is included in the proposals to avoid and mitigate the risk of increased disturbance to relevant populations of non-breeding waterbirds from the access proposals.
404. In light of a long-term decline in the wigeon population of Chesil Beach and The Fleet SPA, NE has set targets to restore the extent of supporting habitat, improve water quality and restrict disturbance caused by human activity, including recreation. As summarised above, and discussed in more detail in D3.2B, D3.2C and D3.2D, the access proposals have been modified to ensure that recreational activities associated with coastal access,

primarily walking with and without a dog, are managed so as not to increase disturbance to wintering waterbirds. The measures included in the proposals to restrict the risk of disturbance to wigeon will similarly benefit dark-bellied brent goose, that are a feature of Chesil Beach and The Fleet Ramsar site with a population trend of increasing numbers.

405. Taking account of the design features summarised above and assessed in detail in D3.2B, D3.2C and D3.2D, NE concludes the access proposals will not lead to an adverse effect on site integrity of Chesil Beach and The Fleet SPA or Chesil Beach and The Fleet Ramsar site.

Are there residual effects?

406. A new seasonal route for the SWCP is proposed at West Fleet combined with several access management measures to ensure the route is not used in the winter months. NE is confident that the measures proposed to restrict use of the new section of trail between Horsepool Road and Rodden Hive will work as planned. However, because this is a substantial new proposal, there is a degree of uncertainty about whether people might attempt to make unauthorised use of this route during the winter months. Occasional unauthorised use of the closed path might lead to small-scale, temporary disturbance of birds using fields seawards of this section of the route that would not have an adverse effect on site integrity but might constitute as residual and appreciable effects with the potential to act in-combination with those from other proposed plans or projects. For this reason, further assessment of this risk in-combination with other relevant plans or projects is carried out in in section D4 of this assessment.

Disturbance of non-breeding waterbirds from path improvement works

Risk to conservation objectives

407. Undertaking works to install access management infrastructure disturbs qualifying features causing temporary or enduring effects on their population and/or distribution within the site.

Qualifying features affected

408. The following sites and qualifying features are affected:

Chesil Beach and The Fleet SPA

- Wigeon (non-breeding)

Chesil Beach and The Fleet Ramsar site

- Dark-bellied brent goose (non-breeding)

Relevant design features of the access proposals

409. Details of the access proposals potentially affecting these sites and features are described in sections D3.2C and D3.2D of this assessment, and in more detail in the corresponding coastal access reports.

410. Where construction works are required, they will be carried out by local authority staff or approved contractors using method statements prepared by the local access authority based on the principles described in Annex 6 and agreed with Natural England before works commence.

Can ‘no adverse effect’ on site integrity be ascertained?

411. Yes. For the reasons explained in D3.2C and D3.2D, including the design features of the access proposals summarised above, NE concludes that the proposed construction works will not lead to an appreciable adverse effect on site integrity of Chesil Beach and The Fleet SPA or Chesil Beach and The Fleet Ramsar site.

Are there residual effects?

412. No, disturbance from construction works associated with establishing ECP will not lead to temporary or lasting adverse effects on the population and/or distribution of non-breeding waterbirds within the site.

Conclusion - assessment of potential adverse effects considering the plan or project ‘alone’

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 of, or damage to, habitat due to path improvements
- Abrasion of cliff vegetation from climbing
- Trampling of shingle and saltmarsh vegetation by recreational activities
- Damage to coastal lagoons by recreational activities
- Disturbance of non-breeding waterbirds by construction works

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:

- Disturbance of non-breeding waterbirds by recreational activities

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

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

415. NE 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:
416. The SPA and Ramsar designations for Chesil Beach and The Fleet include bird populations that could be affected by disturbance from people and/or their dogs. Specifically, the qualifying features are non-breeding wigeon and dark bellied brent goose. The proposed route of the ECP avoids sensitive areas however, there is a degree of uncertainty about whether people might attempt to make unauthorised use of a restricted section of the proposed route between Horsepool Road and Rodden Hive during the winter months.

Table 12. Residual risk of insignificant impacts from the access proposals

Residual risk	Site and Qualifying Feature(s) affected
Unauthorised use of a seasonally restricted section of the proposed route and year round-restricted coastal margin between Horsepool Road and Rodden Hive leads to increased disturbance of non-breeding waterbirds by recreational activities	Chesil Beach and The Fleet SPA ■ Wigeon (non-breeding) Chesil Beach and The Fleet Ramsar site ■ Dark-bellied brent goose (non-breeding)

Combinable risks arising from other live plans or projects

417. 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 HRAs.

Table 13. Review of other live plans and projects

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Environment Agency (EA) and Southern Inshore Fisheries and Conservation Authority (SIFCA)	Licensing of traditional fishing activities in The Fleet	<p>No.</p> <p>There are a number of traditional low level fishing activities (some of which are the subject of licenses and consents) in The Fleet which may include fyke netting, gill nets, trammel nets and beach seines/ring netting as follows. There is no evidence or reports of disturbance to features of the SPA or SAC and these low risk activities are currently considered to be in-consequential to the interest features at their current levels.</p> <p>EA licences fyke netting for adult eel between 01 April and 10 December. The licensees have fished The Fleet for many years and since 2008/9 the number of licences has been capped at the level agreed in 2009. This activity is primarily in the West Fleet from Langton Hive westwards and is permitted and monitored by the landowner Ilchester Estates. Catch returns are monitored by the EA.</p> <p>There is some mullet fishing with nets from small powered boats, but reported to be 'low level' in tidal waters in the East Fleet. SIFCA monitor activities.</p> <p>Limited potting for shore crab has been consented in the past and activity is monitored by SIFCA.</p>
Southern Inshore Fisheries and Conservation Authority (SIFCA), Centre for Environment, Fisheries and Aquaculture Science (CEFAS), NE	Research studies	<p>No.</p> <p>Several research and monitoring studies are carried out at The Fleet including:</p> <ul style="list-style-type: none"> ■ Small fish surveys carried out twice a year by SIFCA at Ferrybridge and Langton Herring ■ Cefas research on the Fleet ■ BCP and SIFCA drone work along the Dorset coast ■ Dr Lin Baldock has a 10 year Consent, valid until March 2028, to undertake monitoring work on the Fleet lagoon and its shoreline <p>These projects are carried out under regularly reviewed SSSI consent/ assents and the low level activity associated with them is in-consequential to the interest features.</p>
Environment Agency	South Devon and Dorset Shoreline Management Plan	<p>No.</p> <p>Shoreline Management Plans (SMP) set out the strategic policy approach to the management of the coastline and adjacent areas at risk of tidal flooding and coastal erosion. SMPs are currently being refreshed nationally. The updated South Devon and Dorset SMP is expected to be published early in Winter 2023.</p> <p>With the long-term commitment to continued review of HRA issues in place, it is concluded that the SMP does not bring forth any identifiable impacts that could act in-combination with the ECP. Future iterations of the HRA work for the SMP will consider the ECP if required.</p>

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Jurassic Coast Partnership	Jurassic Coast Partnership Plan 2020-2025 Management Framework for the Dorset and East Devon Coast World Heritage Site [39]	No. The plan is a document that aims to “conserve, protect, present and transmit to future generations” the World Heritage Site, which is a nature conservation designation; so by its nature it is a plan that is supportive of environmental concerns and promotes responsible and sustainable access and tourism in general terms without promoting specific increases, and contains no provision for increased access at West Fleet. It is therefore concluded that there is no effect to consider in-combination.
Natural England	Jurassic Coast Challenge	No. The Jurassic Coast Challenge is an organised endurance event for walkers, joggers and runners that takes place in May each year. Approximately 3000 people take part, over a 24 hour period. The route and other arrangements for the event are agreed with the organisers to avoid impacts on protected sites and are subject to SSSI consent.
Natural England	Licenced shooting of brent geese	No. Licences have been granted for shooting of limited numbers of geese in the east Fleet to prevent serious damage to crops and reinforce other scaring and crop protection measures. These licences are valid for a season (year) and time limited to the end of March. There is therefore no possibility of a combined effect with the current licence as it ceases before the implementation of the coastal path. The licenses are subject to HRA, with NE as competent authority issuing the licenses. Future applications would be considered on their merit each time, and if necessary would trigger an in combination assessment at that time.

Competent Authority	Plan or project	Have any insignificant and combinable effects been identified?
Dorset Council	Local Plan 2021 to 2038	<p>No.</p> <p>In early 2021, Dorset Council consulted on Local Plan options. Current adopted local plans covering the former district and borough council areas are being incorporated into the new Dorset Local Plan 2021 to 2038.</p> <p>A HRA screening assessment was prepared as part of the options consultation [40]. This found that further residential development in areas surrounding Chesil and The Fleet SAC, SPA and Ramsar would result in an increase in local population; in turn leading to an increase in recreational activity and a likely significant effect upon these sites. Whilst several measures are in place to manage recreational activity, these are not secure for the duration of the plan. An Appropriate Assessment of the Dorset Council Local Plan will be undertaken to address the potential issues and determine whether the plan will adversely affect the integrity of the European sites.</p> <p>In the meantime, Dorset Council have put in place an Interim Strategy [21] for mitigating the effects of recreational pressure on the Chesil and The Fleet SAC, SPA and Ramsar sites. The Interim Strategy is funded by developer contributions from the Community Infrastructure Levy and ensures that new development contributes to the mitigation in a fair, transparent and proportionate manner. Within this work, a monitoring strategy has been put in place [22]. The interim strategy applies to ongoing development under the adopted 2015 West Dorset and Weymouth and Portland Local Plan.</p> <p>The measures identified in the Interim Strategy are considered to provide effective mitigation of impacts from development under the Local Plan at the present time. As a result, no further insignificant and combinable effects been identified at this stage. Further evidence will be gathered and the need to develop an updated final strategy will be considered as part of planned further assessment.</p>

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

418. 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

419. 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), NE carried out an Appropriate Assessment as required under Regulation 63 of the Habitats Regulations to ascertain whether or not it is possible to conclude that there would be no adverse effect on the integrity of a European Site(s).

