



Braunton Burrows SAC: Mitigation strategy for future plan-led and non plan-led development.

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Summary

Braunton Burrows is a large sand dune system on the North Devon Coast owned and managed by Christie Devon Estates. It is of considerable nature conservation interest, both nationally and internationally. This is reflected in its European designation as Special Area of Conservation (SAC) and national designation as a Site of Special Scientific Interest (SSSI). There is growing concern about the increased impact of recreation associated with new housing on the interest features of the site.

This report is part of a body of work addressing the likely increase in recreational pressure and its potential impacts. It sets out a costed implementation plan for mitigation for future development. The plan includes a number of flexible measures, primarily brought together as the Braunton Burrows Dogs in Nature project in recognition of visitor survey evidence on site use. The project would be co-ordinated by an on-site project officer/ranger and implementation would be overseen by a governance panel comprising landowner, local authority and Natural England staff). The measures are grouped under the following inter-related themes:

- **General public engagement** - providing information for dog walkers and other stakeholders to facilitate enjoyable, responsible dog walking at Braunton Burrows
- **Management on site** - practical solutions for managing access for dog walkers alongside site management
- **Dog school** - helping dog owners to have a positive experience when dog walking in sensitive wildlife areas
- **Dog places** – engaging with local dog walking community, dog related and dog friendly businesses etc around places for dogs

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1. Introduction

Overview

- 1.1 Braunton Burrows is a European wildlife site designated in recognition of its internationally important wildlife, being one of the largest sand dune systems in the UK. Designated as a Special Area of Conservation (SAC), it is subject to strict legal and national planning policy protection that includes particular duties for public bodies in terms of the restoration and maintenance of the wildlife interest. There is growing concern about the impact of recreation associated with new housing growth coming forward in the vicinity of the SAC, both plan-led and non plan-led.
- 1.2 North Devon Council is the determining authority for planning applications and are required to undertaken Habitats Regulations Assessment (HRA) under the Conservation of Habitats and Species Regulations 2017. The HRA for the Joint North Devon and Torridge Local Plan (2018) concluded that the proposed development would lead to a rise in population and subsequent visitor impacts - the HRA was unable to conclude that a Likely Significant Effect would not occur as a result of cumulative development in the area surrounding Braunton Burrows SAC.
- 1.3 North Devon Council therefore commissioned Footprint Ecology to produce *Braunton Burrows SAC - an assessment of the potential recreational impacts of non-plan led development* (Lake & Liley, 2018), which concluded that habitat degradation as a result of visitor pressure was already evident and that measures to maintain ecological integrity are already necessary. The Council also commissioned visitor surveys and the identification of a Zone of Influence in order to establish visitor behaviour on site and the distances visitors travelled (Liley & Saunders, 2019). Subsequently, the Council commissioned Footprint Ecology to produce a Visitor Mitigation Strategy in partnership with the landowner and Natural England to determine the mitigation measures required to ensure the SAC achieves a favourable conservation status.
- 1.4 This report provides contextual information, outlines a mitigation strategy and sets out a costed mitigation plan for the impacts of development within the zone of influence.

Site information

- 1.5 Braunton Burrows stretches for approximately 5km from the mouth of the Taw-Torridge Estuary north to Saunton. The dunes are around 1.5km across and in places are up to 30m high, forming a complex array of dune habitats that include mobile and fixed dunes, wet dune slacks, dune grassland and scrub.
- 1.6 Braunton Burrows is notified as a Site of Special Scientific Interest (SSSI), in accordance with the Countryside and Rights of Way Act 1981, as amended, and is also designated as a Special Area of Conservation (SAC) under article 4(4) of the Habitats Directive (92/43/EEC) for a range of dune habitats listed under Annex I and also for Petalwort *Petalophyllum ralfsii*, a liverwort listed under Annex II. The Habitats Directive is transposed into domestic legislation through the Conservation of Habitats and Species Regulations 2017, as amended (the Habitats Regulations). A full ecological description is given in Lake and Liley (2018).
- 1.7 Braunton Burrows is owned and managed by Christie Devon Estates and is subject to a Higher Level Stewardship agri-environment agreement with Natural England. The site is also used for MoD training exercises and is a popular destination for beach activities, surfing, walking, dog walking and other recreational activities. It is not designated open access land under the Countryside and Rights of Way Act 2000 (CROW Act), but the landowners allow public access.

Recreation impacts

- 1.8 A range of recreation impacts are currently evident at Braunton Burrows (Lake & Liley 2018). The most significant direct impacts include trampling and eutrophication through dog fouling. Indirect effects include compromised scrub control and sward management due to difficulties in instigating the preferred grazing regime. This also reduces the capacity to mitigate for atmospheric nitrogen deposition.

Legislative context

- 1.9 The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations'. Importantly, the most recent amendments (the Conservation of Habitats and

Species (amendment) (EU Exit) Regulations 2019¹) take account of the UK's departure from the EU.

- 1.10 The Habitats Regulations set out duties to maintain and restore European sites, which include sites classified as SACs. North Devon Council, as a competent authority, can only undertake or authorise plans or projects to proceed where it has been demonstrated that adverse effects are ruled out, unless exception tests are met. A Habitats Regulations Assessment (HRA) is the process by which competent authorities undertake the necessary assessment to demonstrate that adverse effects have been adequately identified and then mitigated for. This is undertaken at both the plan and project level. Where a plan sets a programme for projects to come forward, the plan level HRA should provide the necessary certainty that projects can be undertaken.
- 1.11 Increased levels of local housing development will result in an increase in the local population and the potential for increased levels of recreation. As noted below, taking a strategic approach to assessing and mitigating for growth is seen as good practice where potential risks to European sites as a result of increased recreation pressure is likely to be cumulative across a given area. North Devon Council therefore commissioned visitor survey work to better understand how visitors use Braunton Burrows SAC, and the links between local housing and recreation use in order to inform this mitigation strategy.
- 1.12 The purpose of this report is to provide the technical analysis of mitigation measures that are needed to give certainty that additional housing growth will not result in increased risks to Braunton Burrows SAC, to the extent that the ecological integrity of the site, and its wider contribution to the network of European sites, is not compromised. Site integrity is specifically referred to within the Habitats Regulations and should be taken to be that the maintenance of the site into the long term is not adversely affected, and any restorative measures being undertaken or programmed to be undertaken, are not impeded.

¹ The amending regulations generally seek to retain the requirements of the 2017 Regulations but with adjustments for the UK's exit from the European Union. See Regulation 4, which also confirms that the interpretation of these Regulations as they had effect, or any guidance as it applied, before exit day, shall continue to do so.

