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<b>PREPARED FOR:</b>	<b>East Devon District Council</b>
<b>COPY TO:</b>	
<b>PREPARED BY:</b>	<b>Emily Hewitt</b>
<b>DATE:</b>	<b>November 2016</b>
<b>PROJECT NUMBER:</b>	<b>483188</b>
<b>CHECKED BY:</b>	
<b>VERIFIED BY:</b>	

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<p><b>Form HR01: Proforma for new applications within Stage 2 criteria.</b></p>		 <p>ENVIRONMENT AGENCY</p>
<p><b>Environment Agency record of assessment of likely significant effect on a European site (Stage 2)</b></p>		
<p><b>PART A</b></p>		
<p><b>1. Type of permission/activity:</b></p>		<p>Plan</p>
<p><b>2. Agency reference no:</b></p>		
<p><b>3. National Grid reference:</b></p>		<p>SY129873</p>
<p><b>4. Site reference:</b></p>		<p><i>Sidmouth, Devon (Figures 1a, 1b and 2, Appendix A)</i></p>
<p><b>5. Brief description of proposal:</b></p>		<p>The Sidmouth &amp; East Beach Management Plan (BMP) covers the coastline of Sidmouth, Devon, from Jacob's Ladder Beach, in the west, to East Beach, in the east, as well as the western bank of the River Sid up to the weir, as illustrated in <b>Figures 1a and 1b (Appendix A)</b>. The open coast area covered by this BMP is the responsibility of East Devon District Council (EDDC), whilst the River Sid western wall is the responsibility of the Environment Agency. In addition, Plymouth Coastal Observatory (PCO) undertakes coastal monitoring of the area as part of the South West Strategic Regional Coastal Monitoring Programme (SWRCMP), whilst Devon County Council maintain the Alma Bridge and South West Water maintain on outfall that extends offshore from a point adjacent to the mouth of the River Sid.</p> <p>The key objective of this BMP is to:</p> <p>Manage the risk of coastal flooding and erosion to property and other assets sustainably, whilst recognising and managing the environmental and amenity implications of doing so in the immediate future and future long term (100 year)</p> <p>The BMP is aimed to:</p> <p>Inform, guide and assist the responsible authorities and organisations in managing the beach and associated hard coastal defences to ensure that the risk of coastal flooding and erosion to properties and other assets along the BMP frontage continues to be:</p> <ul style="list-style-type: none"> <li>• managed sustainably,</li> <li>• whilst recognising and managing the environmental (Figure 2, Appendix A) and amenity implications of doing so</li> </ul> <p><u>Flood and Erosion Risk Solution</u></p> <p>The BMP has concluded that to manage the risk of flooding and erosion in this location, an adequate beach is required to be maintained along the BMP frontage. With the following being proposed:</p> <ul style="list-style-type: none"> <li>• future new structures constructed.</li> <li>• supported by (and in support of) adequate maintenance of the existing hard defence/control structures</li> </ul> <p>Extensive appraisals of different options for the solution have concluded with a preferred option. The preferred option is the focus of this HRA screening assessment.</p>