NE concludes 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 Lyme Bay and Torbay SAC, Sidmouth to West Bay SAC, Chesil and The Fleet SAC, Chesil Beach and The Fleet SPA & Ramsar site, Isle of Portland to Studland Cliffs SAC either alone or in combination with other plans and projects.

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

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

PART E: Permission decision with respect to European Sites

420. NE 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, NE 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, NE, as the relevant competent authority, is required to carry out a HRA under Regulation 63 of the Habitats Regulations.

We, NE, are satisfied that our proposals to improve access to the English coast between Lyme Regis and Rufus Castle, Portland 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:

This HRA was initially prepared by Andrew Chester on 25th June 2015. The HRA was revised and updated by Gavin Stark on 15th March 2023

HRA approved by:

This HRA was initially approved by Ruth Carpenter on 25th June 2015. The revised and updated version of the HRA was approved by Nikki Hiorns on 15th March 2023

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

Abbreviations

BMC – British Mountaineering Council

CARs – Coastal Access Rights

CROW – Countryside and Rights of Way Act 2000

ECP – England Coast Path National Trail

EA – Environment Agency

DC – Dorset Council

HRA – Habitats Regulations Assessment

MOD – Ministry of Defence

NE – Natural England

OS – Ordnance Survey

SAC – Special Area of Conservation

SACOs – Supplementary Advice on Conservation Objectives

SIFCA - Southern Inshore Fisheries and Conservation Authority

SIP – Site Improvement Plan

SMP – Shoreline Management Plan

SPA – Special Protection Area

SWCP – South West Coast Path National Trail

WeBS – Wetland Bird Survey

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

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Annex 1. Response to the call for evidence

Name	Brief description
British Association for Shooting and Conservation	No response
Chesil Bank and Fleet Nature Reserve	Contributed to the response from Oliver Adderley, Ilchester Estate (see below).
Dorset Area of Outstanding Natural Beauty	Not aware of any new relevant evidence.
Dorset Council	No new relevant evidence to contribute.
Dorset Wildlife Trust	<p>Provided copies of three reports:</p> <ul style="list-style-type: none"> ■ Distribution of SAC & SAC Supporting Habitats on The Isle of Portland [38] – provides up to date information on habitat distribution for this part of Isle of Portland to Studland Cliffs SAC. ■ King Barrow Quarries Early Gentian Survey 2022 – this location is outside the project area. ■ West Bexington Shingle Survey 2022 [34] – includes up to date information about shingle vegetation and condition of the SWCP at this location.
Edward Gray Institute of Field Ornithology	No response
Fleet Study Group	No response
Ilchester Estate	<p>Responded on behalf of Ilchester Estate and Chesil Bank and Fleet Nature Reserve. Provided copies of, or drew attention to, the following:</p> <ul style="list-style-type: none"> ■ WeBS Sector Level data (see Annex 4 and Annex 5). ■ Annual Reports prepared by the Chesil Bank and Fleet Nature Reserve [19]. ■ 2019 recreational activity study [20]. ■ Information on the Chesil and Fleet Mitigation Steering Group, including DC's Interim Strategy [21].
National Trust	National Trust do not hold any new relevant evidence.
Portland Bill Bird Observatory	No response
Royal Society for the Protection of Birds	No response
South West Coast Path Association	Provided data from an automated trail counter at West Bay.

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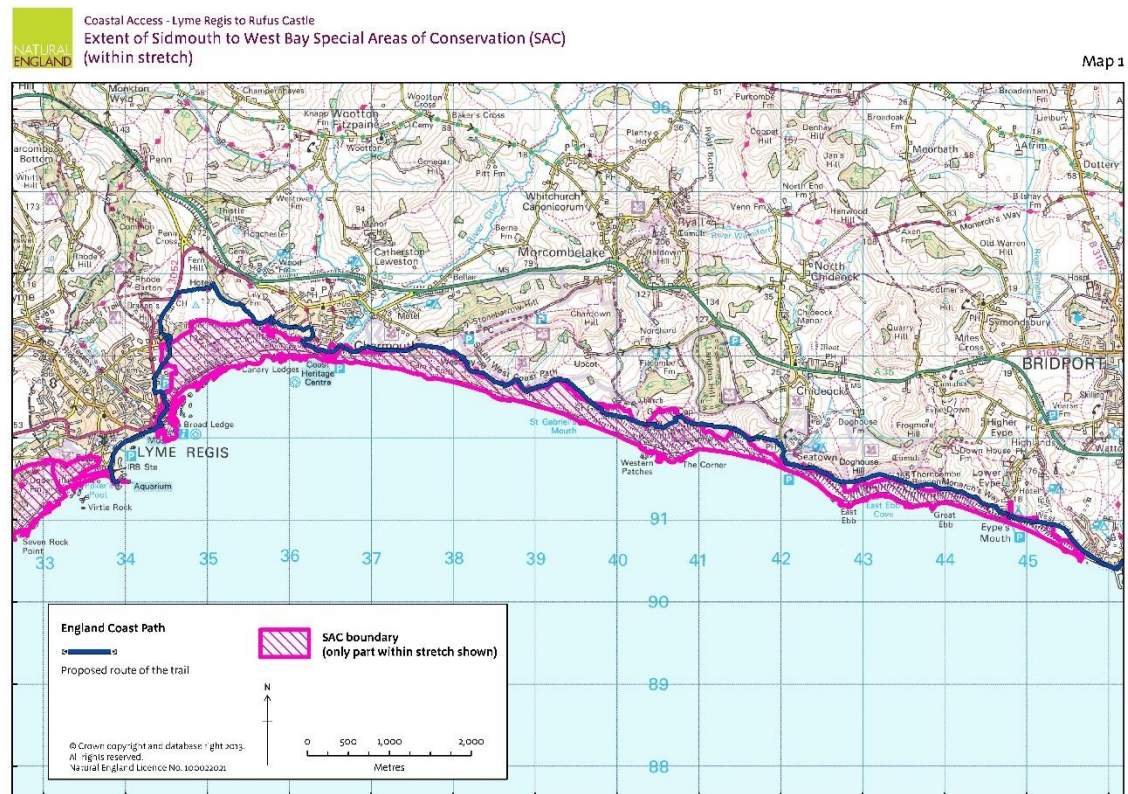
Annex 2. Directions proposed on nature conservation grounds

Report chapter	Location/extent (see maps in Annex 7 for more information)	Type of direction	Purpose of direction	Grounds and relevant section of CROW	Duration
Chapter 6	Trail and fields between New Barn Road and Rodden Hive	No public access	Sensitive wildlife	Nature conservation 26(3)(a)	1st October to 28th February
Chapters 6 to 9	Land seaward of the trail between Abbotsbury Beach car park and Ferry Bridge including: <ul style="list-style-type: none"> ■ The Fleet ■ Fields adjoining the West Fleet ■ Chesil Beach inner (landward-facing) beach and bank crest 	No public access	Sensitive wildlife	Nature conservation 26(3)(a)	All year
Chapters 6 to 8	Chesil Beach outer (seaward-facing) beach between Abbotsbury Beach car park and the western extent of Chickerell MOD range, but not including the crest of the bank, which is covered by the exclusion proposed above	No public access	Sensitive wildlife	Nature conservation 26(3)(a)	1st April to 31st August

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Annex 3. Maps of potentially affected European sites