- 1.13 A strategic approach to mitigating for cumulative recreation pressure arising from new growth is a means by which the potential impacts are assessed at a strategic level, rather than development by development, and strategic level solutions are designed to mitigate for the anticipated growth levels, rather than trying to seek mitigation solutions on a piecemeal basis. A strategic approach should enable sustainable housing growth to be delivered, whilst adequately protecting European wildlife sites. By developing an approach at a local plan wide level, the strategy will provide a solution to the additional recreation pressure through an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other European site mitigation strategies.
- 1.14 The 'precautionary principle' is an accepted principle that is embedded within the wording of the legislation, and latterly within court case decisions, both European and domestic. Essentially, a competent authority should only give effect to a plan or authorise/undertake a project after having ascertained that it will not adversely affect the integrity of the European site. This means that in the absence of certainty, the plan or project should not normally proceed (subject to the further exceptional tests set out within the legislation). Hence the precaution is in the competent authority's duty to only allow plans or projects to proceed whether there is certainty and to apply a precautionary approach where uncertainties remain. Competent authorities should have enough evidence to satisfy themselves that there are feasible measures to prevent adverse effects. These should be feasible in terms of cost, practical implementation, timeliness and attributing responsibility.
- 1.15 The European Court of Justice is an important source of relevant caselaw, often dealing with cases relating to the interpretation of the European Birds and Habitats Directives. Many of the rulings have defined key aspects of the assessment process, and those working as HRA and mitigation strategy practitioners need to continually check their understanding alongside new caselaw. HRAs and mitigation strategies are written with the principle of "*no reasonable scientific doubt*," which was established in the '*Waddensee*' case (C-127/02).
- 1.16 The recent Judgment in April 2018 of the European Court of Justice – *People Over Wind & Sweetman v Coillte Teoranta* (Case C-323/17), being referred to as the '*People Over Wind Ruling*,' refers to the need for "*a full and precise analysis of the measures capable of avoiding or reducing any significant effects*"

and “complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt as to the effects.”

- 1.17 This strategy for Braunton Burrows SAC provides robust and comprehensive consideration of the avoidance and mitigation measures that will adequately prevent adverse effects on European sites in terms of recreation pressure as identified in the impact assessment (Lake & Liley 2018). This strategy is therefore a solution to the legislative duties within the Habitats Regulations placed on North Devon Council as competent authority, and is an enabling strategy, unblocking potential HRA issues at the individual development project level where recreation pressure is difficult to mitigate for on a piecemeal basis because it relies on a suite of integrated activities.

Visitor surveys

- 1.18 Previous work looking at local visitor use of Braunton Burrows (see The North Devon and Torridge – Future Growth Scenarios Habitats Regulation Assessment Technical Note) indicated that visitors to the Sandy Lane car park are likely to have the most impact on the SAC.
- 1.19 Visitor interviews and counts of visitors carried out in January and June 2019 found that on average about 16 people and 9 dogs entered the dunes from the Sandy Lane car park per hour (between 7am and 7pm). A large majority were local visitors (87%) and 75% were dog walking. Just over half visited at least weekly and most visits were between 30 minutes and 2 hours in duration. Nearly two thirds of those interviewed indicated that they had been visiting Braunton Burrows for at least 10 years. Factors influencing their decision to visit Braunton Burrows rather than elsewhere included “good, easy parking”, “the scenery” and also “habit” and the “ability to let the dog off the lead”. Saunton Sands, Crow Point, Woolacombe and Croyde were other locations visited for the same purpose by those interviewed. Mapped visitor routes were very dispersed, extending across the whole SAC. The mean route length was 4.8km, and factors influencing the choice of routes including avoiding livestock (32%), the weather and viewpoints or features. 28% of interviewees were happy with the site and its management, but there were concerns about dog mess, scrub clearance, cattle, lack of signs, also military presence, the attitude of land managers and the state of the car park. Some interviewees felt that scrub clearance and grazing were damaging to the site.

Dynamic Dunescapes

- 1.20 A national partnership project “Dynamic Dunescapes”² has recently secured funding via the National Lottery Heritage Fund. The project aims to:
- Conserve nearly 7,000 hectares of sand dunes
 - Create a citizen science programme for people of all ages
 - Develop skills, training and research projects for individuals and organisations
 - Build a greater understanding and appreciation of sand dunes
 - Improve access to sand dunes and increase footfall to reinvigorate open habitats
 - Share learning to inform UK wide dune rejuvenation
- 1.21 It is based around nine dune clusters, one of which – North Devon – includes Braunton Burrows. Planned work at Braunton includes an ambitious programme of ground works designed to remobilise sand within the over-stabilised dune system and create characteristic early- successional habitat and will be managed by a project officer. In addition, an engagement officer hosted by National Trust to work on the North Devon cluster will be working at Braunton for around 2-3 days a month. Engagement work will include community arts events, interpretation events, work with schools, volunteer training and events, youth involvement and 6 events supporting responsible dog ownership.

Coastal access

- 1.22 Natural England is currently working towards implementing the England Coast Path. As part of this, a ‘coastal margin’ is being identified. This includes all land between the trail and the sea if it is a type of coastal land identified in the CROW Act such as beach, dune or cliff³
- 1.23 Braunton Burrows falls with section four of the route known as Combe Martin to Marsland Mouth. This stretch of coast is currently within Stage 4 of development i.e. ‘Determine’. Proposals are available and representations and objections can be made to Natural England and will be considered by an independent planning inspector. The inspector will then make

² <https://www.dynamicdunescapes.co.uk/>

³ <https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast#coastal-margin>

recommendations to the Secretary for State in respect of any representations and objections raised.

- 1.24 The proposal at Braunton Burrows (4e Braunton Burrows (Nature Reserve) to Crow Beach House) is for the Coast Path to follow the beach c10m seaward of the dunes, (rather than along the American Road, the route of the current South West Coast Path, which will be brought into line with the English Coast Path). It would however enter the dunes just north of Crow Point⁴. This means that the vast majority of Braunton Burrows will not be designated as Coastal Margin, which would have resulted in a legal right of access across Braunton Burrows.
- 1.25 Natural England is able to propose changes to the route in the future in response to coastal change without further approval from the Secretary of State. For the Braunton Burrows section, the report states that if it were no longer possible to find a viable route seaward of the site, or if the route passing through the site needed to be altered, a new route would be chosen, in consultation, that would either pass through the site or be routed landward of it. The situation could therefore change in the future.
- 1.26 Four information panels are proposed and would include requests to visitors to keep their dogs under effective control.

