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Sent: 07 October 2021 22:02
To: Tom Day [REDACTED]; Simon Davis <Simon.Davis@arun.gov.uk>; Joanne Prichard [REDACTED]

Subject: HRA for applications P/93/21/PL (ADC) and 21/01921/FULEIA (CDC)

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Dear Tom,

Many thanks for your email sent on the 6/10/2021 with regard to the HRA for applications P/93/21/PL (ADC) and 21/01921/FULEIA (CDC).

Natural England has responded on the appropriate assessment, agreeing with your authorities' conclusion of AEOI on the Pagham Harbour SPA / RAMSAR. Below is our advice and some comments in the document; we have included the latter to help with clarification and consistency for you to consider. Noting we have a limited role in this latter section of the HRA, as we are formally restricted to advising on the likely impact from alternatives on the designated site/s with regard to the conservation objectives of the site/s.

Please see guidance for more information on roles and responsibilities:

Habitats regulations assessments: protecting a European site - GOV.UK (www.gov.uk)

Natural England's advice on alternatives and their impact on the SPAs / Ramsar sites

Overall we agree with your conclusion that the possible alternatives of sediment recycling from within the same sediment cell or a linear set-back structure are both less damaging to the SPA/Ramsar features, specifically to the nesting habitat for the little tern feature, which does not occur on the Pagham frontage but is present on the spit.

With regard to the EA's emergency plan – the proposal for this alternative is in Natural England's view similar, or potentially less damaging to the SPA, as the proposed location of the breach is guided by:

"1.a location that would be chosen by nature which could be indicated by active erosion and narrowing on the channel side or signs of overwashing and crest lowering

2.a location that minimise the impact on the designated features"

Such an approach would more closely mimic the geomorphology events that proceeded the natural breach and would be less damaging to the SSSI and potential less damaging to the SPA if it leaves more of the spit uncut for the terns to nest on.

Summary

The conclusion reached by your competent authorities for the test of less damaging alternatives is that no feasible alternatives exist due to either time or cost/time constraints. Given this application is the second, in five years, to propose to cut the spit, damaging the SSSI geomorphology and having an AEOL to the SPA /Ramsar, it is unlikely that the benefits from this current intervention will result in any medium to long term solution for managing this risk.

Managing the shoreline by repeatedly permitting damaging interventions is unsustainable, all the competent authorities involved have a duty to protect and enhance designated nature sites and help with the recovery of nature in line with the UK government's 25 year Environment plan, alongside their role in managing the risk to people from flooding and erosion.

Natural England recognises and supports the community and wants to see a more sustainable future for the area, particularly given the locked in effects of climate change from potentially 2° of warming and the need to consider adapting to the effects of 4°.

Government funding for flood and erosion risk management at this location due to the numbers of properties at risk is limited. Available funding is therefore unlikely to deliver the sediment needed from outside the sediment cell and the set-back defence at the rear of the lagoon. Whether sufficient funds can be secured from partnership funding or elsewhere to manage these coastal risks sustainably needs to be investigated as soon as possible after this process concludes.

If these solutions cannot be secured, the Local Authorities need to consider how sustainable this location is for housing and other infrastructure.

In DEFRA's review into Pagham 2015 they noted

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/401919/pagham-coastal-management-review-2015.pdf

'it can be noted with high certainty that the location of the properties on an evolving spit system means that a level of risk from coastal change will always remain. This risk will then increase with sea level rises in the future.'

DEFRA policy statement. Page 40/43

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903705/flood-coastal-erosion-policy-statement.pdf

'In areas facing significant coastal erosion and impacts from rising sea levels, to limit impacts and unlock the advantages our coastline brings, local areas may determine that a managed transition away from high risk areas is the most effective and practical response. The government is committed to enabling this transition by supporting local areas to help them to implement long-term plans.'

Government's National Planning Policy Framework recommends that local planning authorities identify places which are, or are expected to be in future, unsustainable. This could include places subject to coastal erosion or disruptive or hazardous flooding.

EA National FCERM Strategy 'Coastal change management areas should make provision for any vulnerable properties and infrastructure that may need to be relocated at a future point. This could include supporting roll back of the coastline or development facing the threat of coastal erosion.'

Whilst we appreciate the difficult decision your authorities have to take, collectively we need to ensure more sustainable options are pursued.

IROPI

Natural England has no role in the IROPI test, this is for the competent authorities to consider. However, we do recognise this difficult situation that people and their houses are at risk from flooding and potential erosion.

Compensation

With regard to the required compensation should this proposal be approved, Natural England has provided you with advice on the suitability of the compensation to the applicant and your authorities, there are a few additional amendments in the attached document.

SSSI

Regarding SSSI features, we would remind you that the competent authorities need to consider the damaging impact of this intervention, particularly on the geomorphology interest; please refer to our letter on the 12/08/2021 in annex B.

If you require any further advice on the case please contact either myself or Tom Scott-Heagerty.

Kind regards,
Angela

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