



## COASTAL ACCESS

### England Coast Path from Kingswear to Lyme Regis

#### Summary for the Devon Countryside Access Forum

**Full reports and maps are on**

**<https://www.gov.uk/government/publications/england-coast-path-from-kingswear-to-lyme-regis-comment-on-proposals>**

Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. The duty is in two parts: one relating to securing a long-distance walking route around the whole coast, the England Coast Path; the other relating to a margin of coastal land associated with the route where people will be able to spread out and explore. Some categories of land are automatically excepted from the coastal access rights.

The coastal access rights which would be newly introduced under proposals include most types of open-air recreation on foot or by wheelchair including walking, climbing and picnicking. Horse riding and cycling are not permitted except by permission of the landowner or under other rights.

Publication of the report follows Stage 1: Prepare, a period of preparation and familiarisation and then Stage 2: Develop, whereby initial thoughts were discussed with owners and occupiers of land and those with other legal interests.

This summary excludes the sections through Torbay Council area which fall within the responsibility of the Torbay Local Access Forum (Chapters 2 and 3). The web link includes the Overview, Sensitive Features Report and nine separate chapters for different stretches of the route prepared by Natural England (NE). The extracts below are taken from these documents. The references refer to shorter sections and full details are in the chapter reports.

The estimated capital cost of the England Coast Path along this stretch is £19,983, excluding VAT, predominantly for signs and interpretation and new path sections.

Once all representations (from anybody) and objections (from owners or occupiers of affected land) have been considered, the Secretary of State will make a decision about whether to approve the proposals, with or without modifications. The appropriate legal process will then be followed.

#### **Route of the England Coast Path from Lyme Regis to Kingswear (68 miles)**

NE proposes to follow the route of the South West Coast Path as currently managed through the whole stretch from Lyme Regis to Kingswear. Where the walked route differs

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slightly from the original SWCP route adopted by the Secretary of State it is proposed both the SWCP and the England Coast Path follow the same route. Each chapter identifies where other options were considered and the reasons for following the existing path. In these instances Natural England was weighing up the criteria in the Coastal Access Scheme, chapter 4, and trying to achieve the best balance. In a few instances an alternative route for seasonal, weather or tidal conditions is proposed. On some estuaries the trail is proposed up to the first river crossing point.

## **Conservation and heritage considerations**

The report identifies specific listed monuments and designated conservation and landscape sites. It also looks at the impact on fragile habitats. The Sensitive Features report gives full details. Each chapter seeks to assess whether the designated path and spreading room will impact adversely on these sites and, with the exception of Dawlish Warren, the conclusion is that there will be no undue effect.

## **Accessibility**

The Coastal Access report identifies areas where the coast path will not be accessible, for example uneven grass, a narrow trail, steps or path furniture such as a stone stile. These are not addressed as part of the England Coast Path delivery unless included in physical improvement work and in most instances could not be altered. Each chapter specifies these and in chapters 1, 6 and 7 modest remedial action is proposed as part of general physical improvement works.

### *Chapter 1 – Kingswear to Sharkham Point*

- Near Inner Froward Point Lookout Station (route section KLR-1-S018) the existing kissing gate will be replaced with a pedestrian gate, to allow improved access. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.
- At Scabbacombe Sands (route section KLR-1-S041) the existing stepping stones will be replaced with an extension to the existing adjacent sleeper boardwalk, so as to allow improved access. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.

### *Chapter 6 – Exmouth to the Otter Estuary*

- East of Devon Cliffs Holiday Park the existing kissing gate will be improved to make it easier to use. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.

### *Chapter 7 – Otter Estuary to Sid Estuary*

- South east of Budleigh Salterton Cricket Club the existing kissing gate will be replaced with a pedestrian gate, to improve access. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.
- South east of Monks Wall (near Ladram Bay) the existing kissing gate will be improved to make it easier to use. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.

- At the south entrance to Ladram Bay Holiday Park the existing kissing gate will be improved to make it easier to use. NE envisages this happening as part of the physical establishment work described in part 6 of the Overview.