	<p><u>Preferred option</u></p> <p>The preferred option for the Sidmouth and East beach BMP consists of 1) short term: initial maintenance works which are proposed immediately 2) Preferred long term option: construction of new beach structures and modification of existing structures These will consist of:</p> <ul style="list-style-type: none"> <li>• <u>Initial and ongoing maintenance works</u> (to be undertaken immediately whilst the preferred option scheme details are being designed/developed) <ul style="list-style-type: none"> <li>○ In the immediate future repairs to the seaward end of the training wall is proposed (which is at imminent risk of failure)</li> <li>○ Maintenance of the existing defences at Jacob's Ladder Beach and Connaught Gardens (around Chit Rocks).</li> <li>○ Ongoing recycling of sediment along Sidmouth Town Beach</li> </ul> </li> <li>• <u>Modification of existing structures; and construction of new structures</u> (to improve sediment transport between Sidmouth Town Beach and East Beach (and enable access for future beach management at East Beach))</li> </ul> <p><u>New structure(s)</u></p> <ul style="list-style-type: none"> <li>○ Construction of one or two new rock groynes along East Beach over a distance of up to 200m east of the River Sid</li> </ul> <p><u>Modification to existing structures</u></p> <ul style="list-style-type: none"> <li>○ modifying the length of the seaward end of the River Sid training wall</li> <li>○ modifying the length of the seaward end of the East Pier rock groyne</li> </ul> <p>This long-term option is in line with the SMP policies for Sidmouth and will be subject to further more detailed investigation within the next 1 to 2 years to develop the option to scheme level detail (with supporting EIA) and ultimately construction subject to consent approval and funding contributions being achieved.</p>
<p><b>6. European site name(s) and status:</b></p>	<p><b>Sidmouth-to-West-Bay-Special Area of Conservation (UK0019864)</b></p> <p><b>Lyme Bay and Torbay Special Area of Conservation (UK0030372)</b></p>
<p><b>7. List of interest features:</b></p>	<p><b>Sidmouth-to-West-Bay-SAC:</b></p> <p>The SAC is designated under Article 4 (4) of the Directive (92/43/EEC) as it hosts the following:</p> <p><u>Annex I habitats that are a primary reason for selection of this site are:</u></p> <ul style="list-style-type: none"> <li>• 1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts</li> <li>• 9180 Tilio-Acerion forests of slopes, screes and ravines *priority feature</li> </ul> <p><u>The Habitats Directive Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</u></p> <ul style="list-style-type: none"> <li>• 1210 Annual vegetation of drift lines</li> </ul> <p>Conservation objectives:</p> <p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed above ), and subject to natural change;</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and</p>

ensure 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
- The structure and function (including typical species) of qualifying natural habitats,
- The supporting processes on which qualifying natural habitats rely

The designated features are also described in the Sidmouth to West Bay Site Improvement Plan (SIP) (Natural England. 2014) along with issues affecting them which may be relevant to this BMP such as:

Inappropriate coastal management:

- Although the World Heritage Site covers the earth science interests, these are closely linked to the biological quality of the site and the underpinning coastal management issues are similar.
- The role of the Shoreline Management Plan and subsequent strategies is important, and policies for no active intervention, or for restoration of coastal processes are essential for the biological interest to be maintained. To enable coastal adaptation of human assets, there needs to be a strong partnership of all relevant organisations and planning authorities.
- Develop closer working with land owners and other parties reinforcing the need for consents and Habitat Regulations Assessment for any new coastal defences or repairs to existing unconsented works.

Vehicles:

- Motor boats being parked on the beach could leak oil and fuel, and also vehicle pressure compacts sediments and shingle, and abrades developing shingle vegetation.

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### **Lyme Bay and Torbay SAC**

The SAC is designated under Article 4 (4) of the Directive (92/43/EEC) as it hosts the following:

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

- 1170 Reefs
- 8330 Submerged or partially submerged sea caves

Conservation objectives:

With regard to the SCI and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed above), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure 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
- The structure and function (including typical species) of qualifying natural habitats,
- The supporting processes on which the qualifying natural habitats rely

Natural England's formal advice given under Regulation 35(3) of The Conservation of Habitats and Species (Amendment) Regulations 2012:

- Conservation objectives for Lyme Bay and Torbay Annex 1 Reefs:



		the design stage.	
	<b>Supporting processes upon which the habitat relies</b>	<p><b>Construction of groyne(s), modification to river training wall (RTW) and East Pier Groyne (EPG) will all result in changes to coastal processes</b> acting on the SAC immediately east of the River Sid.</p> <p>Groyne(s) within the SAC will <b>affect sediment movement alongshore</b> west to east and east to west.</p> <p>Modifications to RTW and EPG could have a positive effect by partially restoring sediment movement between the town frontage and the SAC</p>	<b>Yes</b>
<b>Tilio-Acerion forests of slopes, screes and ravines. *Priority feature</b>	<p>Extent and distribution;</p> <p>Structure and function (including typical species);</p> <p>Supporting processes upon which the habitat relies</p>	<p>On consultation with Natural England for this HRA, it has been advised that this habitat is currently absent from the SAC in this location.</p> <p>Any impacts resulting from the BMP are therefore likely to be negligible.</p> <p>In the longer term, slower rates of cliff erosion may have a positive effect on this habitat by providing more favourable conditions for the development of this habitat (at the expense of the vegetated sea cliffs habitat as discussed above) but this will depend on the cliff readjusting to a shallower angle of repose in order to support the growth of woody species.</p> <p>The overall effect on this habitat is therefore likely to be 'no effect' or, in the much longer term, a positive effect.</p>	No
<b>Annual vegetation of drift lines</b>	<p>Extent and distribution;</p> <p>Structure and function (including typical species);</p> <p>Supporting processes upon which the habitat relies</p>	<p>On consultation with Natural England for this HRA, it has been advised that this habitat is currently absent from the SAC in this location due to the absence of beach material above MHW.</p> <p>Longer term there may be possible positive effects on this feature if a higher/wider beach develops and is retained.</p>	No
<b>Lyme Bay and Torbay SAC</b>			
<b>Reef habitat</b>	<p>Extent and distribution;</p> <p>Structure and function (including typical species);</p> <p>Supporting processes upon which the habitat relies.</p>	There are no pathways by which the works proposed through the BMP could impact this feature.	No
<b>Submerged or partially</b>	Extent and distribution;	There is only one sea cave in proximity to the BMP area, at Beer Head. The remainder are in	No

