



**Assessment of Plans and Projects under
regulations 24 or 63 of the
Habitats Regulations 2017
(‘Habitats Regulations Assessment’)**

Casework Tracker/ Application Ref:	VR6		
Case/Application title:	England Coast Path Variation Report VR6 - Drigg		
Assessment made by:	Sarah Wiseman	Finalised on:	09/08/2018

HRA Contents:

- Part A:** Introduction and information about the plan or project and initial assessment of credible risk to sites
- Part B:** Information about the European Site(s) likely to be affected
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- Part D:** Appropriate assessment and conclusions on site integrity (*where required*)
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PART A: Introduction and Information about the plan or project and an initial assessment of credible risk to European Sites

A1. Introduction

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

The plan/project constitutes a proposal by Natural England itself to carry out, cause or permit to be carried out the operation or operations contained within it (hereby referred to as ‘the plan’ or ‘the project’). Where such a proposal may affect a European Site, **Regulation 63** of the Habitats Regulations requires an assessment to be made of such proposals

In making this HRA as competent authority, Natural England may only undertake or give its consent, permission, assent or authorisation to the plan or project where it is able to ascertain *either*:

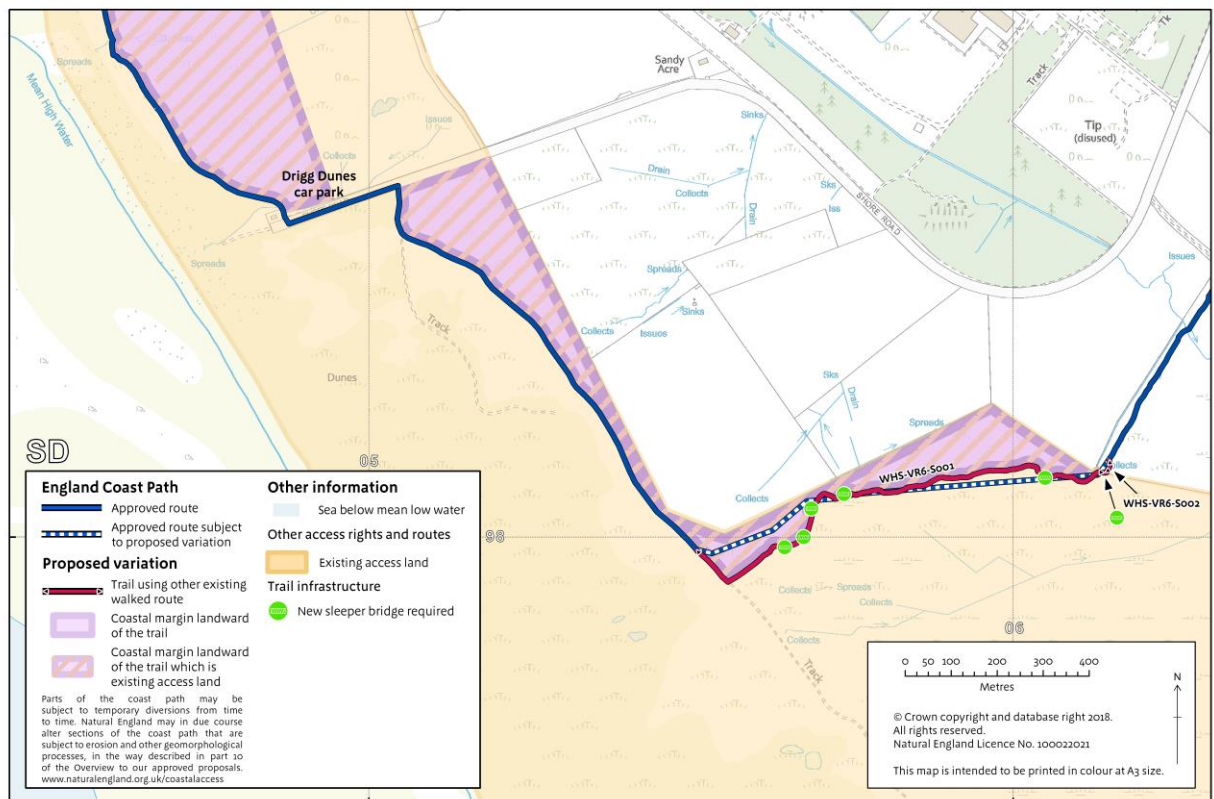
- a) that it will not have a likely significant effect on a European site (either alone or in-combination with other plans and projects), or;
- b) that it will have no adverse effect on the integrity of a European Site following an appropriate assessment.

