

Chapter 7:

Otter Estuary to Sid Estuary

England Coast Path: Kingswear to Lyme Regis - Natural England's Proposals

Part 7.1: Introduction

Start Point:	Otter Estuary (grid reference: SY 0732 8198)
End Point:	Sid Estuary (grid reference: SY 1288 8732)
Relevant Maps:	7a to 7e

Understanding the proposals and accompanying maps:

The Trail:

- 7.1.1 Follows the existing South West Coast Path as currently walked and managed between the Otter Estuary and the Sid Estuary (route sections KLR-7-S001 to KLR-7-S045). The South West Coast Path mainly follows public rights of way along this length.
- 7.1.2 Mainly follows the coastline quite closely and maintains good views of the sea.
- 7.1.3 We propose to adopt the line of the South West Coast Path along this section of coast. There are places where the existing walked route of the South West Coast Path over this length differs slightly from the route originally approved by the Secretary of State, as the path has adapted over time to cope with coastal erosion and other processes. Assuming these proposals are approved, we intend both routes to follow the same line. As explained at part 5a of the Overview, we use a separate variation report to the Secretary of State to change the existing approved route of the national trail line to reflect the approved line of the England Coast Path wherever appropriate.
- 7.1.4 This part of the coast includes the following sites, designated for nature conservation or heritage preservation (See map C of the Overview):
- Otter Estuary Site of Special Scientific Interest (SSSI)
 - Ladram Bay to Sidmouth Site of Special Scientific Interest (SSSI)
 - High Peak Camp Scheduled Ancient Monument (SAM)

7.1.5 We have assessed the potential impacts of access along the proposed route (and over the associated spreading room described below) on the features for which the affected land is designated and on any which are protected in their own right. The levels and patterns of public access along this length of coast would be unlikely to change significantly as a result of our proposals and we have therefore concluded that our proposals would not be likely to have any significant impact on these features.

In relation to those nature conservation sites listed above, refer to our published Access and Sensitive Features Appraisal for more information.

See part 5b of the Overview 'Protection of sensitive features' for more information.

Accessibility:

7.1.6 Generally there are few artificial barriers to accessibility on the proposed route, which makes use of existing surface paths wherever these meet the criteria in the Coastal Access Scheme.

However, there are places where it may not be entirely suitable for people with reduced mobility because:

- The trail would follow an uneven grass or bare soil path along most of this stretch;
- There are steps along the trail where it would be necessary to ascend/descend (for example around Peak Hill);
- There are kissing gates at points along this section (including to the east and west of Peak Hill).

7.1.7 South east of Budleigh Salterton Cricket Club the existing kissing gate will be replaced with a pedestrian gate, to improve access. We envisage this happening as part of the physical establishment work described in part 6 of the Overview.

7.1.8 South east of Monks Wall (near Ladram Bay) the existing kissing gate will be improved to make it easier to use. We envisage this happening as part of the physical establishment work described in part 6 of the Overview.

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

See part 5a of the Overview 'Recreational issues' for more information.

Where we have proposed exercising our discretion:

The discretions referred to below are explained in more detail in Section 3 of the Overview.

7.1.10 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.

7.1.11 Landward boundary of the coastal margin: We have used our 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. See Table 7.2.1 below.

See also part 3 of the Overview 'Understanding the proposals and accompanying maps', for an explanation of the default extent of the coastal margin and how we may use our discretion to adjust the margin, either to add land or to provide clarity. See also Annex C of the Overview 'Excepted land categories'.

7.1.12 Access rights to the spreading room would be subject to the national restrictions on coastal access rights listed in Annex D of the Overview. These restrictions would not apply to public rights of way.

7.1.13 Restrictions and/or exclusions: We have proposed to exclude access in certain places along this section of coast. For details of these directions, see 7.3.12 in the Formal Proposals Section of this report and Part 9 of the Overview.

7.1.14 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.

7.1.15 Any such use continues unaffected by these arrangements.

7.1.16 However, the directions are intended to avoid any new public rights being created over the area in question in view of the hidden dangers to which new users of the land would be subject because of the local patterns of tidal inundation.

Establishment and ongoing management of the trail

7.1.17 There are no additional measures that we consider necessary to improve the safety or convenience of the trail on this length of coast.

7.1.18 Ongoing management and maintenance would be necessary in accordance with the general approach described in part 7 of the Overview. The overall need for this is likely to be greater than on some other parts of the stretch, recognising that it will be necessary for the route to roll back from time to time in response to coastal processes, as described below.