Map A3.1 Sidmouth to West Bay SAC



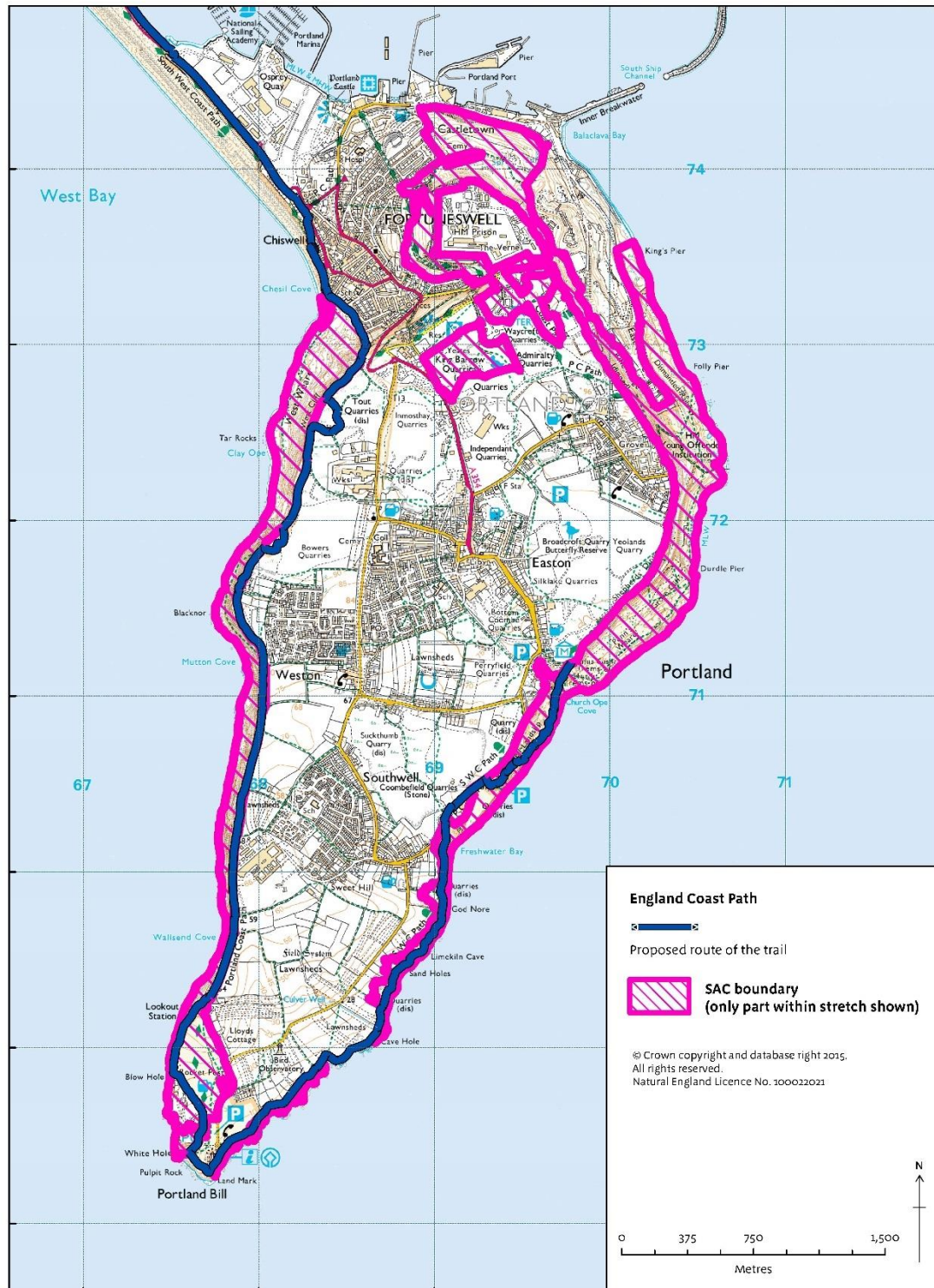
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Map A3.2 Isle of Portland to Studland Cliffs SAC



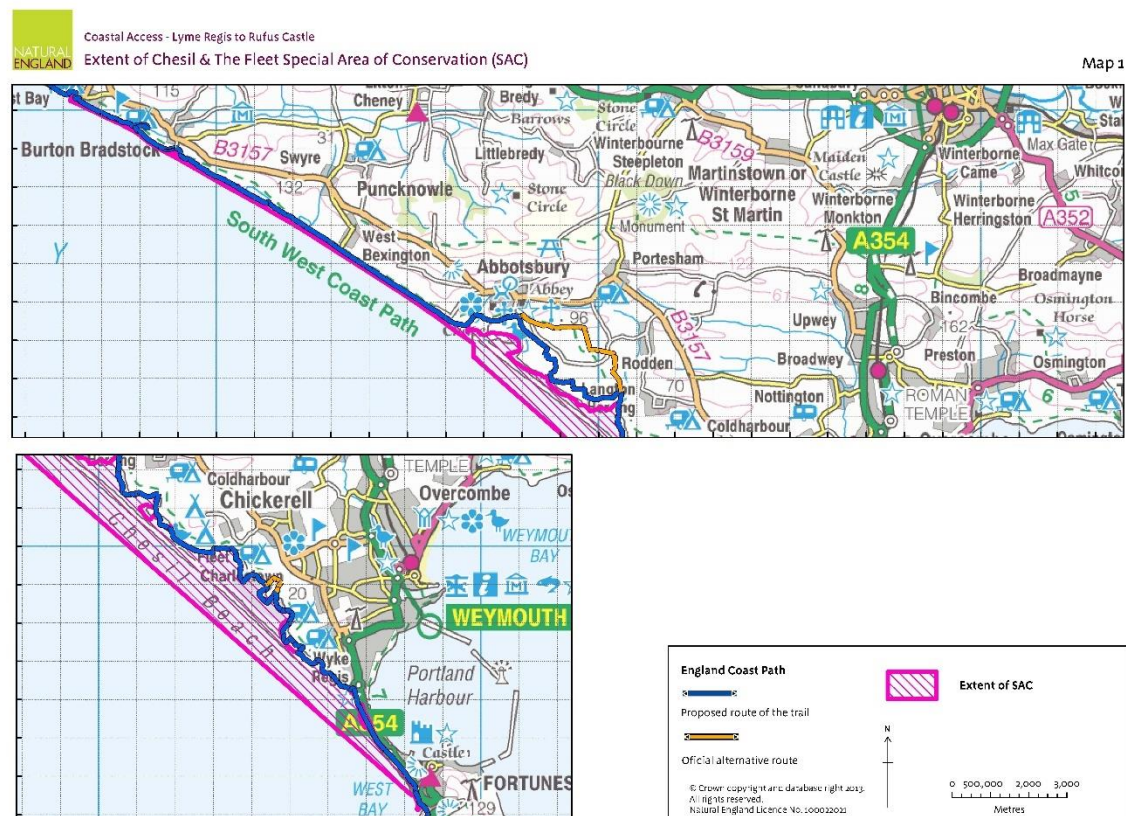
Coastal Access - Lyme Regis to Rufus Castle

Extent of Isle of Portland to Studland Cliffs Special Area of Conservation (SAC)

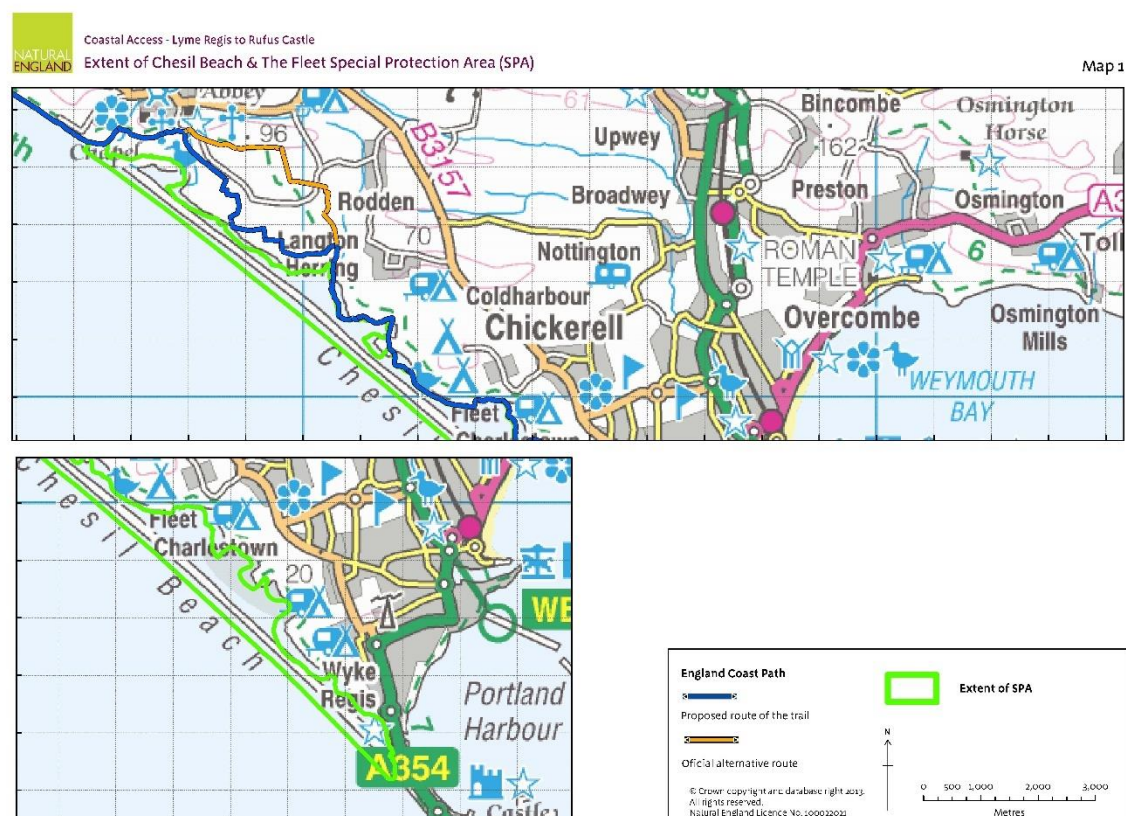


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Map A3.3 Chesil and The Fleet SAC