If such effects cannot be ruled out, the proposal cannot proceed unless the further tests given in Regulations 64 and 68 of the Habitats Regulations can be satisfied (see Natural England’s [HRA Operational Standard](#) for further details on how to proceed further).

A2. Details of the plan or project

Location (including grid references): Drigg, Cumbria. From SD 055 980 to SD 061 981.

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Name of applicant: Natural England

Description of the plan or project and its constituent elements: Minor variation of a 0.7 km length section of the previously approved route of the England Coast Path. The proposal is to slightly re-route the path away from soft, wet ground. The proposed route follows a broadly similar but preferable alignment to the approved route across the grazing marsh. The definition of the landward boundary of the coastal margin would remain the same in relation to the new route alignment; consequently, there would be a negligible reduction in the extent of the coastal margin as a result of our proposed variation. The proposed trail consists of a path of natural surface across grazing marsh.

For full details of the proposals see *Coastal Access Variation Report VR6; Proposed Changes to the England Coast Path at Drigg, Cumbria*.

<https://www.gov.uk/government/collections/england-coast-path-whitehaven-to-silecroft>

Has the plan or project, or any aspect of it, already been subject to assessment under the Habitats Regulations by another competent authority? No



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A3. Initial assessment of risk to European Sites

This section considers the potential ways in which the plan or project might credibly pose a risk to European Site(s), based on an early and rapid assessment of the location of European Sites, the proximity of them to the plan or project and the general nature, type and scale of the plan or project in question.

This has included a consideration of the likely ‘zone of influence’ of the plan or project, i.e. the area over which a site and its ecological features may be at risk of significant effects as a result of the proposed project and associated activities. The available evidence provided by Natural England’s published [Impact Risk Zones](#) has also been considered as appropriate to inform this preliminary risk assessment.

Natural England has identified and considered the following European Sites to be capable of being affected by the plan or project;

European Site(s):

**Drigg Coast SAC UK0013031
Morecambe Bay and Duddon Estuary SPA UK9020326**

Component SSSI(s):

Drigg Coast SSSI

There are no component SSSIs for the area of the SPA between Drigg and Silecroft.

Component SSSIs for the SPA which are outwith the area of this assessment: Duddon Estuary SSSI, South Walney and Piel Channel Flats SSSI, Morecambe Bay SSSI, Lune Estuary SSSI, Wyre Estuary SSSI

Natural England has identified and considered the following European Sites but ruled them out as being capable of being affected by the plan or project;

None



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With reference to the information above and before undertaking a more detailed screening assessment, Natural England has concluded, on the basis of its professional judgment, that;

- ☐ There is or may be a credible risk that the plan or project subject to this assessment might undermine the conservation objectives of a European Site. Further Habitats Regulations assessment is therefore necessary [***continue to Part B***]

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

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

There is or may be a credible risk that the plan or project subject to an assessment *might* undermine the conservation objectives of the following European Sites;

DRIGG COAST SAC

Annex I habitats that are a primary reason for selection of this site

1130 Estuaries

Drigg is an example of a small, bar-built estuary on the north-west coast of England. It is fed by three rivers (the Irt, Mite and Esk) which discharge through a mouth that has been narrowed by large sand and shingle spits. The sediments within the estuary are largely muddy within the Rivers Irt and Mite, while those of the Esk are more sandy, particularly towards the mouth. There is a substantial freshwater influence in the upper reaches of all three rivers, with good development of associated animal communities. Within the site are some of the least-disturbed transitions to terrestrial habitats of any estuary found in the UK.