### **Areas where Natural England has used its discretion to amend the path**

Usually, the landward extent of this margin is by default the trail itself, or the inland edge of any land adjoining the trail on its landward side that is foreshore, cliff, dune or beach, or a bank, barrier or flat, or section 15 land. However, NE has used its discretion on some sections of the route to map the landward extent of the coastal margin to an adjacent physical boundary such as a fence line, pavement or track to make the extent of the new access rights clearer. More extensive amendments are outlined below:

#### *Chapter 1 – Kingswear to Sharkham Point*

- Estuary: The report proposes that the trail should extend upstream from the open coast a short distance as far as the ferry across the River Dart. See part 3 of the Overview. The ferry service runs seven days a week year round between Dartmouth and Kingswear.
- At land surrounding Inner and Outer Froward Point (route sections KLR-1-S018 to KLR-1-S027), between Pudcombe Cove and Scabbacombe Head (route sections KLR-1-S033 to KLR-1-S038), at Southdown Cliff (route sections KLR-1-S050 to KLR-1-S051), and near Sharkham Point car park (route section KLR-1-S053) NE has used its discretion to propose the inclusion of additional, more extensive landward areas within the coastal margin, to secure or enhance public enjoyment of this part of the coast. The owner of this land (National Trust) is content for NE to propose this. See maps 1b, 1c, and 1e and table 1.2.1 for more detail.
- An optional alternative route would operate at times when the ordinary route is unavailable for use because of high tides or when the adjacent lake overflows. The optional alternative route at Man Sands would follow route sections KLR-1-OA001 to KLR-1-OA008 as shown on map 1d. It would not have the effect of creating any additional spreading room on either the seaward or the landward side. The new route would consist of kissing gates, steps, a boardwalk and a raised earth causeway as well as associated signage.

#### *Chapter 4 – Maidenhead to Holcombe*

- Estuary: The report proposes that the trail should extend upstream from the open coast a short distance as far as the ferry across the River Teign. See part 3 of the Overview. The ferry runs a continuous daily on demand service all year round between Shaldon and Teignmouth.
- Alternative routes: An optional alternative route would operate at times when the ordinary route along the sea wall is inaccessible due to high tides and/or storms (Teignmouth to Holcombe)

The optional alternative route between KLR-4-S020 and KLR-4-S025 would follow route sections KLR-4-OA001 to KLR-4-OA005 as shown on maps 4c and 4d and described in table 4.2.2. This optional alternative route would not have the effect of creating any additional spreading room on either the seaward or the landward side.

## Chapter 5 – Holcombe to Exmouth

- Estuary: The report proposes that the ordinary route of the trail should extend upstream from the open coast a short distance as far as the ferry across the River Exe. See part 3 of the Overview.
- The ferry operates a seasonal service from Easter to the end of October, on an hourly basis during the daytime, seven days a week between Starcross and Exmouth. An alternative route that makes use of the existing Exe Estuary Trail would be available at the times when the ferry service is not running and would extend to the Countess Wear Bridge which is the first public foot crossing over the River Exe. The trail covered by this chapter includes this estuary route. (As the ferry service is not available all year round NE considered whether it was appropriate to align the ordinary route of the trail to the Countess Wear Bridge over the Exe Estuary. NE concluded that doing so would not provide any additional recreational benefit chiefly because NE would not be creating any new public access; the Exe is already well served by the Exe Estuary Trail, a continuous multi use route on both sides of the river, and any new areas of spreading room created would be negligible due to the presence of excepted land, and the likely need for directions to exclude access to the intertidal areas. See table 5.2.3 for further details)
- Alternative routes: An optional alternative route would operate at times when the ordinary route along the sea wall between Dawlish and Dawlish Warren is inaccessible due to high tides and/or storms.

The optional alternative route between Dawlish and Dawlish Warren (sections KLR-5-S011 and KLR- 5-S013) would follow route sections KLR-5-OA001 to KLR-5-OA005 as shown on maps 5b and 5c and associated table 5.2.2. It would not have the effect of creating any additional spreading room on either the seaward or the landward side.

- Alternative routes: An alternative route would operate at times when the ferry service between Starcross and Exmouth is not operating and therefore the ordinary route would be unavailable.

The alternative route between Starcross and Exmouth would follow the route of the existing Exe Estuary Trail (sections KLR-5-A001 to KLR-5-A070) as shown on maps 5e to 5q and described in table 5.2.2. It would not have the effect of creating any additional spreading room on either the seaward or the landward side.