<p><b>submerged sea caves</b></p>	<p>Structure and function (including typical species);</p> <p>Supporting processes upon which the habitat relies</p>	<p>the Torbay area over 20km to the SW.</p> <p>There are no pathways by which the works proposed through the BMP could impact this feature.</p>	
<p>10. Is the potential scale or magnitude of any effect likely to be significant?</p>			
<p><b>a) Alone?</b> (explain conclusion, e.g. in relation to de minimis criteria)</p>	<p><b>Yes.</b></p> <p>The Sidmouth BMP will potentially have a likely significant effect on designated features.</p> <p>The aim of the preferred option, is to create and maintain a wider beach across the whole BMP frontage, modify the training wall and add new groyne(s) at east beach in order to maintain a wider beach which will slow down cliff erosion rates. This will have a <b>potential significant effect on the feature 1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts</b> in this location. There is potential to permanently alter the unique community of plants present that appear on the cliff as a result of the unstable conditions. Erosion rate modelling is yet to be undertaken at the design stage.</p> <p>Whilst stabilisation of the cliff will have a negative effect on the vegetated sea cliff feature, stabilisation is unlikely to have any negative affect on 9180 Tilio-Acerion forests of slopes, screes and ravines *priority feature. In the long term, stabilisation of the cliff may provide more favourable conditions to promote the development of this habitat, at the expense of vegetated sea cliffs.</p> <p>A wider, more stable beach providing greater wave protection, may also promote favourable conditions for development of the 1210 Annual vegetation of drift lines habitat.</p> <p>The BMP is <b>likely</b> to have a <b>significant effect on designated feature 1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts, and an Appropriate Assessment will therefore be required</b> at the detailed design stage. (Mitigation measures will need to be considered as part of this process.)</p>		
<p><b>b) In combination</b> with other Environment Agency permissions and/or other plans or projects? (Explain conclusion and which plans/projects have been included, including those associated with other functions).</p>	<p><b>No</b></p>		
<p><b>c) In combination</b> with permissions and/or plans/projects of other Competent Authorities?</p>	<p><b>Yes</b></p> <p>The following plans are considered to have the potential to interact with the Beach Management Plan:</p> <ul style="list-style-type: none"> <li>• The East Devon New Local Plan 2013-2031. <ul style="list-style-type: none"> <li>○ The Port Royal area is proposed for redevelopments along the western bank of the River Sid. This will be protected by planned</li> </ul> </li> </ul>		