Public Spaces Protection Orders

- 1.27 A Public Spaces Protection Order (PSPO)⁵ can be made by the Local Authority concerning any activities that could have a detrimental effect on the quality of life of those in the locality (for example dog fouling) on any public space within its area. PSPOs can last for up to three years after which they must be reviewed and can be extended, with no limit on the number of times this takes place. The definition of public space is wide, including any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. Braunton Burrows does not have open access under the CRoW Act (2000) and only a small area at Crow Point will have open access as Coastal Margin; Concessionary access is currently granted by the landowner.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/855166/combe-martin-marsland-mouth-report-4.PDF

⁵ https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf

- 1.28 Local government guidance points out that some issues may be adequately addressed using other tools such as awareness-raising campaigns and improved community engagement. North Devon Council has recently undertaken a public consultation about the use of PSPOs across the district and it is possible that PSPOs could be use at Braunton Burrows in the future should this be deemed to be a suitable and effective approach and the landowner can implement the controls. However, in order to mitigate for impacts “in perpetuity” PSPOs would need to be renewed on a regular basis, which cannot be guaranteed.

2. The need for mitigation

- 2.1 A sustainable level of visitor movement at Braunton Burrows has some ecological advantages (see Lake & Liley 2018). In the absence of widespread rabbit grazing (which strongly influenced the characteristic flora of the site in recent centuries), trampling pressure can inhibit more vigorous plant species, allowing smaller species that would otherwise be out-competed to flourish. More intense trampling can result in the creation of bare ground and the movement of sand. Sand dunes systems are naturally dynamic but the dunes at Braunton Burrows have become over-stabilised with little movement of sand with the result that scrub and rank grassland are developing in the place of mobile dunes and short, open, species-rich dune turf and dune slacks. In this context, trampling-induced erosion can increase the amount of mobile sand within the system, maintaining early successional swards that support a greater diversity of species than dune scrub. The tiny, rare liverwort Petalwort, although vulnerable to damage from direct trampling, is associated with bare, compacted conditions created through trampling or vehicles.
- 2.2 In addition to ecological benefits, the physical and mental benefits for visitors associated with time spent outdoors, and any relation between these and pro-conservation behavioural change, are recognised, although these are not explored further here.
- 2.3 However, although there are positive consequences of visitor presence, increased visitor pressure may also be detrimental at Braunton Burrows (see Lake & Liley 2018), specifically through:
1. **The impact of dog presence on livestock;**
 2. **Visitor perception of management necessary to restore the dunes;**
 3. **Potential deterioration of Petalwort populations along the American Road/Broadsands area due to eutrophication resulting from dog faeces;**
 4. **Further deterioration of the sward around Sandy Lane car parks due to eutrophication resulting from dog faeces.**
- 2.4 Within the context of recreation impacts resulting from future development, the above are considered to be key areas where mitigation measures will be necessary to ensure that the integrity of the SAC is not compromised. When identifying solutions to alleviate potential impacts on a European site, it is important to be clear about what are issues caused by existing factors,

existing issues that are exacerbated by additional pressure, and new issues that arise from additional pressure. This is because when seeking mitigation solutions that are funded by developers, the financial costs of mitigation being met by developers should be apportioned appropriately in relation to measures that alleviate the exacerbation of existing impacts or new impacts. It is noted that the sward around Sandy Lane car park is already badly affected by existing pressure and any mitigation funded by developers therefore needs to be proportionate to the problem. Each point is discussed in turn below.

The impact of dog presence on livestock

- 2.5 Although a written record of dog-related incidences is not available, anecdotal information (A. Woollacott pers. comm.) suggests that there has been an increase in the number of incidents reported to site staff, the grazier, or the Estate Office. An increase in the number of visitors is likely to result in more incidences.
- 2.6 Livestock grazing is considered to be an essential tool in achieving favourable condition on Braunton Burrows⁶. For the last decade the site has been grazed by a suckler herd owned by a tenant grazier. The grazier also tenants the adjacent holding, which provides layback land for when the herd is not on the Burrows. Grazing is supported through an agri-environment agreement with Natural England, which is essential to the viability of the enterprise. The herd grazes within large fenced enclosures, referred to as zones, and information about which zone they are grazing in at any one time is posted on the Braunton Burrows Public Information Facebook page⁷ and on signs attached to stiles and gates.
- 2.7 Dog presence can impact the grazing in a number of ways, listed below. These are generally related to dogs that are off the lead and are not under adequate control. The impacts apply to cattle and sheep except where livestock type is explicit.
- Dogs may attack livestock, resulting in injury to animals and the temporary removal of individuals or the herd by the grazer;
 - Cows can be defensive of their calves in the presence of dogs, and may attack dogs if they feel their calves are under threat;

⁶<http://publications.naturalengland.org.uk/publication/5370451656179712>

⁷<https://www.facebook.com/814742138624436/photos/a.814745645290752/814745505290766/?type=1&theater>

- Cows may also attack dogs and even people if they have been previously upset for example by a dog attack;
- Recurring incidences of dog attacks may result in the grazier deciding that it is not longer worthwhile to graze the site, or may result in reduced numbers, shorter grazing season or fewer areas being grazed, leading to undergrazing and the loss of sensitive species;
- Increased risk of transmission of infectious diseases such as neosporosis⁸.

2.8 Clearly any indication of dangerous behaviour by livestock should result in the immediate prevention of interaction between visitors and the animals, which would be most readily effected by the removal of the animals from the site. However, there is no legal right of public access to Braunton Burrows, and current access arrangements could be rescinded should the landowner choose to do so.

2.9 It is stressed that most dog walkers currently using Braunton Burrows are responsible, and that incidences are result of a small number of dog walkers. However, of particular concern is the rise in commercial dog walking on the site, as this typically involves one person walking several dogs, which are therefore harder to control and keep within sight if unleashed.

2.10 High quality engagement is necessary between site managers and the dog walking communities to ensure that the needs of both are understood and satisfactory compromises achieved. This is particularly the case with potential changes in the dog walking community due to new development.

Visitor perception of management

2.11 The recent visitor surveys carried out on Braunton Burrows (Liley & Saunders, 2019) indicated that at least 28% of people interviewed were happy with the site and its management, but that many did not understand why management such as scrub clearance and grazing are necessary to maintain the wildlife interest of the site. On a regularly used site such as Braunton Burrows, support for management is essential to avoid issues and ensure the management can be carried out effectively. This need will intensify with increased visitor pressure resulting from nearby development.

⁸ <http://www.fairfarms.com/wp-content/uploads/2016/03/Dogs-livestock.pdf>

Work is therefore needed to increase visitor understanding of the wildlife importance and requirements at the site.

Potential deterioration of Petalwort populations along the American Road/Broad sands area due to eutrophication resulting from dog faeces

- 2.12 The Petalwort population is thought to be broadly stable at the moment, with losses around the Broadsands car park and Doughnut Slack being offset by increases in the south western slacks and other areas at Broadsands. Substantial ground works under the Dynamic Dunes project should increase the area of suitable habitat for this species away from areas most vulnerable to eutrophication. At the same time, changing the culture of dog-walking on site to one that has less deleterious impacts (e.g. by promoting picking up and removal of dog faeces) and ensuring suitable infrastructure is present and maintained will help safeguard existing populations.