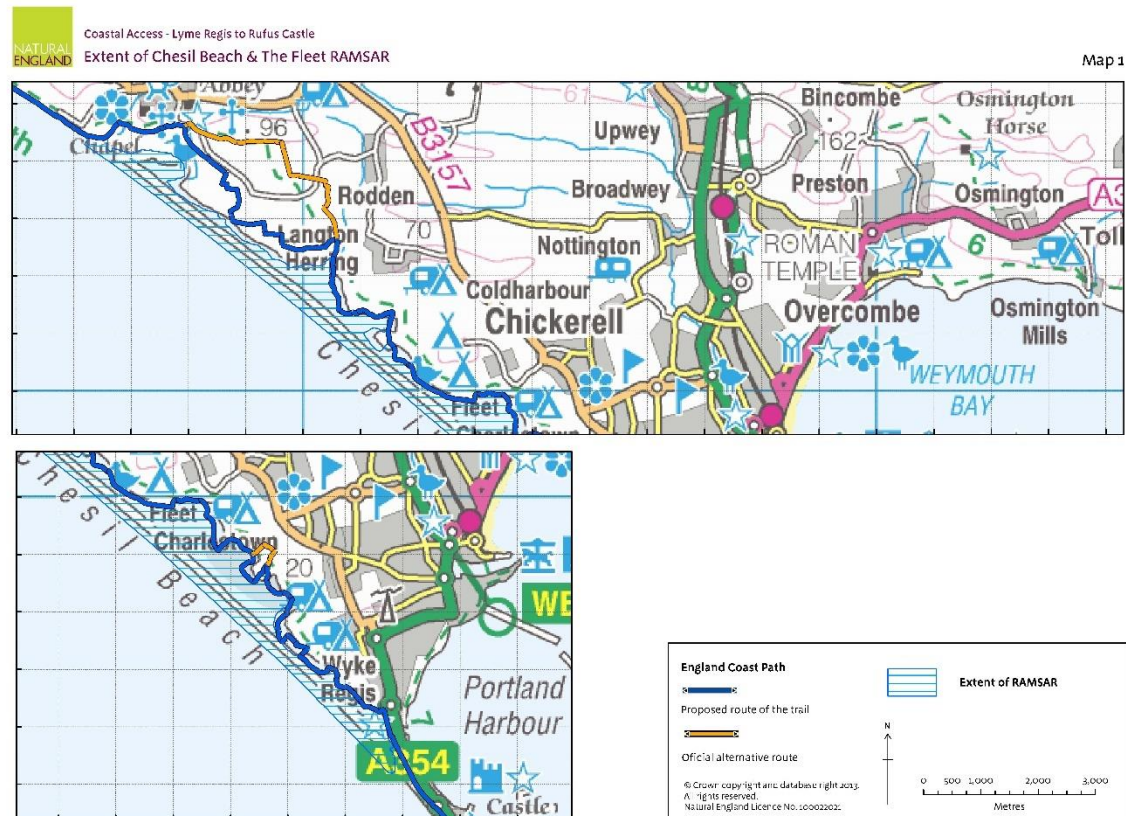


Map A3.4 Chesil Beach and The Fleet SPA



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Map A3.5 Chesil Beach and The Fleet Ramsar site



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Annex 4. WeBS data for selected waterbird species

The Wetland Bird Survey (WeBS) is the monitoring scheme for non-breeding waterbirds in the UK, which aims to provide the principal data for the conservation of their populations and wetland habitats. Around 3,000 volunteer counters participate in synchronised monthly counts at wetlands of all habitat types, mainly during the winter period. These WeBS Core Counts are supplemented by occasional WeBS Low Tide Counts undertaken on estuaries, with the aim of identifying key feeding areas.

WeBS is a partnership run by the WeBS team at the BTO with the help of volunteer WeBS Local Organisers. The information collected is used to assess the size of non-breeding waterbird populations, determine trends in their numbers and distribution, and assess the importance of individual sites for waterbirds, in line with the requirements of international conservation Conventions and Directives.

For this assessment we have used WeBS Core Count Data available up to the 2019/20 season [16]. A map of relevant WeBS sectors is in Annex 5. WeBS data were provided by BTO and summary tables are included in Annex 4. We have also used data from the website, including alerts and low tide counts [23].

Table A4.1 - Annual peak counts for WeBS site Fleet and Wey

Winter season	Wigeon	Dark-bellied brent goose
2009/10	5,131	2,190
2010/11	8,244	2,416
2011/12	2,813	1,999
2012/13	1,886	1,582
2013/14	2,810	1,290
2014/15	1,318	2,074
2015/16	2,280	3,586
2016/17	6,549	2,864
2017/18	3,567	5,061
2018/19	1,416	2,446
2019/20	1,634	2,711

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Annex 4 – continued

Table A4.2 Wigeon - five-year annual peak counts for selected WeBS sectors

Winter	12502 – Chickerell Hive Point to Ferry Bridge	12503 - Moonfleet to Chirkerell Hive Point	12504 - Rodden Hive to Moonfleet	12505 - Reeds End to Rodden Hive
2016/2017	0	975	5,242	320
2017/2018	100	1,216	1,950	650
2018/2019	140	134	1,000	600
2019/2020	25	740	1,300	350
2020/2021	30	744	340	1,000
Mean Peak	59	762	1,966	584

Table A4.3 Dark-bellied brent goose - five-year annual peak counts for selected WeBS sectors

Winter	12502 – Chickerell Hive Point to Ferry Bridge	12503 - Moonfleet to Chirkerell Hive Point	12504 - Rodden Hive to Moonfleet	12505 - Reeds End to Rodden Hive
2016/2017	1,500	2,195	455	1
2017/2018	2,550	1,540	1,378	20
2018/2019	939	2,162	1,100	10
2019/2020	1,736	1,348	1,159	300
2020/2021	546	2,052	2,100	55
Mean Peak	1,454	1,859	1,238	77

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Annex 4 – continued

Table A4.4 Wigeon – five-year average monthly counts for selected WeBS sectors 2016/17 to 2020/21

Month	12502 – Chickerell Hive Point to Ferry Bridge	12503 - Moonfleet to Chirkerell Hive Point	12504 - Rodden Hive to Moonfleet	12505 - Reeds End to Rodden Hive
Jul	0	0	0	0
Aug	0	0	0	0
Sep	0	127	174	55
Oct	9	362	1,073	331
Nov	42	589	1,615	548
Dec	1	217	765	332
Jan	35	173	757	90
Feb	4	55	145	18
Mar	2	1	111	30
Apr	0	0	5	8
May	0	0	0	0
Jun	0	0	0	0

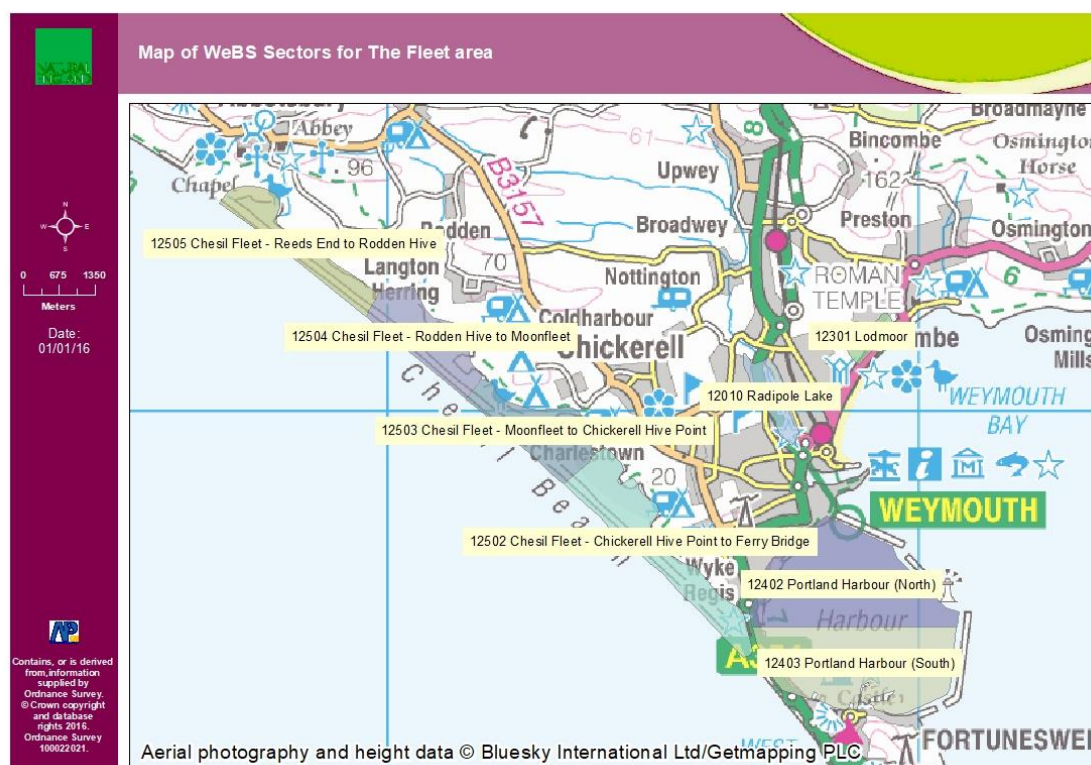
Table A4.5 Dark-bellied brent goose – five-year average monthly counts for selected WeBS sectors 2016/17 to 2020/21