## Chapter 6 – Exmouth to Otter Estuary

- Estuary: The report proposes that the trail should extend upstream from the open coast a short distance as far as the ferry across the River Exe. See part 3 of the Overview. The ferry operates a seasonal service from Easter to the end of October, on an hourly basis during the daytime, seven days a week between Starcross and Exmouth. An alternative route that makes use of the existing Exe Estuary Trail would be available at the times when the ferry service is not running and would extend to Countess Wear bridge which is the first public foot crossing over the River Exe (see chapter 5 for further details about the alternative route).
- At Orecombe Point (route section KLR-6-S009) NE has used its discretion to propose the inclusion of an additional, more extensive landward area within the coastal margin, to secure or enhance public enjoyment of this part of the coast.

The owner of this land (National Trust) is content for NE to propose this. See map 6b and Table 6.2.1 for more detail.

#### *Chapter 7 – Otter Estuary to Sid Estuary*

- Estuary: This report proposes that the trail should include a route around the estuary of the River Otter, extending upstream from the open coast as far as White Bridge, which is the first public foot crossing point over the river. The trail covered by this chapter includes part of this estuary route.

#### *Chapter 8 – Sid Estuary to Axe Estuary*

- Estuary: The report proposes that the trail should extend upstream from the open coast:
  - as far as Alma Bridge across the River Sid. The bridge is located a very short distance above the transitional water limit and is the first public foot crossing point over the river;
  - as far as Axmouth Bridge which is the first public foot crossing point over the River Axe.
- At Salcombe Hill Cliff NE has used its discretion to propose the inclusion of an additional, more extensive landward area within the coastal margin (route sections KLR-8-S007 to KLR-8-S009), to secure or enhance public enjoyment of this part of the coast. The owner of this land (National Trust) is content for NE to propose this. See map 8a and Table 8.2.1 for more detail.

#### *Chapter 9 – Axe Estuary to Lyme Regis*

- Estuary: The report proposes that the trail should extend upstream from the open coast a short distance as far as Axmouth Bridge, which is the first public foot crossing point over the river. The trail covered by this chapter includes part of this estuary route.

### **Future change**

#### *Chapter 6 – Exmouth to Otter Estuary and Chapter 7 – Otter Estuary to Sid Estuary*

The Lower Otter Restoration project is examining the possibility of a managed realignment scheme at the mouth of the River Otter. The project is currently in an early phase and seeking funding to progress. It is possible that a breach in the river bank may happen naturally prior to the commencement of the project; any such inundation event will impact on the route of the England Coast Path as proposed in this report. Should the current route become impassable, a new route for the England Coast Path will be identified.

#### *Chapter 8 – Sid Estuary to Axe Estuary*

The current footbridge over the River Sid, Alma Bridge, and the cliff it is fixed to are frequently subject to damage and erosion from high tides and storms. Devon County Council is investigating an appropriate solution and has proposed to remove this bridge and relocate the crossing point with a new footbridge positioned inland of the current location. At the time of writing this report the design of the bridge and the exact location are undergoing consultation and therefore yet to be confirmed. When Alma Bridge is

removed and the new footbridge is opened, the England Coast Path will roll back and follow this new route across the river.

## Roll-back

Roll-back is a specified part of the trail which is subject to significant erosion or other coastal processes, or which links to such a section of trail. Identifying these sections as roll-back means the trail should be capable of being repositioned later in accordance with the proposals in NE's report, without further confirmation by the Secretary of State.

For each chapter sections have been identified where an additional landward area has been included to allow for roll-back in the event of erosion and collapse making the original path line dangerous or unusable. The roll-back sections are individually specified and are not wholesale. For normal roll-back, the landward edge of the route is proposed; generally the edge of the trail, a road, path, fence or hedge. The majority of the roll-back sections identified are along the East Devon coast. The more complex roll-back situations are included as below.

### Chapter 6 – Exmouth to Otter Estuary

Map(s)	Section number(s)	Feature or site potentially affected	How we will manage roll-back in relation to this feature or site
6e	KLR-6-S021 to KLR-6-S025	Golf course - East Devon Golf Club	If it is no longer possible to find a viable route seaward of the specified golf course, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the course, or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.
	KLR-6-S026 to KLR-6-S031	Houses and park	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings, curtilage, gardens, park etc), we will choose a route, either a) to pass through the excepted land (we will investigate whether it is possible to pass through the park on existing PRoW), or b) to pass landward of it, following discussions with owners and occupiers.