Further deterioration of the sward around Sandy Lane car parks due to eutrophication resulting from dog faeces

- 2.13 The long-term use of the area in the immediate vicinity of Sandy Lane car for dog walking has resulted in a rank sward of coarse grasses and nettles. This area was excluded from the grazing zones, and a substantial amount of scrub has developed. The area is significantly degraded already. Any increase in the number of dog walkers who do not pick up after their dogs will make restoration attempts harder.

Other potential impacts

- 2.14 Other impacts include the use of ponds by dogs. Entry and exit from ponds lead to the loss of vegetation and then erosion of the bank, resulting in poorer quality water with detrimental effects on the flora and fauna. When localised, this may not be of significance, but a substantial increase will degrade the pond. There are other impacts of recreational use of the site for which there is currently no evidence (note that this does not mean the impact is not already occurring) but will be exacerbated by increased use of the site. Most notably, veterinary medications such as pour-on worm treatment and flea-power have the potential to damage the invertebrate fauna of ponds.

3. Mitigation plan

Rationale

- 3.1 The issues highlighted in Section 2 above indicate that work around dog walker awareness, understanding and behaviour will be key in ensuring that future development does not impact on the integrity of the SAC. Dog walkers are likely to be seeking extensive natural greenspace that is attractive, but also where they feel that their dog has a good experience (Edwards & Knight, 2006), for example where it is possible to undertake longer and/or off lead walks.
- 3.2 The inclusion of a project that pays particular attention to dog walking has proven to be a positive addition to recreation focussed strategic mitigation schemes elsewhere, including schemes for European sites in Devon and Dorset. These projects are in various stages of implementation, but all have a dedicated website to view. Other European mitigation schemes are still establishing the dog project aspect of their work and more examples will be available in due course. Useful examples include:
- [Devon Loves Dogs](#)
 - [Dorset Dogs](#)
- 3.3 The creation of a dog project is recommended at Braunton Burrows to address mitigation needs discussed above. This would need to liaise closely with Devon Love Dogs to address issues around destination choice and could be extended to encompass nearby sites experiencing similar issues.

Braunton Dogs in Nature project

- 3.4 This suggested title conveys a positive message that it is concerned with ensuring that dog walking at Braunton Burrows continues responsibly and that the project is not seeking to exclude dogs from the European site. The project will work on a number of themes that enable dog walkers and dogs to have a positive experience when visiting the site while ensuring that this activity does not have negative impacts, either in the short or longer term, on the required management (livestock grazing) and wildlife features. Project actions are listed in Figure 1 below and have been grouped into four themes:

- **General public engagement** – engaging with dog walkers and other stakeholders and providing information to facilitate enjoyable, responsible dog walking at Braunton Burrows
- **Management on site** - practical solutions for managing access for dog walkers alongside site management
- **Dog school** - helping dog owners to have a positive experience when dog walking in sensitive wildlife areas
- **Dog places** – engaging with with local dog walking community, dog related and dog friendly businesses etc around places for dogs

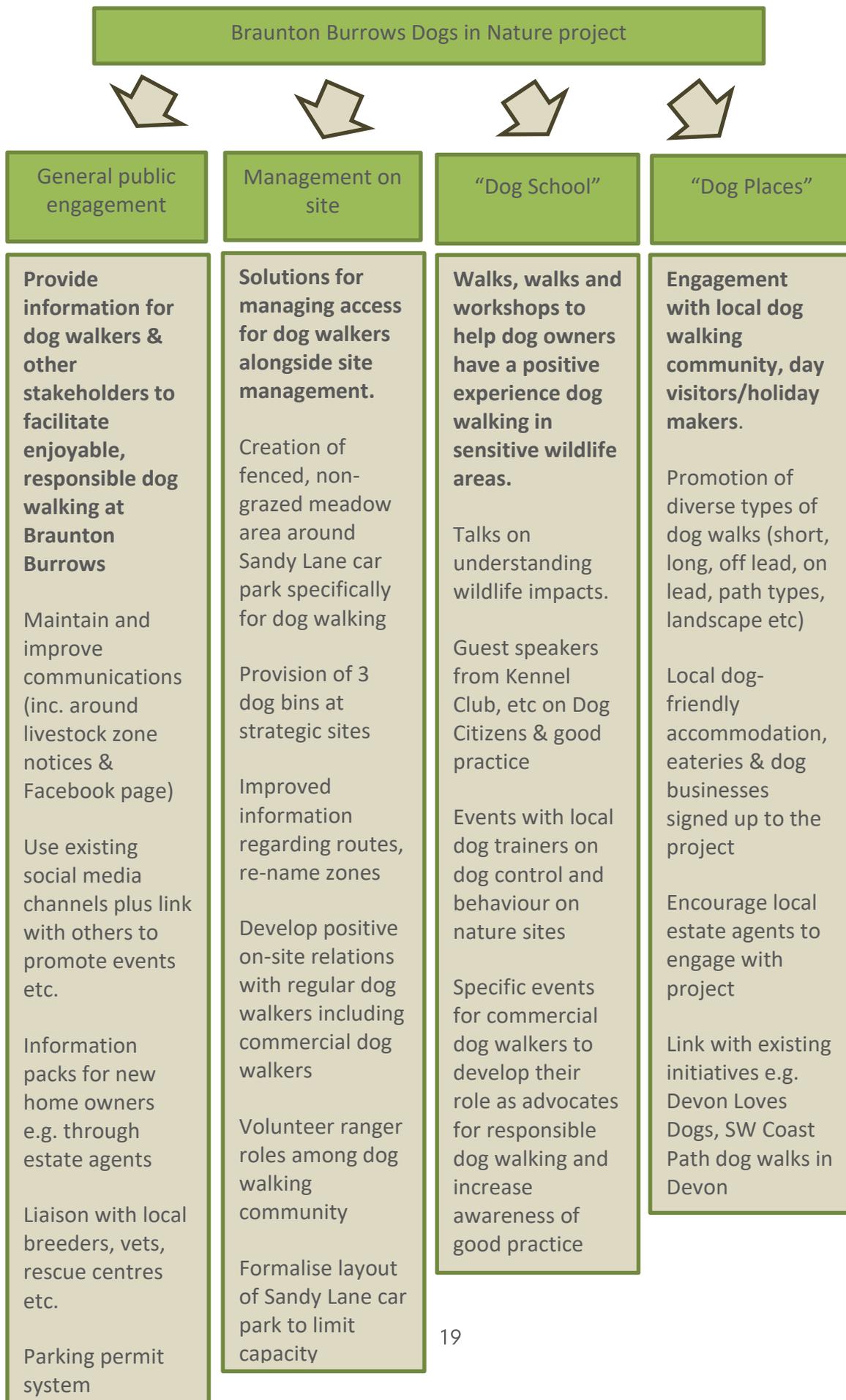
3.5 These themes are based on Footprint Ecology's experience of dog project development elsewhere, and their representation in Figure 1 is adapted from initial work relating to potential recreation mitigation measures for the coastal European sites around the Liverpool City Region. Elements of the project such as specific engagement with day visitors and holidaymakers do not directly address issues around increases in recreational pressure from development. However, addressing dog-walking only with the local community will not be effective and could result in local dog walkers feeling that different standards are being set for locals and visitors.