Month	12502 – Chickerell Hive Point to Ferry Bridge	12503 - Moonfleet to Chirkerell Hive Point	12504 - Rodden Hive to Moonfleet	12505 - Reeds End to Rodden Hive
Jul	0	0	0	0
Aug	0	0	0	0
Sep	0	8	0	0
Oct	703	1,033	492	11
Nov	1,144	1,274	557	2
Dec	371	1,046	1,372	10
Jan	454	457	371	1
Feb	74	601	240	64
Mar	22	22	0	0
Apr	0	0	2	0
May	0	0	0	0
Jun	0	0	0	0

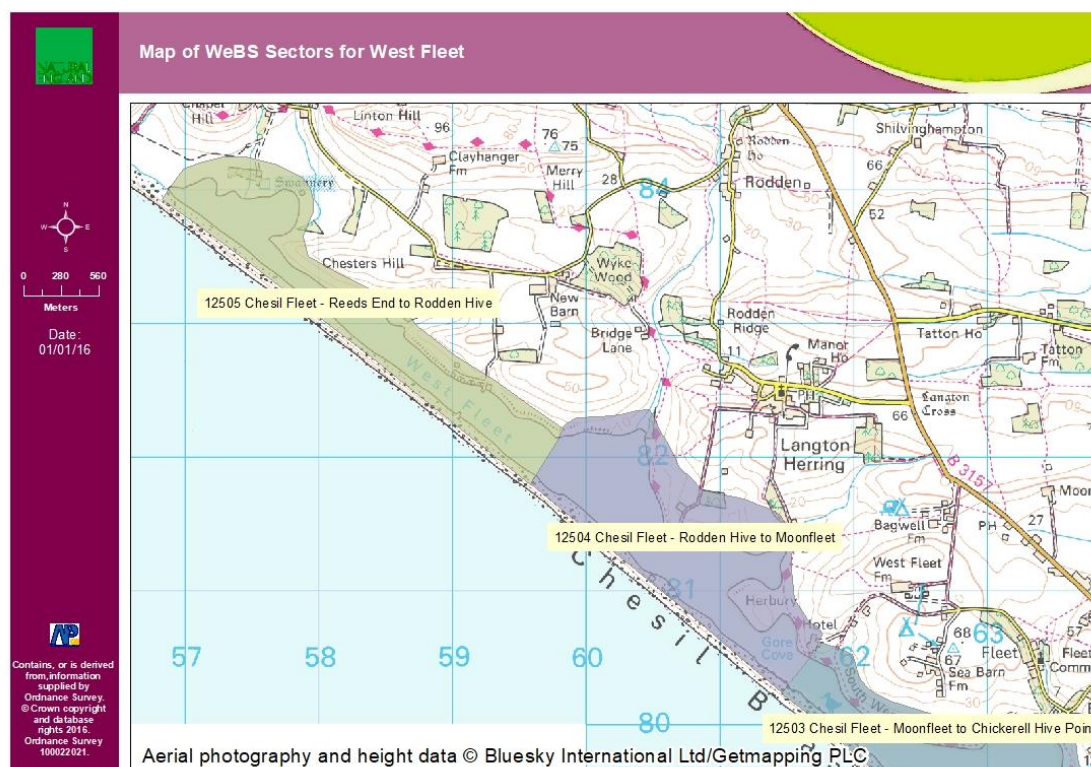
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Annex 5. Maps showing WeBS Sectors for WeBS site Fleet and Wey

Map A5.1 WeBS Sectors for The Fleet area



Map A5.2 WeBS sectors for the western end of The Fleet



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Annex 6. Measures to reduce the risk of disturbance when carrying out construction works

The table below summarises mitigation measures to reduce disturbance to waterbirds during path construction works.

Site design	<ul style="list-style-type: none">■ Operator to design access routes, storage areas and site facilities to minimise disturbance impacts.■ Operator to conduct operations out of sight of breeding, roosting and feeding areas where possible.
Timing of works	<ul style="list-style-type: none">■ Local authority to plan schedule with NE to limit disturbance risk.■ NE to specify a period of low sensitivity at each construction site, based on likely departure and arrival dates of waterbird species that use it.■ At all other times, work within 200 metres of, and visible to, a roost site will stop during the 2 hours before and after high tide.■ Operator to limit construction activities to daylight hours at all times of year.
Method	<ul style="list-style-type: none">■ Operator to use hand tools where practicable.■ Operator to avoid use of percussive machinery outside period of low sensitivity, or avoid use of machinery during the 2 hours before and after high tide.

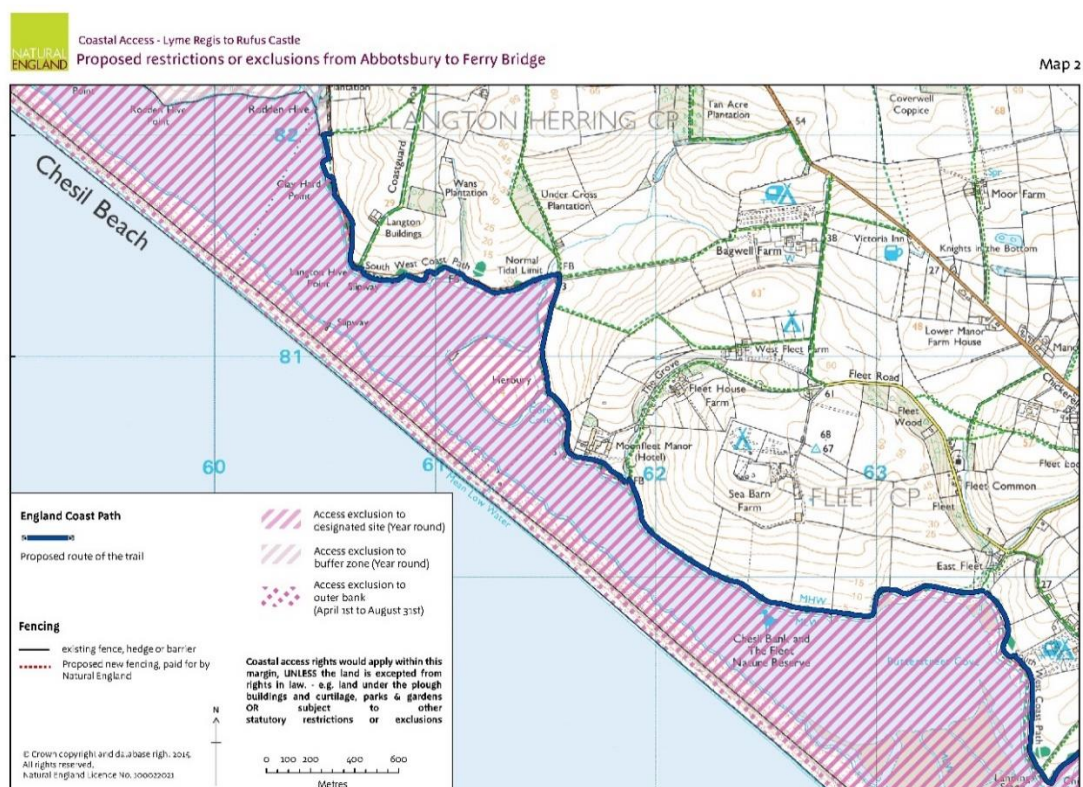
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Annex 7. Maps of the access proposals Abbotsbury to Ferry Bridge

Map A7.1 Proposed restrictions of exclusions from Abbotsbury to Ferry Bridge (Map 1)

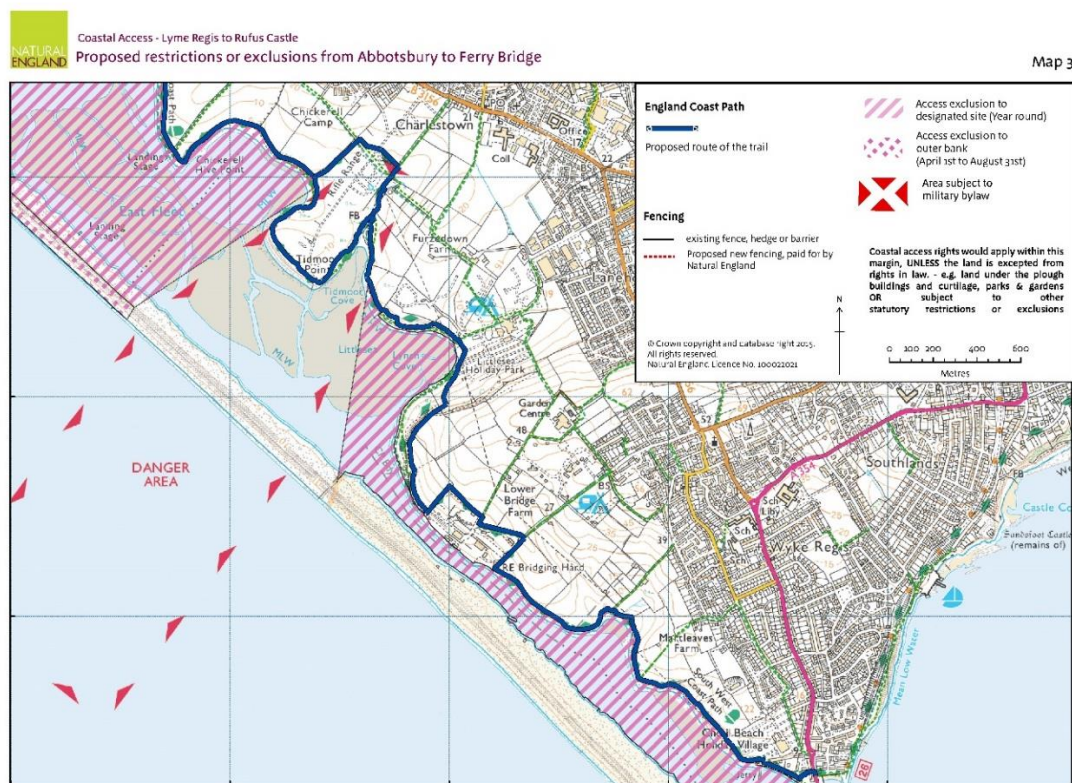


Map A7.2 Proposed restrictions of exclusions from Abbotsbury to Ferry Bridge (Map 2)