2150 Atlantic decalcified fixed dunes (Calluno-Ulicetea) * Priority feature

Drigg represents Atlantic decalcified fixed dunes (Calluno-Ulicetea) in north-west England. There are substantial areas of the habitat type, showing a wide range of ecological variation. Some areas are dominated by heather *Calluna vulgaris* and bell heather *Erica cinerea*. Within the dry dune heath are wetter areas in which cross-leaved heath *Erica tetralix* is prominent. There are large areas of acidic dune grassland with a prominent lichen component and also areas where sand sedge *Carex arenaria* grows in carpets of the moss *Racomitrium canescens*.

2170 Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)

Drigg contains a number of dunes with *Salix repens* ssp. *argentea*. These span a range of hydrological conditions from very wet to relatively dry. The slacks also grade into more acidic

2190 Humid dune slacks with some interesting intermediate types. This site is representative of dunes with *Salix repens* ssp. *argentea* in north-west England.

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

1140 Mudflats and sandflats not covered by seawater at low tide

1310 Salicornia and other annuals colonizing mud and sand

1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

2110 Embryonic shifting dunes

2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)

2130 Fixed coastal dunes with herbaceous vegetation (grey dunes) * Priority feature

2190 Humid dune slacks

MORECAMBE BAY AND DUDDON ESTUARY SPA

The SPA comprises areas for breeding seabirds, foraging breeding seabirds, and non-breeding seabirds and waterbirds. The boundary of the SPA is formed by the amalgamation of two existing SPAs (Morecambe Bay SPA and Duddon Estuary SPA); and the addition of a marine foraging area for terns identified and defined by the modelled foraging area for Sandwich terns breeding at Hodbarrow Lagoon.

Morecambe Bay and Duddon Estuary SPA qualifies under Article 4 of the Birds Directive (2009/147/EC) for the following reasons:

- Species listed in Annex I of the Birds Directive: the site regularly supports more than 1% of the Great Britain populations of three breeding species and six non-breeding species (Table 1). Therefore the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.1: JNCC 1999).
- Regularly occurring migrants not listed in Annex I of the Birds Directive: the site regularly supports more than 1% of the biogeographical populations of two breeding species and 14 non-breeding species (Table 1). Therefore the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.2: JNCC 1999).
- Assemblages: the site regularly supports an assemblage of more than 20,000 individual breeding seabirds and a separate assemblage of more than 20,000 individual waterbirds. Therefore the site qualifies for SPA classification in accordance with the UK SPA selection guidelines (stage 1.3: JNCC 1999).

Qualifying features

Breeding:

Little tern *Sternula albifrons*
 Sandwich tern *Sterna sandvicensis*
 Common tern *Sterna hirundo*
 Lesser black-backed gull *Larus fuscus graellsii*
 European herring gull *Larus argentatus argenteus*
 Internationally important seabird assemblage of over 20,000 individuals

Non breeding:

Whooper swan *Cygnus cygnus*
 Pink-footed goose *Anser brachyrhynchus*
 Common shelduck *Tadorna tadorna*
 Northern pintail *Anas acuta*
 Little egret *Egretta garzetta*
 Eurasian oystercatcher *Haematopus ostralegus*
 European golden plover *Pluvialis apricaria*
 Grey plover *Pluvialis squatarola*
 Common ringed plover *Charadrius hiaticula*
 Eurasian curlew *Numenius arquata*
 Black-tailed godwit *Limosa limosa*
 Bar-tailed godwit *Limosa lapponica*
 Ruddy turnstone *Arenaria interpres*



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Red knot *Calidris canutus*
Ruff *Calidris pugnax*
Sanderling *Calidris alba*
Dunlin *Calidris alpina alpina*
Common redshank *Tringa totanus*
Mediterranean gull *Larus melancephalus*
Lesser black-backed gull *Larus fuscus*
Internationally important waterbird assemblage of over 20,000 individuals

B2. European Site Conservation Objectives (including supplementary advice)

Natural England provides formal advice about the Conservation Objectives for European Sites in England in its role as the statutory nature conservation body. The Habitats Regulations require all HRAs to be made in view of these objectives.