3.6 Maps 1 and 2 give a schematic representation of access management measures suggested as part of the project. The success of these will be enhanced by improvements to existing access arrangements (including the upkeep of signs, use of clear and consistent messaging used by all partners in line with the wording in the Dog Walking Code⁹, in a pre-arrival context, at arrival/access points and within the site).

3.7 Measures include the creation of a fenced area with no grazing adjacent to Sandy Lane car park. The idea is that dog walkers will be able to let their dog safely off-lead in this area before moving to the wider area of the site where livestock could be present – with the fencing designed such that dog walkers can always select parts of the wider area that will not have livestock present. The area directly adjacent to Sandy Lane car park has been carefully selected and promoting this area for dog walking use, as set out, will not compromise the conservation interest or further undermine the conservation objectives of the SAC.

⁹ <https://www.lpgsf.org.uk/wp-content/uploads/2014/08/Dog-Walking-Code-for-England-and-Wales.pdf>

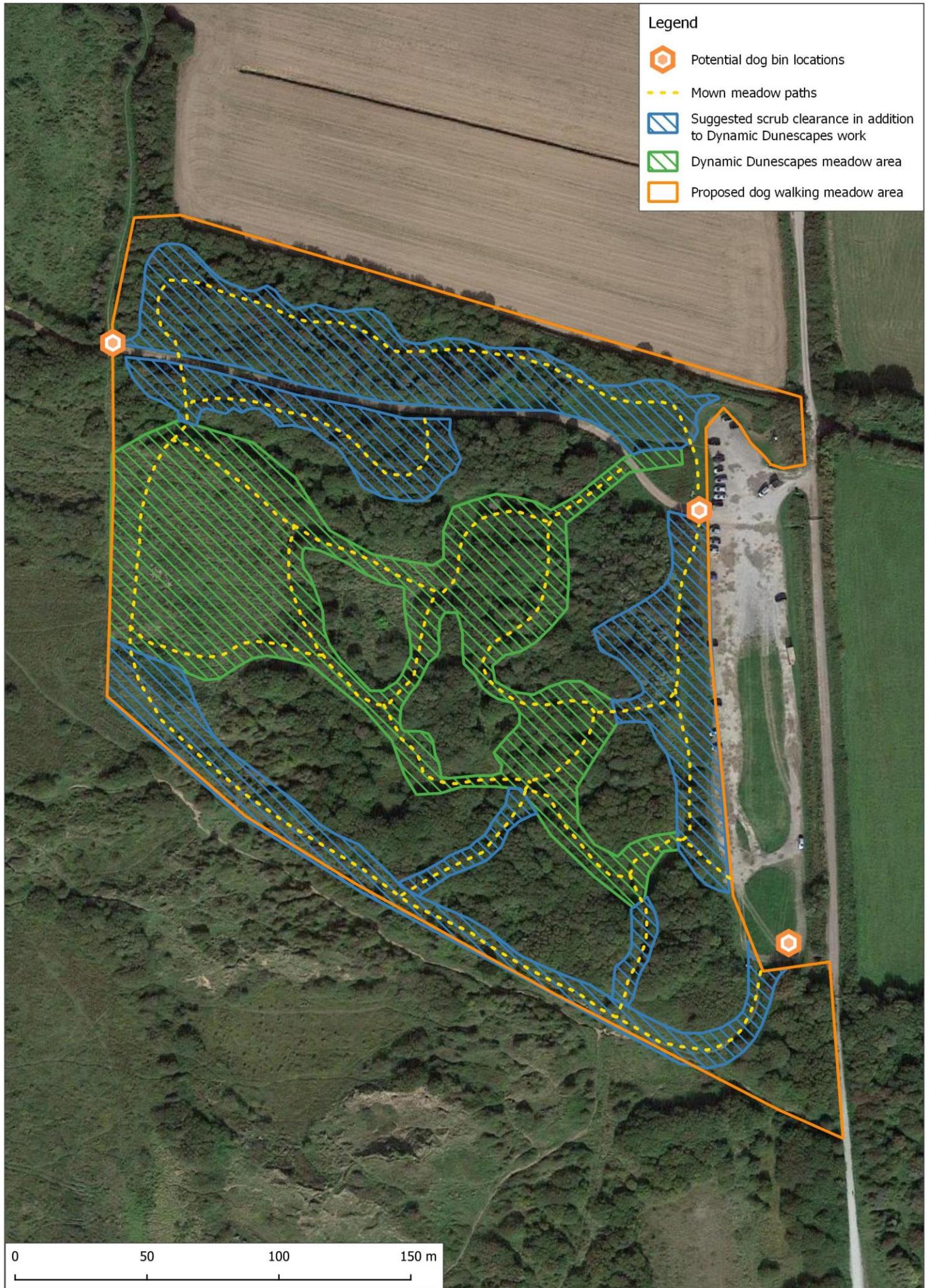
Figure 1: Outline of proposed Braunton Burrows Dogs in Nature project



Map 1: Braunton Burrows SAC - grazing zones, proposed meadow area and possible fence realignment



Map 2: Braunton Burrows SAC - proposed meadow habitat restoration



Legend

-  Potential dog bin locations
-  Mown meadow paths
-  Suggested scrub clearance in addition to Dynamic Dunescapes work
-  Dynamic Dunescapes meadow area
-  Proposed dog walking meadow area



Monitoring and evaluation

- 3.8 It is essential that monitoring is carried out to inform the mitigation measures, to highlight any issues so they can be addressed and thereby ensure they are successful. Information will be collected on the number and demographic of people attending activities, numbers signing up to the project, feedback from events and volunteer rangers, changes in behaviour around picking up dog waste (for example as seen in changes in abundance and distribution) and patterns of incidents relating to dogs (e.g. livestock worrying, which should be logged in a systematic way). A repeat visitor survey should also be commissioned before the next substantial plan review. Such information will be integral to the mitigation to ensure measures can be tailored and adapted as necessary, for example to respond to changes in access patterns. In addition, should further mitigation measures be required there are other options that are possible¹⁰. This monitoring should be considered in conjunction with biological monitoring for the site, including Petalwort surveys. Petalwort surveys should build on the baseline provided in Stribley (2018).