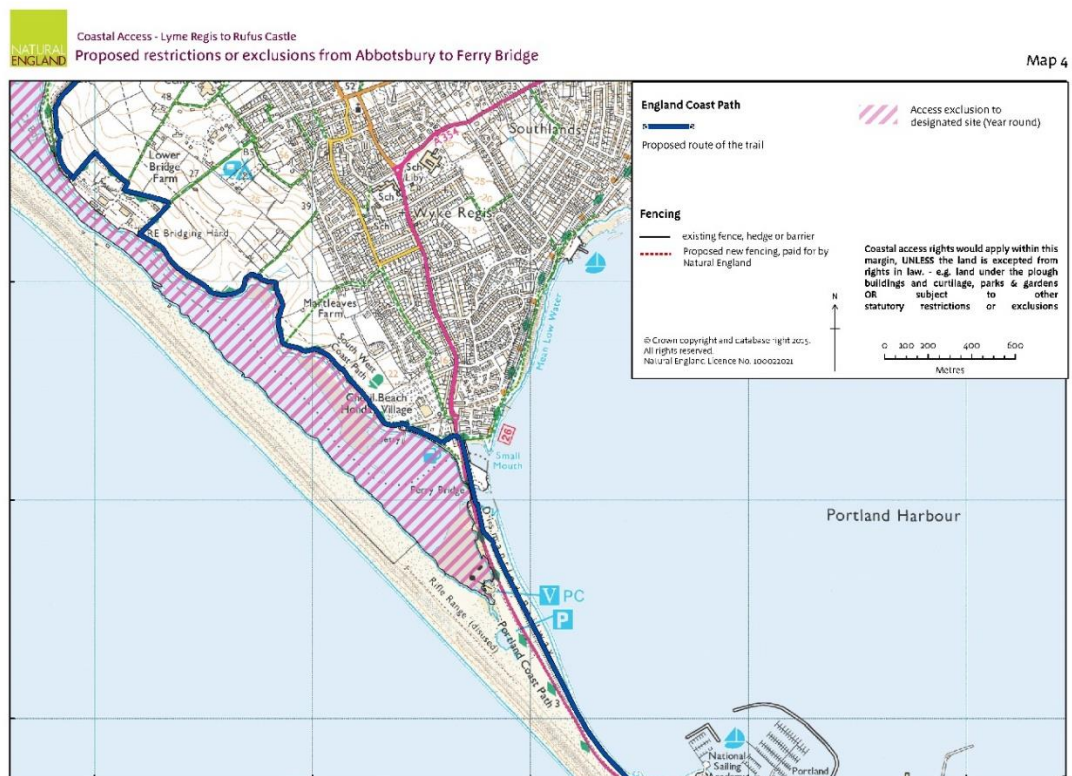


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Map A7.3 Proposed restrictions of exclusions from Abbotsbury to Ferry Bridge (Map 3)



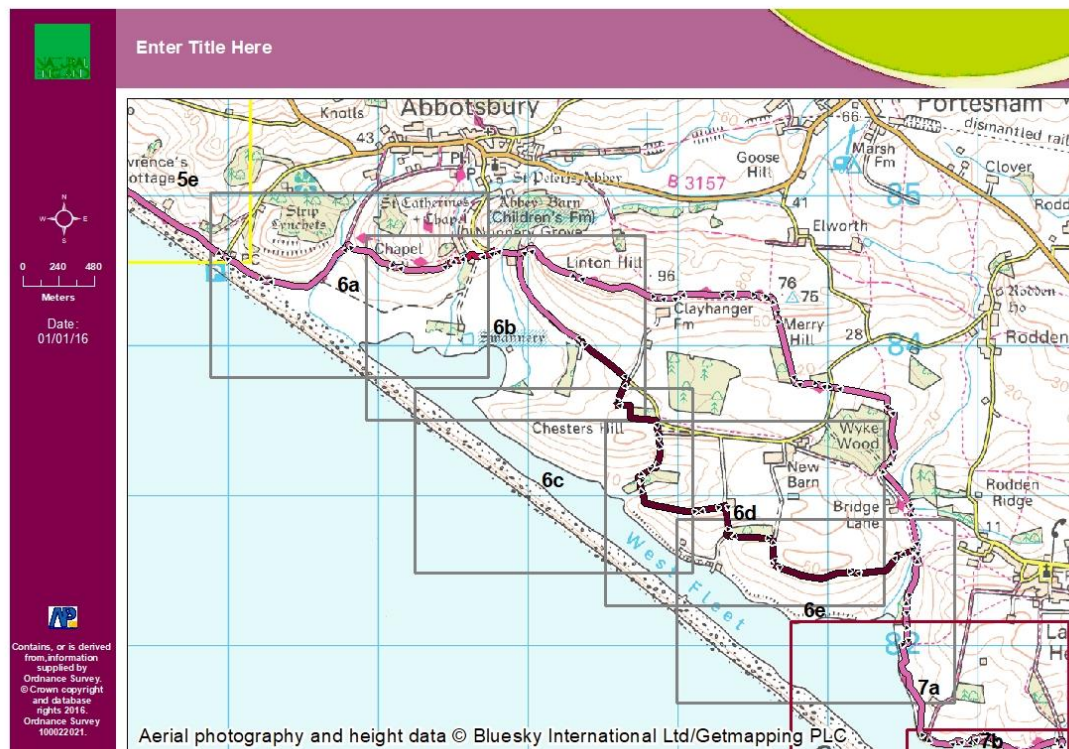
Map A7.4 Proposed restrictions of exclusions from Abbotsbury to Ferry Bridge (Map 4)



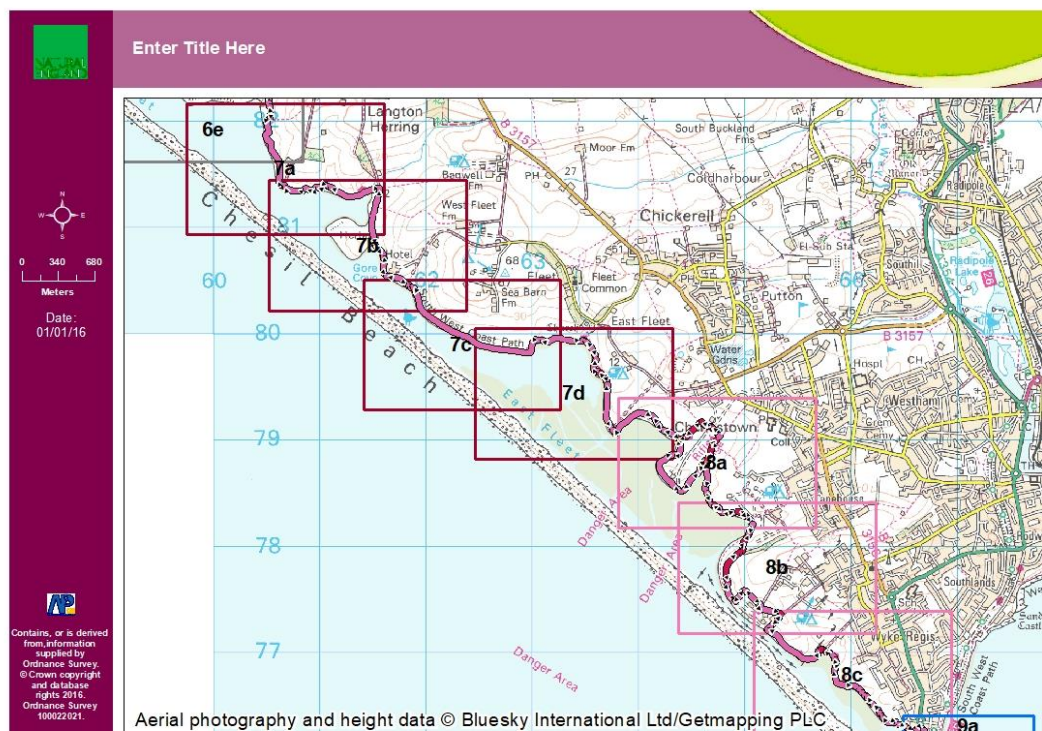
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Annex 8. Keys to report maps

Map A8.1 Map Key for Report Chapter 6



Map A8.2 Map Key for Report Chapters 7-8



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Annex 9. Baseline trampling pressure over Chesil Beach single habitat

The tables in this Annex are reproduced from a survey of Chesil and The Fleet vegetation carried out in 2018 [13]. The first covers Chesil Beach and the second the inner shore of The Fleet. Both tables are arranged from east to west.