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 and/or Wild Birds Directive, by either maintaining or restoring (as appropriate):

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

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

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

Drigg Coast SAC

The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the Favourable Conservation Status of its qualifying features, by maintaining or restoring:

- the extent and distribution of qualifying natural habitats and habitats of the qualifying species
- the structure and function (including typical species) of qualifying natural habitats
- the structure and function of the habitats of the qualifying species



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- the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- the populations of qualifying species
- the distribution of qualifying species within the site

More information can be found here

<http://publications.naturalengland.org.uk/publication/6720405930770432?category=4582026845880320>

Morecambe Bay and Duddon Estuary SPA

The objectives are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

More information can be found here:

<http://publications.naturalengland.org.uk/publication/6242841537806336>

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

To check whether a detailed appropriate assessment is necessary, there are two screening tests required by the assessment provisions of the Habitats Regulations;

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

Conclusion:

- ☐ As this plan or project is not either directly connected or necessary to the management of all of the European site(s)’s qualifying features, and/or contains non-conservation elements, further Habitats Regulations assessment is required **[continue to C2]**

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

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

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

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

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

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C2.1 Risk of Significant Effects Alone

The first step is to consider whether any elements of the project are likely to have effects upon a European site which may be significant ‘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.

The results of this risk assessment, taking account of each qualifying feature of each site and in view of each site’s Conservation Objectives, are as follows:

European Site(s): Drigg SAC				
Qualifying Feature(s): H1140 Mudflats and sandflats not covered by seawater at low tide H1310 Salicornia and other annuals colonising mud and sand H2110 Embryonic shifting dunes H2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('White dunes') H2130 Fixed dunes with herbaceous vegetation ('Grey dunes') H2150 Atlantic decalcified fixed dunes (<i>Calluno-Ulicetea</i>) H2170 Dunes with <i>Salix repens</i> ssp. <i>argentea</i> (<i>Salicion arenariae</i>) H2190 Humid dune slacks				
Activity proposed by the plan/project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/ pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]	Give your reasons
Variation of 0.7km section of the England Coast Path within Drigg SAC	n/a	The project will not impact on these features as the new route does not pass through these features	No	There is no mechanism or pathway for the project to affect these features as the new route does not run through these features.

* If no then move to in-combination test. If yes or uncertain carry forward to AA



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European Site(s): Drigg SAC				
Qualifying Feature(s): H1130 Estuaries H1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)				
Activity proposed by the plan/project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]	Give your reasons
Variation of 0.7km section of the England Coast Path within Drigg SAC	The extent and distribution of their qualifying natural habitats, The structure and function (including typical species) of their qualifying natural habitats	Potential for additional trampling of vegetation by walkers	No	The HRA for the original coast path alignment concluded no LSE for these features of Drigg SAC. The new alignment is between 2metres and 70 metres from the approved alignment and is located in the same upper saltmarsh to dune transition habitat. The new alignment is a drier line than the old alignment, meaning that the vegetation is more robust to the effects of trampling. Sleeper bridges and stepping stones over the wettest areas will act to ensure that people stay on the line of the trail, rather than walk over a wider area of habitat, and will protect the wettest areas from trampling damage.
Sleeper bridges and stepping stones	The extent and distribution of their qualifying natural habitats, The structure and function (including typical species) of their qualifying natural habitats	Potential loss of habitat	No	The sleeper bridges and stepping stones will be laid in upper saltmarsh to dune transition vegetation and 10m ² of habitat will be lost under the infrastructure. The extent of Atlantic salt meadows within Drigg Coast SAC has been calculated as 160 ha (Harwood, 1991) and includes zonation from pioneer saltmarsh to transitional saltmarsh habitat throughout the site. The infrastructure will be installed through transitional habitat. The transitional habitat is restricted on site increasing the significance of the loss. However there is no specific functionality, unique species or ecological niche in the area of the infrastructure that will



