

Date: 14 November 2022
Our ref: 412286
Your ref: PC2176



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BY EMAIL ONLY

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Dear Alix,

Flood and Coastal Risk Management consultation – Option/Scheme advice to Scarborough Borough Council: Urgent repairs/refurbishment of the existing coastal defence assets
Location: Scarborough North Bay

Iron Scar and Hundale Point to Scalby Ness Site of Special Scientific Interest (SSSI)

Thank you for your consultation dated 2/11/2022 which was received by Natural England on the same date.

| Summary of Natural England's advice | Answer only yes or no |
|---|--------------------------|
| Is the proposal likely to lead to an environmentally acceptable solution? | Yes |
| Is the proposal likely to require an Appropriate Assessment under Habitats Regulations? | No |

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Following the information received from Royal HaskoningDHV regarding this proposal, we write to confirm that it is Natural England's view that **the proposal is likely to lead to an environmentally acceptable solution.**

Since this proposal is within the vicinity of a SSSI, we stress that this letter does not constitute Natural England's assent or advice for the purposes of section 28H of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). When details of the proposed operation become available, and before carrying it out, the operating authority, having considered its general duty under section 28G(2) of the Wildlife and Countryside Act 1981, is required to give notice to Natural England. The operating authority is required to carry out the operation in accordance with the provisions of section 28H of the Wildlife and Countryside Act 1981 as the proposed operation is within the vicinity of Iron Scar and Hundale Point to Scalby Ness SSSI.

This advice is offered based on the information provided to date. It is given without prejudice to any advice that Natural England may offer in accordance with its statutory role under the Conservation of Habitats and Species Regulations 2010, or any assent that may be required under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

Natural England has reviewed the Environmental Report : Scarborough North Bay, proposed maintenance works (Royal Haskoning DHV for Scarborough Borough Council 29 July 2022) and we are satisfied with the conclusions with respect to the impacts to SSSIs in the vicinity.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Yours sincerely,

Ben Tindal

Coastal Lead Adviser
Sustainable Development
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Natural England