Liaison with existing and potential projects

- 3.9 Integration with existing, planned and potential projects will be necessary to avoid unnecessary duplication, co-ordinate between sites and projects and explore the potential for wider projects that could result in aligned action across multiple sites with benefits in terms of consistent messaging and approach and possible cost savings.
- 3.10 Most notably, RSPB, NE, Local Authorities and North Devon AONB have been working on a project concerning disturbance to shorebirds around the Taw and Torridge. Liaison is needed, both to ensure that any routes at Braunton Burrows do not create additional problems in terms of bird disturbance/deflection of access, but also to explore whether a wider “dogs in nature project” would be beneficial. Any access infrastructure and

¹⁰ Measures rejected at this point that could be re-considered include re-fencing the grazing zones to create smaller grazing areas to help reduce the interaction between dogs and livestock, closing the car park gates overnight, increasing parking fees and the instigation of a Public Spaces Protection Order.

information provision should also be integrated with that relating to the English Coast Path.

- 3.11 Local to Braunton Burrows, MoD is currently working with the Ramblers Association on information panels¹¹ for the site and liaison with the mitigation project will ensure signs are not duplicated (new signs have therefore not been costed for in this plan). The Dynamic Dunescapes project also has some overlap with dog walker events, (although these are limited in number and may take place at one of the other project sites) – again liaison will be needed to present a coherent programme of events with consistent messaging. This mitigation plan proposes scrub cutting to create meadow habitat in an area previously rich in orchid species when subject to a cutting regime (A. Byfield pers. comm.). This complements and expands scrub clearance planned under the Dynamic Dunescapes project. Dovetailing with this project would provide cost savings.
- 3.12 Currently, the landowners do not know exactly what outreach events take place about or at Braunton Burrows beyond the 30-40 school visits that are carried out by contractors on behalf of the landowners. There are various other talks and walks carried out (e.g. organised by Braunton Countryside Centre¹² and the Friends of the Assault Training Center¹³). Again, liaison with these other providers will help ensure that the messaging around the value of the site, opportunities and appropriate behaviour are consistent.

¹¹ Ideally this would include renaming zones to make them more memorable e.g. Zone 1 Saunton, Zone 2 Sandy Lane, Zone 3 Crow Point. Information panels will need to be well structured with regard to crucial information such as lead use, picking up etc. and should contain positive messages about what opportunities there are for dog walkers rather than just constraints.

¹² <https://www.brauntoncountrysidecentre.org/>

¹³ <http://www.assaulttrainingcenterfriends.co.uk/>

4. Mitigation actions & costs

4.1 The main mechanism for achieving the various components of the proposed Braunton Burrows Dogs in Nature Project is through a site-based ranger. To cover the various elements listed in Figure 1, we suggest a 60% full time equivalent post (e.g. 3 days a week). The first task would be to develop a work plan, which should cover:

1. Bringing stakeholders together to agree a consistent approach and messaging around access on-site and within the wider area (including in relation to the England Coast Path);
2. Contributing to an updated Access Management Plan for Braunton Burrows;
3. Contributing to a stakeholder group¹⁴ to liaise over access management with neighbouring designated sites to ensure measures on one site do not adversely impact on the Taw – Torridge Estuary;
4. On-site presence to help promote nature-friendly dog walking;
5. Face-to-face interaction with the public to allow high quality engagement;
6. Recruiting and supporting volunteer rangers;
7. Communication through social media, notices, adverts and face to face interactions around livestock presence/zone, events;
8. Ongoing liaison with vets, local breeders, rescue centres, commercial dog walkers, estate agents, businesses and other project partners;
9. Facilitating production of printed materials including new home owner information, permit holder information¹⁵ and updated information on routes and codes of conduct;
10. Organising and supporting 'dog school' and 'dog place' events;
11. Overseeing mowing and other management works required for mitigation;
12. Monitoring the effectiveness of mitigation;
13. Budget oversight and reporting.

Additionally, one-off contracts for capital works would need to be let and supervised, including fencing, scrub clearance and car park upgrades plus an

¹⁴ Such a group is currently being discussed by partners but a lead organisation is yet to be identified

¹⁵Note that the parking permit system should be used to convey expected responsible behaviours

ongoing contract for mowing. Mowing should include an annual cut across all open meadows plus up to two additional cuts of paths to delineate them.

- 4.2 An additional contract to develop an access management plan for the site is recommended.
- 4.3 The ranger post would most logically be hosted by Christie Estates and tie in with existing engagement and habitat management work, but other alternatives may be considered.
- 4.4 Estimated costs and timings are presented in Table 1.

Braunton Burrows SAC: Mitigation strategy

Table 1: A summary of one of capital costs and recurring costs, based on a 10-year period. These costs are indicative only. The group category indicates where an action is part of a suite of actions with which it should be co-ordinated

Group	Action	Timing	One-off capital cost	Recurring cost	Cost on annual basis	Duration for annual costs	Total cost
1	Braunton Burrows engagement officer 60% FTE	Ongoing		£20K annual salary, plus 45% (to cover NI, superannuation, 10% management cost etc.)	£29,000	10	£290,000
1	Update access management plan	Initial	£5000				£5000
1	Incidental costs such as venue hire, refreshments & advertising for events, gazebo for events on site	Each year	£500 (gazebo)	£500 per annum	£500	10	£5,500
1	Design & printing of materials for new homeowner packs, parking permit info, refreshed site map/code of conduct	Initial + review and reprint	£2,500				£2,500
1	Fees for experts to run dog training/awareness events	Each year	3 x £750 per year	£2,250	£2,250	10	£22,500
2	Scrub clearance to create additional glades within meadow area	Initial	£20,000 (grubbed out & burnt on site)				£20,000

Braunton Burrows SAC: Mitigation strategy

Group	Action	Timing	One-off capital cost	Recurring cost	Cost on annual basis	Duration for annual costs	Total cost
2	Annual mowing of meadow area & removal of arisings	Late July/August		1 day at £250 per year	£250	80	£20,000
2	Re-align fence between zone 1 & 2 so both can be accessed from new meadow area	Winter 2020/21	Around 850m at £8 per m				£6,800
2	Dog bin emptying x 3	Each year		£400 per bin per year to empty	1200	80	£96,000
3	Protect central grassy area at Sandy Lane	Winter 2020/21	£8,500[1] for 100 900 mm x 450 mm boulders inc. delivery and installation				£8,500
4	Visitor survey	2023 (5 years after previous)	£5,000				£5,000
5	Petalwort surveys	Every 5 years (1 st due 2024)		£2,000	£400	80	£32,000
1, 2	Legal agreements	Initial	£3,600				£3600
	CONTIGENCY (5%)		5%		£1,580		£51,380
TOTAL					£33180		£568,780