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				be lost. The infrastructure will not prevent natural processes on the site from occurring, namely tidal inundation and drainage will not be significantly altered. Due to the fact natural physical processes will not be significantly impeded the infrastructure will not restrict the natural progression of the habitat, as it will not form a continuous hard boundary. It will not restrict connectivity, as there will still be pathways for animals and plants to move between and around the infrastructure. The area of saltmarsh habitat within the SAC which will be lost is very small, at less than 0.001% of the total. Suitable methods are available to enable these repairs to be made without causing damage to the site. Details of the protocols to be followed will be reviewed as part of SSSI assent procedures and additional assessment under the Habitats Regulations carried out as necessary.
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** If no then move to in-combination test. If yes or uncertain carry forward to AA*

European Site(s): Morecambe Bay and Duddon Estuary SPA				
Qualifying Feature(s): Foraging sandwich terns				
Activity proposed by the plan/project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]	Give your reasons
Variation of 0.7km section of the England Coast Path plus associated	n/a	The project area is adjacent to the area of SPA used by foraging sandwich terns. The terns are feeding at sea,	No	The project area is adjacent to the area of SPA used by foraging sandwich terns. The terns are feeding at sea, and there is no mechanism or pathway for the project to affect foraging sandwich terns.



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infrastructure		and there is no mechanism or pathway for the project to affect foraging sandwich terns.		
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* If no then move to in-combination test. If yes or uncertain carry forward to AA

European Site(s): Morecambe Bay and Duddon Estuary SPA				
Qualifying Feature(s): Breeding: Little tern <i>Sternula albifrons</i> Sandwich tern <i>Sterna sandvicensis</i> Common tern <i>Sterna hirundo</i> Lesser black-backed gull <i>Larus fuscus graellsii</i> European herring gull <i>Larus argentatus argenteus</i> Internationally important seabird assemblage of over 20,000 individuals				
Activity proposed by the plan/project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]	Give your reasons
Variation of 0.7km section of the England Coast Path plus associated infrastructure	n/a	These birds do not breed in the part of the SPA adjacent to the project. There is no mechanism or pathway for the project to affect these features	No	These birds do not breed in the part of the SPA adjacent to the project. There is no mechanism or pathway for the project to affect these features

* If no then move to in-combination test. If yes or uncertain carry forward to AA

European Site(s): Morecambe Bay and Duddon Estuary SPA				
Qualifying Feature(s): Non breeding: Whooper swan <i>Cygnus cygnus</i> Pink-footed goose <i>Anser brachyrhynchus</i> Common shelduck <i>Tadorna tadorna</i> Northern pintail <i>Anas acuta</i> Little egret <i>Egretta garzetta</i> Eurasian oystercatcher <i>Haematopus ostralegus</i>				

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European golden plover *Pluvialis apricaria*
 Grey plover *Pluvialis squatarola*
 Common ringed plover *Charadrius hiaticula*
 Eurasian curlew *Numenius arquata*
 Black-tailed godwit *Limosa limosa*
 Bar-tailed godwit *Limosa lapponica*
 Ruddy turnstone *Arenaria interpres*
 Red knot *Calidris canutus*
 Ruff *Calidris pugnax*
 Sanderling *Calidris alba*
 Dunlin *Calidris alpina alpina*
 Common redshank *Tringa totanus*
 Mediterranean gull *Larus melancephalus*
 Lesser black-backed gull *Larus fuscus*
 Internationally important waterbird assemblage of over 20,000 individuals

Activity proposed by the plan/project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]	Give your reasons
Variation of 0.7km section of the England Coast Path plus associated infrastructure	The population of each of the qualifying features. The distribution of the qualifying features within the site.	These birds are not found in large numbers in the part of the SPA adjacent to the project, therefore the risk of significant disturbance to these birds in this location is low.	No	The proposed ECP is between 170m and 780m from the boundary of the SPA. The part of the path closest to the designated site is following an existing track which is already used by walkers. The risk of disturbance to SPA birds as a result of the proposal is very low.