<p>(Explain conclusion and which plans/projects have been included. See <a href="#">Appendix 23</a> for further information).</p> <p>Include list of other Competent Authorities that have been consulted and what their comments were in relation to the decision on likely significant effect.</p>	<p>FCERM activities in the BMP.</p> <ul style="list-style-type: none"> <li>Heading into the design phase of this BMP, there may be other future projects, development proposals and plans that will need to be considered.</li> </ul>	
<p><b>11. Conclusion: Is the proposal likely to have a significant effect 'alone and/or in combination' on a European site?</b> (Justification – attach any relevant supporting information and the reasons for coming to the particular conclusion)</p>	<p><b>Yes</b></p> <p>There is a clear case to conclude that the <b>Sidmouth &amp; East Beach Management Plan</b> is <b>likely to have a significant effect alone and in combination with local development proposals/ other potential unknown future plans on Sidmouth to West Bay SAC</b>.</p> <p>The construction of new groyne, modification to river training wall (RTW) and East Pier Groyne (EPG) will increase stability of the cliff, change cliff erosion rates and change coastal processes which are <b>likely to have a significant effect</b> on following conservation objectives for <b>1230 vegetated sea cliffs of the Atlantic and Baltic Coasts</b>.</p> <ul style="list-style-type: none"> <li><b>Extent and distribution</b> <ul style="list-style-type: none"> <li>➤ Direct loss of habitat</li> </ul> </li> <li><b>Structure and function (including typical species)</b> <ul style="list-style-type: none"> <li>➤ Changes in cliff erosion rates</li> </ul> </li> <li><b>Supporting processes upon which the habitat relies</b> <ul style="list-style-type: none"> <li>➤ Changes to coastal processes</li> </ul> </li> </ul>	
<p><b>12. Justification for Reduced Consultation on review process:</b> A brief justification should be written outlining why each application is thought to be minor or large/complex, and thus why you are sending to Natural England for either information or consultation.</p>		
<p><b>13. Name of EA Officer:</b></p>		<p>Date:</p>
<p><b>14. &lt;Natural</b></p>	<p>For use when the Appendix 11 is to be sent to Natural England for consultation</p>	

<p><b>England/CW comment on assessment:</b></p> <p>(If the Natural England/ officer disagrees with the conclusion of 10c, please include details of the other Competent Authorities which should be consulted)&gt;</p>	<p>We are in broad agreement with the conclusions of this assessment of likely significant effect. We therefore advise that appropriate assessment will be required but that it will not be possible to undertake such an assessment until the further information is available at the detailed design stage.</p> <p>At that stage we recommend that the scheme design is informed by this assessment and seeks to minimise the identified likely significant effects on the "vegetated sea cliff" SAC feature in order to avoid an adverse effect on the integrity of the SAC.</p>		
<p><b>15. &lt;Name of Natural England/CW Officer:&gt;</b></p>	<p>Amanda Newsome</p>		<p>Date: 28/11/16</p>
<p>IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED (see part B for suggested scope).</p>			

<p><b>Part B - SUGGESTED SCOPE OF THE APPROPRIATE ASSESSMENT:</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>
<p>The HR01 screening assessment has concluded that the Sidmouth and East Beach Management Plan has the potential to have a likely significant effect on a European Site through the following potential impacts:</p> <p><b>Sidmouth to West Bay SAC:</b></p> <p><b>1230 Vegetated sea cliffs of the Atlantic and Baltic Coasts</b></p> <ul style="list-style-type: none"> <li>• <b>Extent and distribution</b> <ul style="list-style-type: none"> <li>➤ <b>Direct loss of habitat</b></li> </ul> </li> <li>• <b>Structure and function (including typical species)</b> <ul style="list-style-type: none"> <li>➤ <b>Changes in cliff erosion rates</b></li> </ul> </li> <li>• <b>Supporting processes upon which the habitat relies</b> <ul style="list-style-type: none"> <li>➤ <b>Changes to coastal processes</b></li> </ul> </li> </ul> <p>As a result, the appropriate assessment process will aim to refine any proposed design to minimise its effect on the SAC and in particular the vegetated sea cliff feature.</p> <p>The following will be undertaken in support of the appropriate assessment and feed into the detailed design of the BMP:</p> <ul style="list-style-type: none"> <li>• The scope of the appropriate assessment must be agreed with Natural England as the Statutory Nature Conservation Body, also MMO as Competent Authority and any other competent authorities involved;</li> <li>• Characterise the BMP area in relation to the qualifying features and their conservation objectives;</li> <li>• Additional surveys with detailed methodology agreed with Natural England, including; <ul style="list-style-type: none"> <li>➤ Design stage erosion rate numerical modelling. Modelling will determine likely</li> </ul> </li> </ul>

significant effect. As the beach management plan does not aim to prevent cliff erosion, rather just slow it down. Modelling erosion rates will assist to quantify and discount or justify any likely significant effect from slowing cliff erosion rates.