5. Implementation

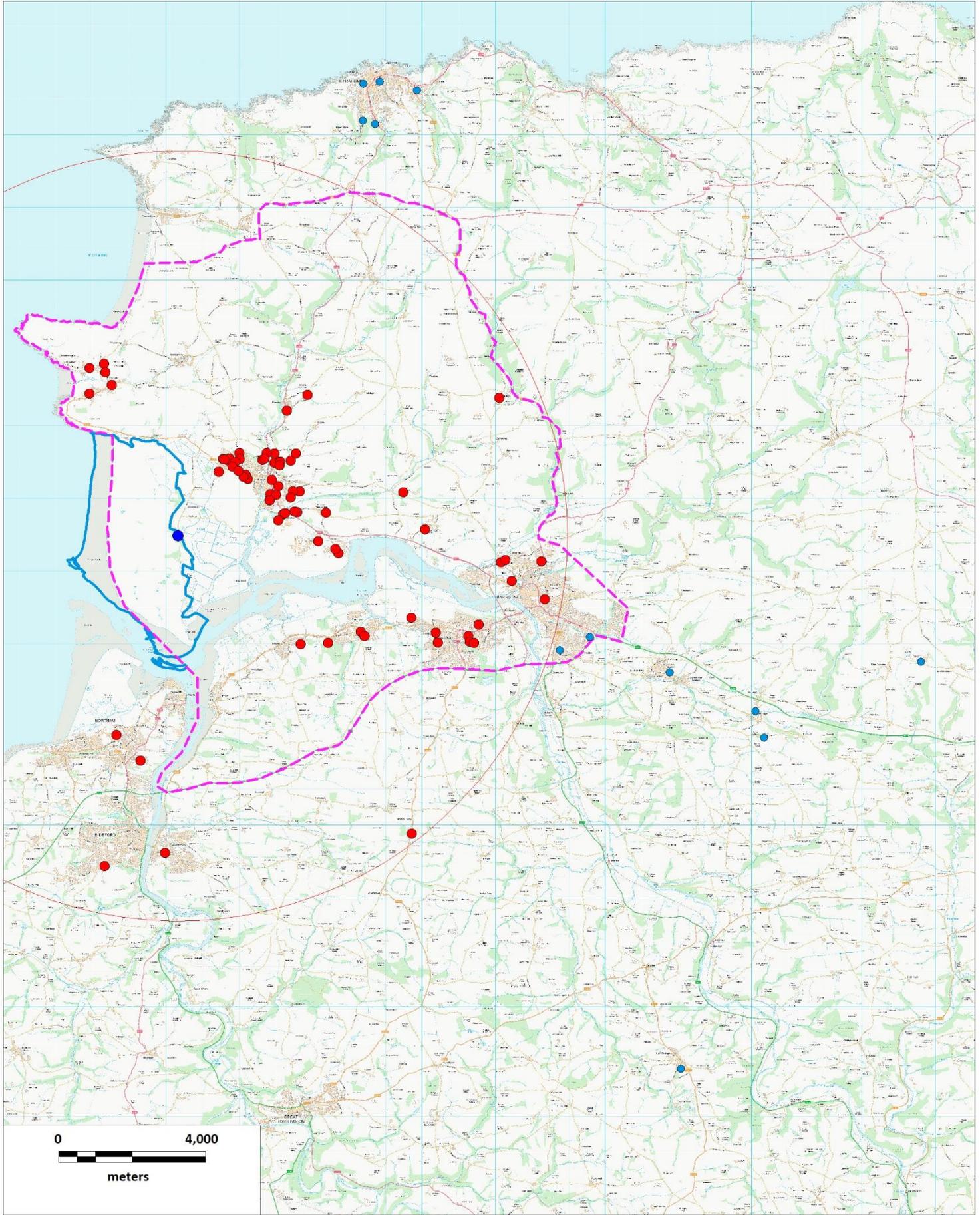
- 5.1 We have set out a series of mitigation measures that draw on good practice and implementation elsewhere, whilst being tailored to resolve the specific issues and circumstances at Braunton Burrows SAC with increasing recreation linked to local development. These measures work together to ensure that adverse effects on the integrity of the SAC as a result of additional recreation, can be prevented. They are additional to existing management measures.

Zone of Influence

- 5.2 The visitor work has defined a zone of influence within which development is likely to generate additional visits to Braunton Burrows. This has been drawn with reference to the 75th percentile (i.e. the distance within which 75% of interviewees lived), using data that captured the distances between visitors' home postcodes and the survey point at Sandy Lane (Liley & Saunders, 2019).
- 5.3 The 75th percentile from interview data, applied as a buffer of fixed distance around the European site boundary, has become a standard approach to defining a zone of influence. It was first used in Dorset Heaths and the Thames Basin Heaths and subsequently applied widely, at heathland sites (such as the Dorset Heaths, Ashdown Forest SPA/SAC, the Suffolk Sandlings SPA, the Thames Basin Heaths SPA), coastal sites (such as the Solent, North Kent) and at woodland SAC sites such as Epping Forest SAC and Burnham Beeches. While these sites differ in recreation use and habitat, the overall principle is sound - the use of the 75th percentile is a useful way to identify the area within which the majority of visitors live.
- 5.4 While the approach has become a standard there is no set guidance or standard reference and it is important that any mitigation scheme is tailored to particular local circumstances. Guidance on Habitats Regulations Assessment (Tyldesley & Chapman, 2021) is clear that the appropriate area or distance of any zone of influence to be defined should be based on a site-by-site analysis, in light of all available evidence.
- 5.5 At Braunton Burrows, the Taw and Torridge mean that there are particularly long travel distances from some areas and the application of a uniform buffer is difficult to justify. This can be seen in Map 3 which shows the

recommended zone of influence and also a uniform buffer of 10.6km from the Sandy Lane car park (10.6km being the 75th percentile for all interviewees arriving from home on a short visit). The postcodes are also shown, with those in red representing the closest 75% to the Sandy Lane car park. It can be seen that in the area around Northam and Bideford there are 4 interviewee postcodes. These are around 6-7km from Sandy Lane car park as the crow flies, and therefore well within the 10.6km radius. However, the journey is over 30 minutes to drive and around 26km. There is clearly merit in clipping the zone of influence to reflect the local geography. The zone of influence has therefore been based on the 10.6km and with reference to the spatial distribution of visitor postcodes, but the road network and estuaries have been used to define the boundaries. Other examples of strategic mitigation schemes that have applied buffers that are not uniform in shape and adjusted to coasts, estuaries etc. include the Suffolk Coast and the East Devon Pebblebed Heaths.