Conclusion:

- ☐ This plan or project alone is unlikely to have a significant effect on the following qualifying features of the European Site(s):

1130 Estuaries

2150 Atlantic decalcified fixed dunes (*Calluno-Ulicetea*)

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2170 Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)
1140 Mudflats and sandflats not covered by seawater at low tide
1310 Salicornia and other annuals colonizing mud and sand
1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
2110 Embryonic shifting dunes
2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
2130 Fixed coastal dunes with herbaceous vegetation (grey dunes) * Priority feature
2190 Humid dune slacks

Breeding:

Little tern *Sternula albifrons*
Sandwich tern *Sterna sandvicensis*
Common tern *Sterna hirundo*
Lesser black-backed gull *Larus fuscus graellsii*
European herring gull *Larus argentatus argenteus*
Internationally important seabird assemblage of over 20,000 individuals

Non breeding:

Whooper swan *Cygnus cygnus*
Pink-footed goose *Anser brachyrhynchus*
Common shelduck *Tadorna tadorna*
Northern pintail *Anas acuta*
Little egret *Egretta garzetta*
Eurasian oystercatcher *Haematopus ostralegus*
European golden plover *Pluvialis apricaria*
Grey plover *Pluvialis squatarola*
Common ringed plover *Charadrius hiaticula*
Eurasian curlew *Numenius arquata*
Black-tailed godwit *Limosa limosa*
Bar-tailed godwit *Limosa lapponica*
Ruddy turnstone *Arenaria interpres*
Red knot *Calidris canutus*
Ruff *Calidris pugnax*
Sanderling *Calidris alba*
Dunlin *Calidris alpina alpina*
Common redshank *Tringa totanus*
Mediterranean gull *Larus melancephalus*
Lesser black-backed gull *Larus fuscus*
Internationally important waterbird assemblage of over 20,000 individuals

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

From the section above, if there are no likely significant effects ‘alone’ upon a qualifying feature, any elements of the project deemed to have an effect(s) but which is/are **not significant on their own** must now be considered for their potential to have an effect in-combination with other effects. Such effects do not include those deemed to be so insignificant as to be trivial or inconsequential.

The effects of this plan/project not considered to be significant alone have therefore been considered alongside any similar effects of other currently live plans and projects to check whether these can add up to a significant effect ‘in-combination’.

The results of this risk assessment, taking account of each qualifying feature of each site and in view of each site’s Conservation Objectives, are as follows:

Project: Coastal Access Proposals Whitehaven to Silecroft

Full details of this project, including the Access and Sensitive Features Report / HRA, can be found here: <https://www.gov.uk/government/consultations/england-coast-path-from-whitehaven-to-silecroft-comment-on-proposals>

The HRA concluded that:

The predicted increase of use along an already well used coastal path is not considered likely to have a significant impact on the SAC habitats.

☐ The predicted increase in use along the new section of path, and the use of other unrestricted land within the coastal margin is not considered to have a significant impact on the SAC features.

☐ The location of the establishment works associated with the path through the SAC (which will include installation of new simple ditch bridges and new signage/ waymark posts) are not considered likely to have a significant impact on the SAC features, subject to necessary consents being obtained.

☐ For the proposed crossings of the Rivers Irt and Esk, a separate appraisal of detailed designs will need to be carried out before construction.

In combination assessment

The variation in the England Coast Path is a minor change from the original proposals and is located in the same habitat type. It has already been concluded that use of the coast

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path and coastal margin will not have a significant impact on the site features. **Therefore the project, either alone or in combination, is not considered to have a significant impact on the Drigg SAC features.**

At the time that this assessment was carried out, the Morecambe Bay and Duddon Estuary SPA had not been designated. The part of the SPA which is affected by Coastal Access was designated for foraging sandwich terns. The terns are feeding at sea, and there is no mechanism or pathway for coastal access project to affect foraging sandwich terns. **Therefore the project, either alone or in combination, is not considered to have a significant impact on the SPA features.**

Conclusion:

- ☐ This plan or project, in combination with other plans and projects, is unlikely to have a significant effect on the following qualifying features of the European Site(s);

1130 Estuaries

2150 Atlantic decalcified fixed dunes (*Calluno-Ulicetea*)

2170 Dunes with *Salix repens* ssp. *argentea* (*Salicion arenariae*)

1140 Mudflats and sandflats not covered by seawater at low tide

1310 Salicornia and other annuals colonizing mud and sand

1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

2110 Embryonic shifting dunes

2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)

2130 Fixed coastal dunes with herbaceous vegetation (grey dunes) * Priority feature

2190 Humid dune slacks

Breeding:

Little tern *Sternula albifrons*

Sandwich tern *Sterna sandvicensis*

Common tern *Sterna hirundo*

Lesser black-backed gull *Larus fuscus graellsii*

European herring gull *Larus argentatus argenteus*

Internationally important seabird assemblage of over 20,000 individuals

Non breeding:

Whooper swan *Cygnus cygnus*

Pink-footed goose *Anser brachyrhynchus*

Common shelduck *Tadorna tadorna*

Northern pintail *Anas acuta*

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Little egret *Egretta garzetta*
 Eurasian oystercatcher *Haematopus ostralegus*
 European golden plover *Pluvialis apricaria*
 Grey plover *Pluvialis squatarola*
 Common ringed plover *Charadrius hiaticula*
 Eurasian curlew *Numenius arquata*
 Black-tailed godwit *Limosa limosa*
 Bar-tailed godwit *Limosa lapponica*
 Ruddy turnstone *Arenaria interpres*
 Red knot *Calidris canutus*
 Ruff *Calidris pugnax*
 Sanderling *Calidris alba*
 Dunlin *Calidris alpina alpina*
 Common redshank *Tringa totanus*
 Mediterranean gull *Larus melancephalus*
 Lesser black-backed gull *Larus fuscus*
 Internationally important waterbird assemblage of over 20,000 individuals

C3. Overall Screening Decision for the Plan/Project

On the basis of the details submitted, Natural England has considered the plan or project under Regulation 24(1) or 64(1)(a) of the Habitats Regulations and made an assessment of whether it will have a likely significant effect on a European site, either alone or in combination with other plans and projects.

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

- ☐ As this plan or project is unlikely to have significant effects (either alone or in combination with other plans or projects) on any Qualifying Features of the European Site(s), no further Habitats Regulations assessment is required **[delete Part D and go to Part E]**



Assessment of Plans and Projects under regulations 24 or 63 of the Habitats Regulations 2017 ('Habitats Regulations Assessment')

PART E: Permission decision with respect to European Sites

As the relevant competent authority, Natural England has carried out a HRA of the submitted plan or project as required by Regulation 24 or 63 of the Habitats Regulations 2017 and has decided that, with regard to European Sites and their qualifying features;

☐ **Approval may be given**

A summary of the reasons for this decision is as follows:

The reasons for this decision are as follows:

- The new alignment of the England Coast Path is between 2m and 70m from the approved alignment and is located in the same upper saltmarsh to dune transition habitat. The new alignment is a drier line than the old alignment, meaning that the vegetation is more robust to the effects of trampling. Sleeper bridges and stepping stones over the wettest areas will act to ensure that people stay on the line of the trail, rather than walk over a wider area of habitat, and will protect the wettest areas from trampling damage.



**Assessment of Plans and Projects under
regulations 24 or 63 of the
Habitats Regulations 2017
(‘Habitats Regulations Assessment’)**

Assessment prepared and completed by	<i>Sarah Wiseman</i>	<i>Coastal Access Lead Adviser</i>
Date	<i>09/08/2018</i>	
Peer-reviewed by	<i>Gavin Stark</i>	<i>Coastal Access Senior Specialist</i>
Date	<i>25/07/2018</i>	
Peer-reviewed by	<i>Nicola Evans</i>	<i>Lead Adviser- Responsible Officer Drigg Coast SSSI</i>
Date	<i>19/07/2018</i>	