- Detailed description of plan/project;
- Assess each likely impact on the qualifying features;
  - compare with historical data
  - predict impacts.
- Determine the extent to which each possible impact can be avoided or mitigated;
- Consider any future development proposals, project and plans that will need to be considered that may pose in-combination effects on designated features, including:
  - The East Devon New Local Plan 2013-2031:
    - The Port Royal area is proposed for redevelopments along the western bank of the River Sid. This will be protected by planned FCERM activities in the BMP.
  - Heading into the design phase of this BMP, there may be other future projects, development proposals and plans that will need to be considered.

<b>16. Name of Natural England Officer:</b>	Amanda Newsome	Date:23/01/17
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## References

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Appendix A

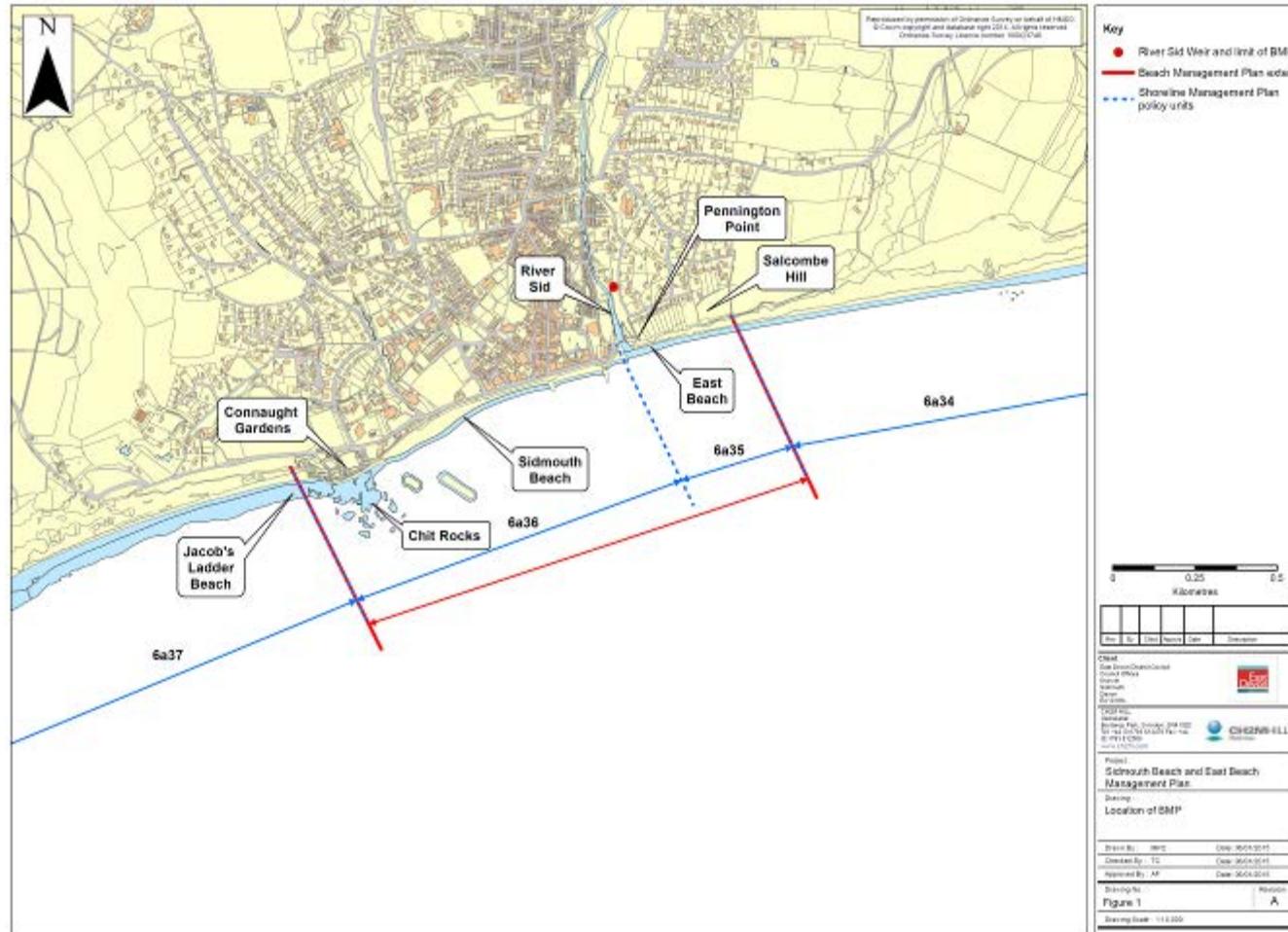


Figure 1a Sidmouth & East Beach Management Plan extent



Figure 1b Sidmouth & East Beach Management Plan key features.