Map 3: Closest 75% of visitor postcodes and Zone of Influence



Branton Burrows SAC



Sandy Lane Car-Park



Closest three-quarters of visitor postcodes



Other visitor postcodes (upper quarter)



Suggested zone of influence



10.6km radius Sandy Lane

Developer contributions

- 5.6 Within this zone, there will need to be a policy requirement for new development to mitigate for recreational impacts, and that this will be provided for through a financial contribution to the mitigation set out in this strategy. Alternatively, a developer would need to provide information to inform appropriate assessment of their proposed project and present tailored mitigation. The strategic approach gives certainty through the package of measures working in conjunction with each other and offers a less onerous route to effective mitigation than a bespoke approach. This option should remain open for developers but is likely to be more burdensome in most cases.
- 5.7 The total cost of the measures is £568,780. This figure is indicative and does not include inflation, depreciation or administrative costs. A per dwelling contribution can be calculated using the estimate of approximate delivery of outstanding delivery of approximately 3,000 units (to be reviewed) within the ZOI up to 2031. This would equate to about £190 per dwelling.
- 5.8 Contributions would need to be secured through a mechanism that gives certainty in the provision of the financial contribution, and most strategic approaches use Section 106 legal agreements. Unilateral undertakings may also be an option, and for some strategic mitigation schemes at least part of the funding is secured through Community infrastructure Levy (CIL) funding. The latter option has a number of additional considerations, and it may be beneficial therefore to draw on experience elsewhere and seek advice from legal staff or those involved in the implementation of CIL within the Council, particularly given the recent Government changes in relation to the application of CIL.
- 5.9 Contributions have been secured since early 2019 and are currently ring fenced for any plan and non plan led development falling within the ZOI. This is generally via a s111 payment or added to any existing s106.
- 5.10 Once the Visitor Mitigation Strategy is finalised, the report will be taken to Committee and further guidance will be drafted for applicants on the Council website. This will include consideration of the necessity to produce an SPD based on all work to date and including the original impact assessment, visitor surveys and mitigation strategy. The guidance/SPD will clearly set out the specific development types which will be subject to the contributions and include all residential and tourism development within the ZOI.

Flexibility and oversight

- 5.11 The measures are flexible and can be adapted to the scale of new development, and the rate of housing growth coming forward. For example, the number of awareness events run by experts and the time for the new ranger post can be adapted as budget allows/as new development comes forward. Furthermore, this flexibility means the mitigation measures can be expanded (e.g. through increasing the ranger time from 3 days), should there be a need to provide mitigation for more development than anticipated.
- 5.12 The costs do not include a budget for governance. This is an important part of strategy implementation and we suggest a formal panel should be established to meet at regular intervals, to review the amount of money available for mitigation and allocate money as necessary. Such a panel could be comprised of Natural England and local authority staff and the ranger post/estate staff would be expected to provide regular reporting to justify the money received.

Long term funding

- 5.13 The measures proposed should ensure increased awareness among local dog walkers and within the local community and allow a shift in access patterns to become firmly established. The Dynamic Dunescapes project and its legacy will further raise awareness of the nature conservation importance and further help to establish responsible access. Looking toward the longer term, regular maintenance of the SAC, for example through the cutting regime in the meadow area, will continue indefinitely.
- 5.14 Mitigation needs to be effective in the long-term, lasting as long as necessary to address any impacts. Costs have been derived assuming that mitigation will be delivered in-perpetuity¹⁶. It is important to note that some measures will be one-off or not necessarily required over an extended period. For example, re-aligning the fence is a one-off cost. Maintenance of the fence is not required as mitigation as the fence is already in place and would be looked after anyway. The mitigation funding is therefore clearly for measures that are additional to current management. Measures that are funded in-perpetuity include the mowing, emptying of the additional dog

¹⁶ Here assumed to mean 80 years.

bins and petalwort monitoring. The part-time engagement officer post is assumed to run for a 10 year period, providing the staffing to promote the use of the meadow area and ensure – during the period of change – that visitors understand the new interventions.

- 5.15 Implementation of measures will be phased with housing growth, ensuring sufficient mitigation is in place before new housing is occupied. This means not all measures will be instigated at once. Regular review of the strategy will be essential and allows for a rolling programme of assessing mitigation needs and future housing coming forward, with the scope to build on and expand the mitigation as necessary (dictated by the new housing levels coming forward and the pressures on the site). While mitigation measures could continue along the lines of those set out here, new approaches to mitigation may be necessary. These could include the provision of off-site (i.e. away from Braunton Burrows) greenspace (or the enhancement of existing greenspace sites) to provide for dog walking and draw recreation away from Braunton Burrows.

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Annex – access management recommendations

Stephen Jenkinson (Access and Countryside Management Ltd.) visited Braunton Burrows in 2020 to review access considerations for the England Coast Path for Natural England and the National Lottery Heritage Fund Dynamic Dunescape project. Subsequent to his visit, he reviewed the text of the draft Braunton Burrows Mitigation Strategy and provided notes which related to his visit and initial thoughts about access management at Braunton Burrows. Stephen identified a number of significant weaknesses in how access management is currently delivered across the whole site and recommended that these should be addressed, for example via an Access Management Plan, to maximise the impact of interventions recommended in the mitigation strategy that are aimed at changing the awareness of behaviour of visitors with dogs. The following recommendations relating to site management have been drawn from the notes:

- **Create a clear plan for managing access across the whole site, developed with a range of stakeholders.** This should address all relevant matters of public access, not just visitors with dogs, and should look at off-site factors that influence access patterns e.g. nearby off-site car parks, tourism promotion etc)
- **Review signage and information and apply best practice** from a fresh starting point rather than adapting what is already in place. Ensure clear, credible and consistent messages are delivered at appropriate points in the visitor cycle (pre-arrival, arrival/access points and within the site). Integrate information provision with the impending provision of access infrastructure and information for the England Coast Path.
- **Improve the information regarding zoning in** relation to livestock grazing, including consistent and accurate information about which zones you are entering or leaving at any given access point and describing zones online in relation to local features (e.g. Sandy Lane zone, Crow Point zone etc.). Provide people with information about the best way to go, rather than just places to avoid.
- **Use consistent positive messaging about wanted behaviours from visitors with dogs,** in terms of both content and format, particularly in relation to areas where off-lead exercise can be taken responsibly. Positive messaging about what can be done, rather than what not to do, should be used. Look for additional opportunities such as providing messaging about dog walking on car parking tickets and as part of the process for applying for annual parking passes.

- **Adopt the wording in the Dog Walking code**¹⁷. Drop the term “close control” as this is imprecise and poorly understood and applies in a legal sense to enclosures containing sheep (not cattle) and has been dropped from the Countryside Code¹⁸.
- Ensure **human safety messages** are given alongside dogs on-lead around cattle messaging (on site or online).
- Ensure that site management fully reflects **Health and Safety Executive advice on cattle grazing where there is public access**.
- Ensure **signage is well-maintained** - poorly maintained signage adds to a general lack of credibility in the information
- Ensure **key information about lead use, picking up etc is clearly visible** – avoid large panels with unstructured visitor information.
- **Replace ladder stiles** as these make it difficult to cross fence lines with a dog on a lead (even with dog gates) and may impede access by people with disabilities.
- **Mark up new and existing general litter bins as suitable for bagged dog waste**. The best way to determine suitable locations for bins is to look at where picking up is currently insufficient.

¹⁷ <https://www.ramblers.org.uk/advice/safety/dog-walkers.aspx>

¹⁸ The term “effective control” is used