### Chapter 7 – Otter Estuary to Sid Estuary

Map(s)	Section number(s)	Feature or site potentially affected	How we will manage roll-back in relation to this feature or site
7a	KLR-7-S001 to KLR-7-S002	Budleigh Salterton Cricket Club	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings, curtilage, gardens etc), we will choose a route landward of it, following discussions with owners and occupiers.
	KLR-7-S003	White Bridge	If it is no longer possible to walk across White Bridge we will choose a route landward of it, following discussions with owners and occupiers.
7c	KLR-7-S015 to KLR-7-S016	Ladram Bay Holiday Park	If it is no longer possible to find a viable route seaward of the holiday park, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the holiday park, or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.

## Chapter 8 – Sid Estuary to Axe Estuary

Map(s)	Section number(s)	Feature or site potentially affected	How we will manage roll-back in relation to this feature or site
7a	KLR-7-S001 to KLR-7-S002	Budleigh Salterton Cricket Club	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings, curtilage, gardens etc), we will choose a route landward of it, following discussions with owners and occupiers.
	KLR-7-S003	White Bridge	If it is no longer possible to walk across White Bridge we will choose a route landward of it, following discussions with owners and occupiers.
7c	KLR-7-S015 to KLR-7-S016	Ladram Bay Holiday Park	If it is no longer possible to find a viable route seaward of the holiday park, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the holiday park, or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.

### Restrictions and exclusions

There are a limited number of restrictions and exclusions along the stretch of coast.

#### Chapter 5 – Holcombe to Exmouth

- It would be necessary to exclude access year round to part of the coastal margin between Dawlish Warren and Cockwood Harbour (route sections KLR-5-S016 to KLR-5-S021) to protect sensitive wildlife (sensitive feeding waterbirds). This proposal is explained further in parts 5 & 9 of the Overview.

These directions will not prevent or affect:

- any use people already make of the land locally by formal agreement with the landowner, or by informal permission or traditional toleration; or;
- use of any registered rights of common or rights at common law or by Royal Charter etc.

#### Chapter 7 – Otter Estuary to Sid Estuary

- Access to all saltmarsh and mudflat in the coastal margin at the mouth of the River Otter in route sections KLR-7-S001 to KLR-7-S004 is to be excluded by direction under s25A of the CROW Act all year as it is unsuitable for public access. The exclusion will have no legal effect on land where coastal access rights do not apply. See Map G and Part 9 of the Overview for further details.

These directions will not prevent or affect:

- any use people already make of the land locally by formal agreement with the landowner, or by informal permission or traditional toleration; or
- use of any registered rights of common or rights at common law or by Royal Charter etc.

## **Other options considered**

### *Chapter 1 – Kingswear to Sharkham*

- Options considered were aligning the trail along Beacon Road (former SWCP); through the grounds of Kingswear Castle; and a more seaward route east of Mill Bay Cove.

### *Chapter 5 – Holcombe to Exmouth*

- Options considered were using the Exe Estuary Trail as the formal route, rather than as an alternative when the ferry was not running.

### *Chapter 7 – Otter Estuary to Sid Estuary*

- An option to deliver a more seaward route over Peak Hill was considered.

### *Chapter 8 – Sid Estuary to Axe Estuary*

- Options to align the trail along the beach at Seaton Hole and use the Old Beer Road were considered.

### *Chapter 9 – Axe Estuary to Lyme Regis*

- Options to align the trail along Axmouth Harbour and up the cliff side into the Undercliffs NNR; align the trail behind Axmouth Harbour and through the woodland and then dropping down into the Undercliffs NNR; align the trail along the clifftop seaward of the golf course and another route through the golf course using an existing access track were all considered.

## **Making comment**

The Devon Countryside Access Forum can make representation about the coastal access report. As it is not an owner or occupier of affected land it cannot make an objection.

The Forum may wish to consider:

- The proposed trail and its continuity;
- The alternative routes suggested in the event of flooding/bad weather or seasonal ferries;
- The extent and appropriateness of roll-back provision, particularly on the East Devon coast;
- The seaward margin and in particular the access exclusion on part of Dawlish Warren and access to a private beach and woodland east of Kingswear; and
- River crossing points and any future impacts on the route.