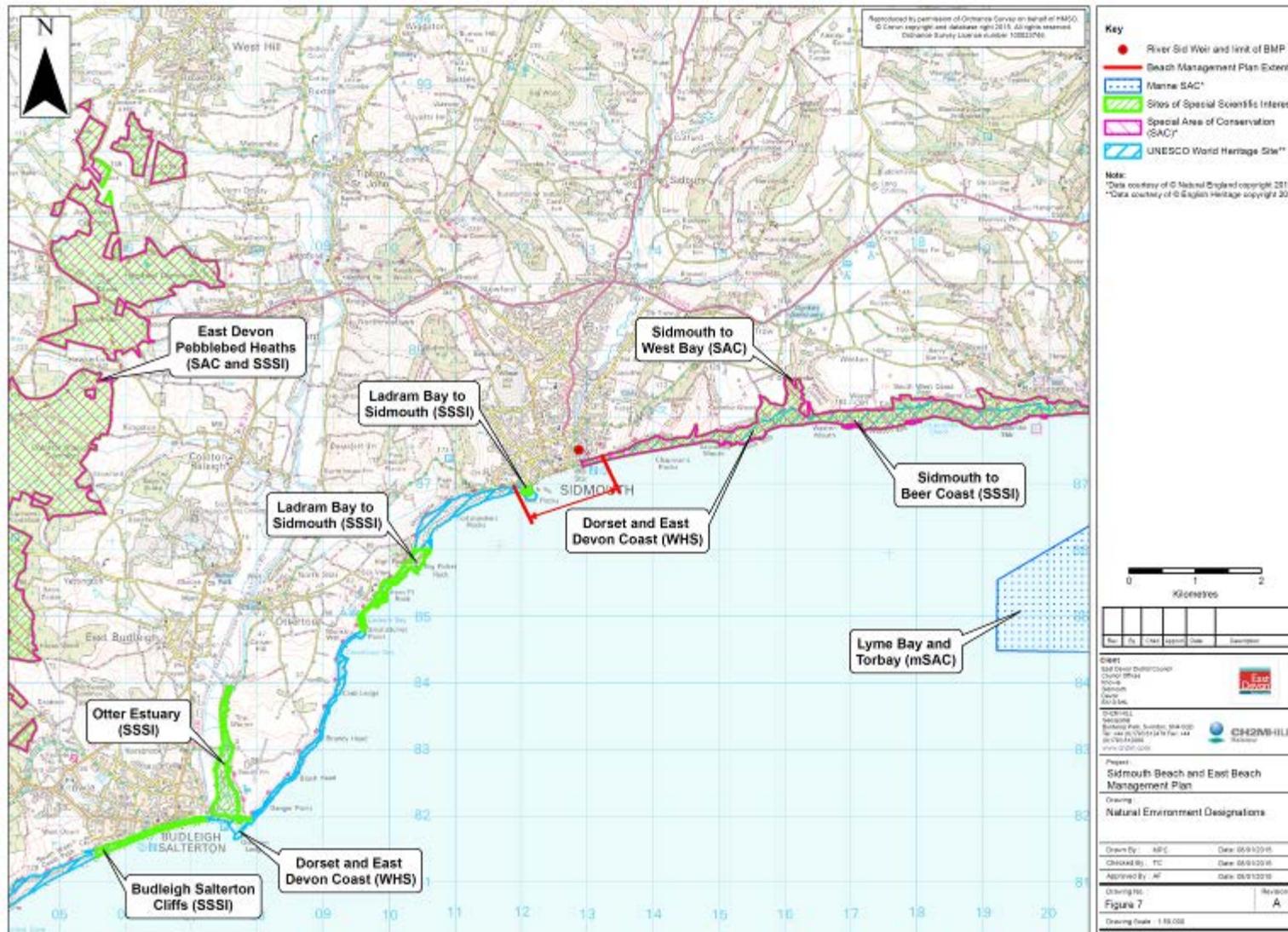


Figure 2 Environmental designations in the BMP area.