Table A9.1 Trampling of shingle and saltmarsh habitat over Chesil Beach

SSSI Unit	Location	Description of trampling
1	Chesil Cove	All bare shingle shows signs of trampling (i.e. non undisturbed). Extent of SD1 pioneer vegetation greatly reduced (compared to units 3-6) or fragmented. Trodden paths in grassland to east, also some vehicle tracks, but not affecting adjacent vegetation. Sward height in grassland nr Chesil Beach Centre probably kept down by trampling throughout almost entire patch (possibly maintaining it as MC5?).
1	Portland Harbour	Clear paths in shingle grassland particularly running from road to shore, but not affecting adjacent vegetation.
2	Tern Beach	Footfall evident throughout, particularly near Chesil beach centre and around huts where trampling level is particularly high. SD1 pioneer communities limited in extent and fragmented. Further west, evidence of trampling decreases and some shingle has distinctive greyish colour of undisturbed stones. Marginal SM25 band absent or fragmented due to people accessing shore. Vegetation particularly patch opposite Wyke Regis Training Camp
3	Beach opposite Tidmoor	Relatively undisturbed with only a little footfall evident. The vegetation becomes more extensive, except opposite Chickerell Hive Point landing stage where the SM25 band is fragmented and the SD1 pioneer vegetation reduced. Some vehicle tracks.
4	Beach opposite Moonfleet	Probably the least disturbed unit on the shingle barrier beach. Localised disturbance and vegetation loss around eastern boat hut, more extensive around western huts (vehicle tracks for 200m)
5	Beach Opposite Langton Hive	Again very undisturbed although canns and natural erosion features are more abundant. Localised loss of vegetation and vehicle tracks opposite Langton Hive Point (boat access)
6	Beach opposite Chesters Hill	Little disturbance in east with good vegetation cover interrupted only by canns and slumps and wash-over at the top of the lee slope. Evidence of trampling increase abruptly at western end of The Fleet near the Abbotsbury car park. Vegetation cover remains but is broken up by a maze of interconnected pathways. A trampled track is clear at the back of the beach.
7	Abbotsbury Beach	Heavy trampling from the carpark to the east end of the unit appears to have significantly reduced vegetation cover, which is completely absent in places. Trampling gradually decreases to the west but here storm damage is evident with little or no vegetation.
8	Burton Track Beach	Little trampling. Storm disturbance at the western end.
9	West Bexington Beach	Local disturbance to the west of the car park
10	Car Park Beach	Heavily disturbed only immediately adjacent to the car park.
13	Babington's Beach	Unknown disturbance, possibly storm damage near the eastern end

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SSSI Unit	Location	Description of trampling
14	Cogden Beach	Locally moderate storm damage. Heavy trampling in the immediate area of the track to the car park only
17	Burton Bradstock	Heavy trampling at Hive Beach. Possible storm damage to any cliff-base and strand line vegetation.
59	Burton Freshwater Beach	Heavy recreational use
58	East Cliff	Moderately heavy trampling and storm damage
15	West Bay	Heavy recreational use

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Annex 9 - continued

Table A9.2 Trampling of shingle and saltmarsh habitat along the inner shore of The Fleet

SSSI Unit	Location	Description of trampling
18	Abbotsbury Swannery	Very varied according on access patterns, but reedswamp and salt marsh are not accessed. Heavily disturbed by wildfowl near the shore
21	Rodden Hive Point	None evident
24	Rodden Hive	None evident
25	Boat House plantation	None evident
29	Sea Barn Farm shore	None evident
30	Butterstreet Cove	Little evident, mainly around Langton Hive Point landing stage and E. Fleet caravan park.
32	Tidmoor Point shore	Occasional footfall and lightly trodden paths
34	Lynch Cove	None evident
38	Fleet shore east east	Trampling largely limited to caravan park, around boats at point and end of Pirate's Lane

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Annex 10. Automated pedestrian counter data for the SWCP at Langton Hive and Rodden Hive

Figure A10.1

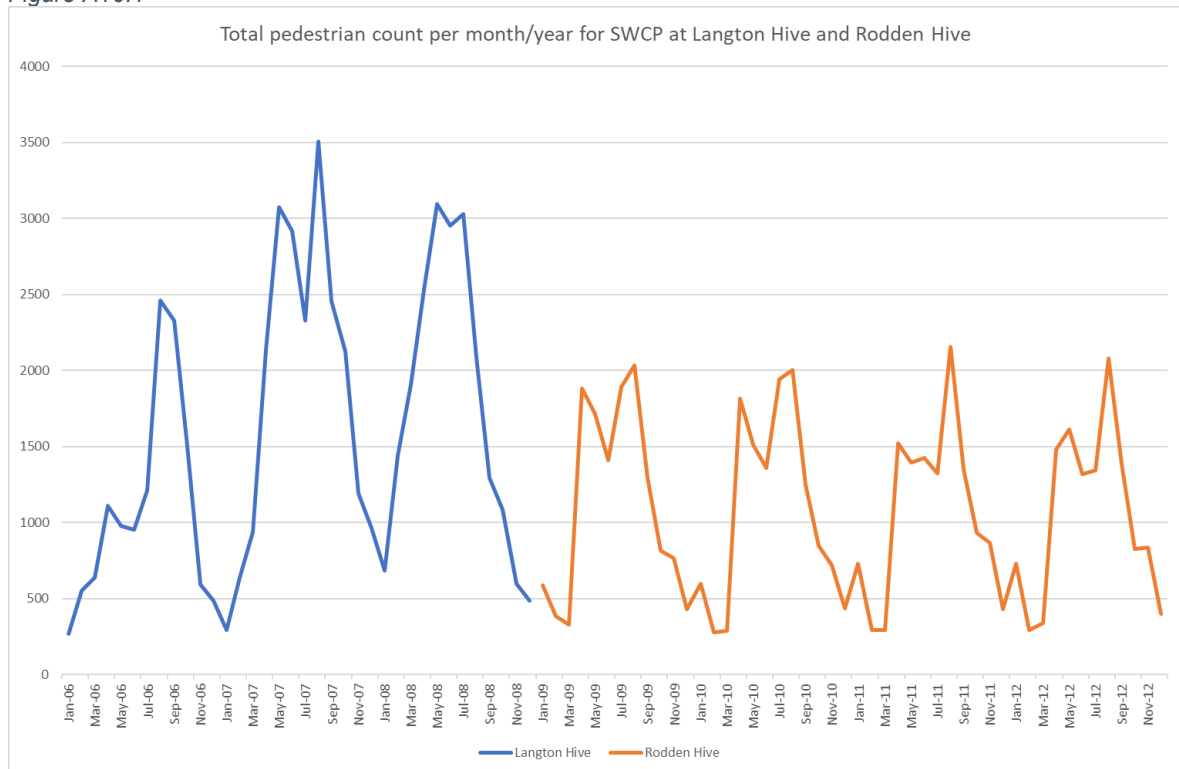
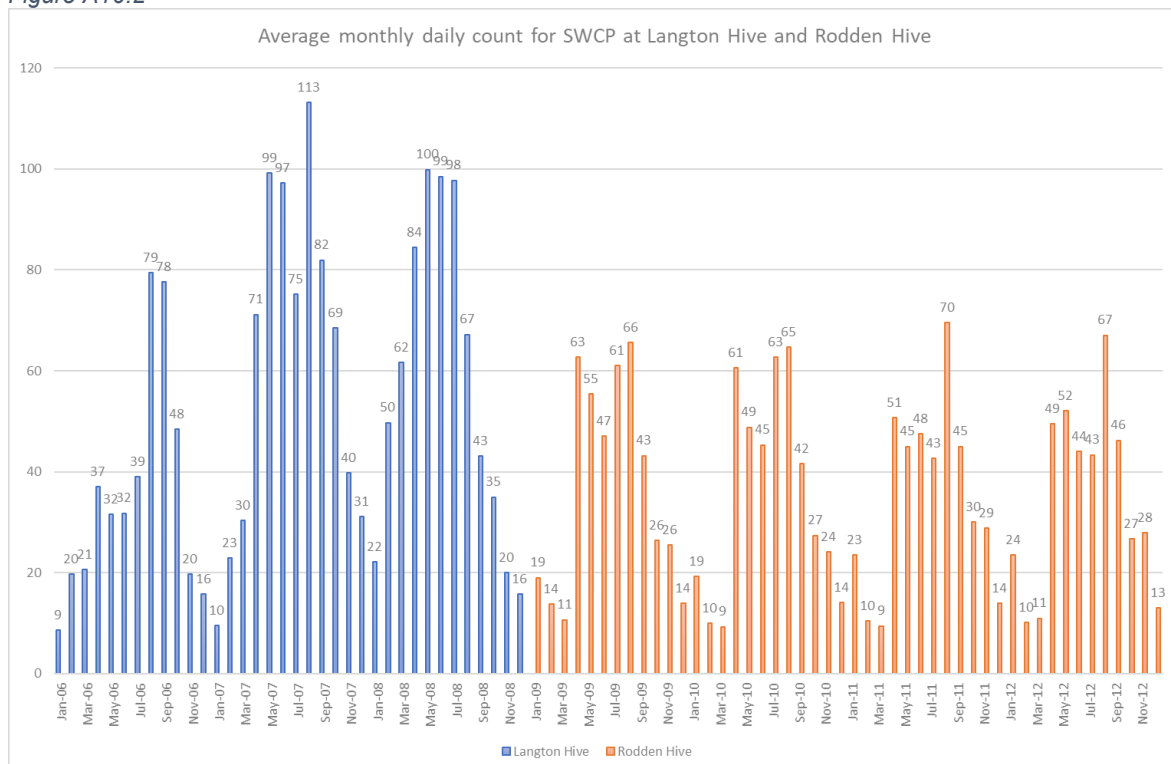


