

## **Natural England's advice on the current situation regarding recreational impacts on the Lyme Bay and Torbay SAC (sent by email dated 13th July 2022)**

*The Advice on Operations for this site indicates that some recreational boating activities pose a risk to the reef features. However, whilst they pose a risk, there is no evidence that those recreational activities have caused damage to the features. The 2018 Condition Assessment records the reef features as 30% Favourable and 70% Unfavourable – recovering. The reason for the features (Circalittoral rock & Subtidal stony reef) being recorded as Unfavourable – recovering is identified as damage occurring from bottom-trawled fishing gear prior to the designation of the site as a SAC, so from commercial boats rather than recreational activities.*

*As correctly identified in the Footprint report, the seagrass beds are a feature of the Marine Conservation Zone (MCZ) rather than of the SAC. MCZs are designated under the Marine and Coastal Access Act 2009 (MCAA). Whilst there is no duty for LPAs to undertake a MCZ Assessment for their Local Plan, the Act does set out a general duty for public authorities to further the conservation objectives of the MCZ features in the exercise of its functions.*

*At present the SAC sea-cave features are recorded as being in Favourable condition. There is no evidence currently available to conclude that recreational activities are damaging the SAC features, or that recreational activities are attributable to the housing numbers identified in the Local Plan.*

*Therefore, Natural England advises that none of the recommendations set out in the Footprint report need to be undertaken to satisfy the Local Plan HRA, which can rely on existing mitigation measures, codes of conduct, and the strength of the Plan policies, given the Favourable condition of the sea-caves.*

*Natural England agrees with the statement made in the Footprint report that individual planning applications that have a clear link to increased recreational use of the coast will need to be subject to project-level HRA, and that a bespoke package of measures will need to be secured to address the specific impacts of the proposed project.*

*If the evidence relating to (i) the accessibility of the sea-caves; (ii) the possible damage to the sea-caves; (iii) monitoring of the types of activity, the location of activities, and the levels of access; and (iv) understanding where individuals are originating from, becomes available then that evidence, depending on the findings, will become a material consideration in the determination of planning applications for housing developments and future Local Plan reviews.*