Figure A10.2



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Figure A10.3

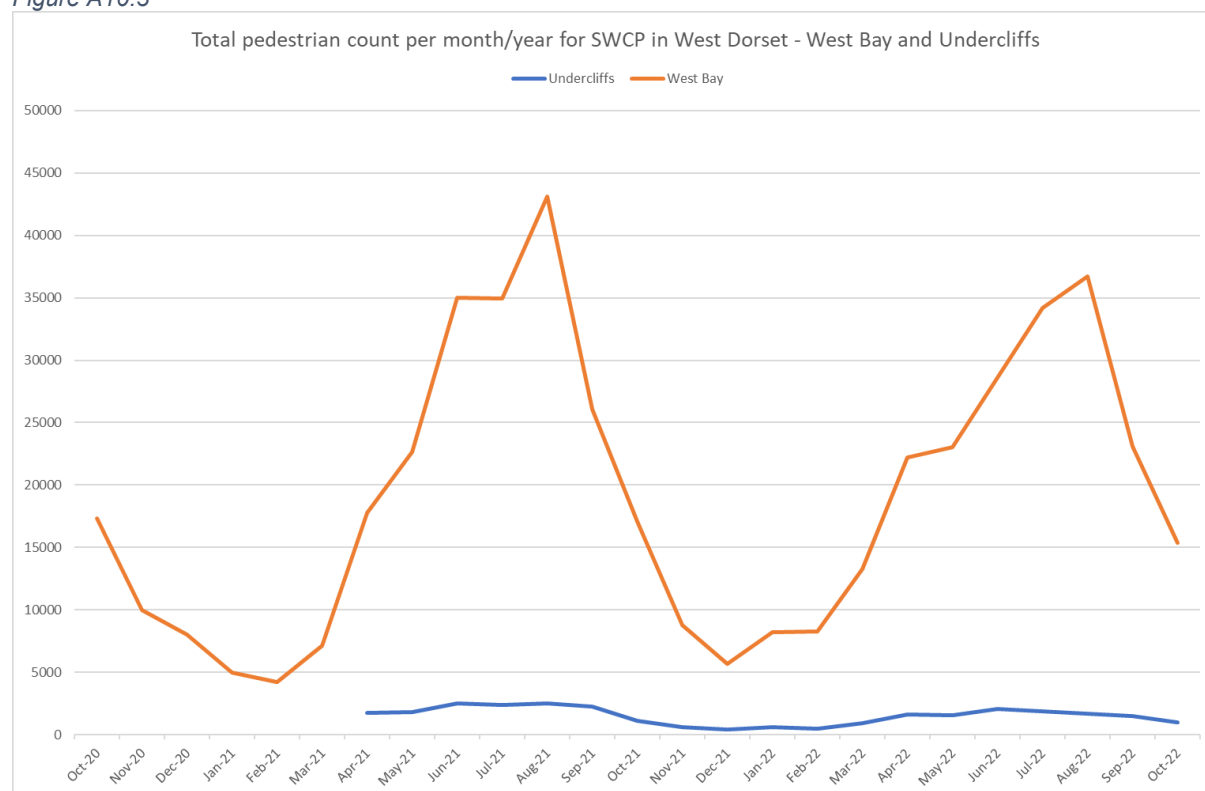
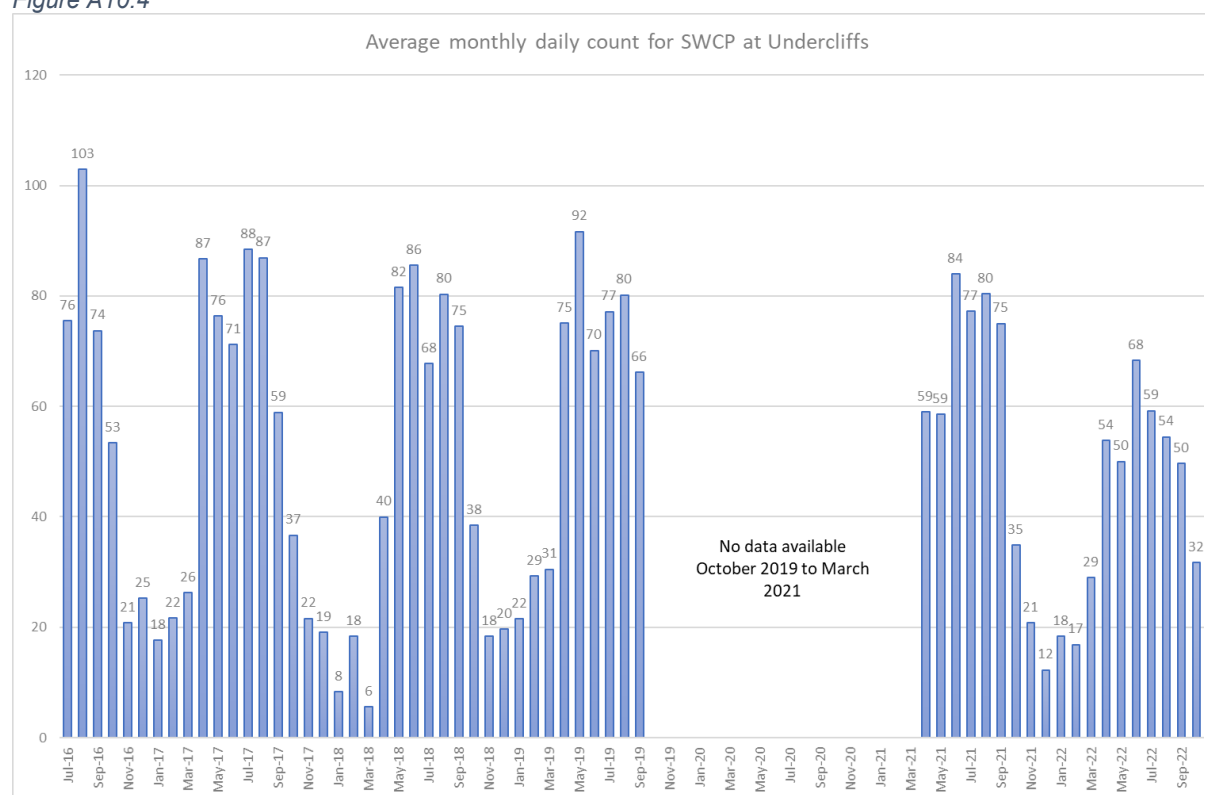


Figure A10.4



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Annex 11. Patterns of usage at West Fleet by wigeon and dark-bellied brent goose

Map and data from 2015 Natural England commissioned research [24]

Map A11.1 Boundaries and lettering of 200m count sectors for wintering wildfowl and wader survey at West Fleet, Chesil



Survey points & survey sections

Contains Ordnance Survey Data. © Crown copyright and database right 2014.

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Annex 11 - continued

Table A11.1 Patterns of usage by wigeon

Sector	Min_Count	Max_Count	Frequency
A	0	0	0%
B	0	4	13%
C	0	10	13%
D	0	0	0%
E	0	2	13%
F	0	32	13%
G	0	62	63%
H	0	36	38%
I	0	12	13%
J	0	38	75%
K	0	202	25%
L	0	90	63%
M	0	70	63%
N	0	50	75%
O	6	120	100%
P	12	240	100%
Q	0	180	75%
R	0	180	50%
S	0	30	25%

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Annex 11 - continued

Table A11.1 Patterns of usage by dark-bellied brent goose

Sector	Min_Count	Max_Count	Frequency
A	0	0	0%
B	0	0	0%
C	0	0	0%
D	0	0	0%
E	0	0	0%
F	0	0	0%
G	0	0	0%
H	0	0	0%
I	0	0	0%
J	0	0	0%
K	0	0	0%
L	0	0	0%
M	0	290	38%
N	0	1050	38%
O	0	300	50%
P	0	4	25%
Q	0	65	50%
R	0	141	50%
S	0	130	50%

Annex 12. Map showing West Fleet – 170/200m buffer of proposed route with measured distances