See parts 6 'Physical establishment of the trail' and 7 'Maintenance of the trail' of the Overview for more information.

Future Change:

7.1.19 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.

- 7.1.20 Part of the route of the trail on this length of coast would be able to change without further approval from the Secretary of State in response to coastal erosion or other geomorphological processes, or encroachment by the sea. This would happen in accordance with the criteria and procedures for 'roll back' set out in part 8 of the Overview. See table 7.2.3 below for details of the sections likely to be affected in the foreseeable future.
- 7.1.21 At the time of preparing the report, we do not foresee any other need for future changes to the access provisions proposed for the length of coast described in this chapter.

See parts 5e 'Coastal processes' and 8 'Future changes' of the Overview for more information.

Part 7.2: Commentary on Maps

See part 3 of Overview for guidance on reading and understanding the tables below

7.2.1 Section Details – Maps 7a to 7e: Otter Estuary to Sid Estuary

Notes on table:

Column 2 – an asterisk (*) against the route section number means see also table 7.2.2: Other options considered.

Column 3 – ‘Yes – normal’ means roll-back approach is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future.

Column 3 – ‘Yes – see table 7.2.3’ means refer to that table below about our likely approach to roll-back on this part of the route.

1	2	3	4a	4b	5
Maps	Route section number(s)	Roll-back proposed? (See Part 8 of Overview)	Landward boundary of margin (See maps)	Reason for landward boundary discretion	Proposed exclusions or restrictions (see Part 9 of Overview)
7a	KLR-7-S001 to KLR-7-S002	Yes - See table 7.2.3	Path	Clarity and cohesion	Margin
	KLR-7-S003	Yes - See table 7.2.3	Road	Clarity and cohesion	Margin
7a & 7b	KLR-7-S004	Yes - Normal	Landward edge of trail	Not used	Margin
7b	KLR-7-S005 to KLR-7-S006	Yes - Normal	Fence line	Clarity and cohesion	None
	KLR-7-S007	Yes - Normal	Landward edge of trail	Not used	None
7c	KLR-7-S008 to KLR-7-S011	Yes - Normal	Landward edge of trail	Not used	None
	KLR-7-S012	No	Wall	Clarity and cohesion	None
	KLR-7-S013 to KLR-7-S014	No	Landward edge of trail	Not used	None
	KLR-7-S015	Yes - See table 7.2.3	Landward edge of trail	Not used	None
	KLR-7-S016	Yes - See table 7.2.3	Fence line	Clarity and cohesion	None
	KLR-7-S017 to KLR-7-S018	Yes - Normal	Fence line	Clarity and cohesion	None
	KLR-7-S019* to KLR-7-S020*	Yes - Normal	Landward edge of trail	Not used	None
7d	KLR-7-S021 to KLR-7-S022	Yes - Normal	Hedge bank	Clarity and cohesion	None
	KLR-7-S023	Yes - Normal	Landward edge of trail	Not used	None
	KLR-7-S024	Yes - Normal	Fence line	Clarity and cohesion	None
	KLR-7-S025 to KLR-7-S028	Yes - Normal	Landward edge of trail	Not used	None
	KLR-7-S029	Yes - Normal	Fence line	Clarity and cohesion	None
	KLR-7-S030 to KLR-7-S031	Yes - Normal	Landward edge of trail	Not used	None
	KLR-7-S032	Yes - Normal	Fence line	Clarity and cohesion	None
	KLR-7-S033	No	Fence line	Clarity and cohesion	None
	KLR-7-S034	No	Road	Clarity and cohesion	None
	KLR-7-S035	Yes - Normal	Hedgerow	Clarity and cohesion	None
	KLR-7-S036 to KLR-7-S037	Yes - Normal	Landward edge of trail	Not used	None
	7e	KLR-7-S038 to KLR-7-S039	Yes - Normal	Landward edge of trail	Not used
KLR-7-S040 to KLR-7-S042		Yes - Normal	Path	Clarity and cohesion	None
KLR-7-S043		No	Path	Clarity and cohesion	None
KLR-7-S044		No	Road	Clarity and cohesion	None
KLR-7-S045		No	Promenade edge	Clarity and cohesion	None

7.2.2 Other options considered: Map 7c: Smallstones Point to Bar's Lane

Map(s)	Section number(s)	Option(s) considered	Reasons for not proposing this option as the route
7c	KLR-7-S019 to KLR-7-S020	We considered realigning the route to a more seaward location over Peak Hill.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it protects the High Peak Camp Scheduled Ancient Monument by passing round its edge ■ the walk to the summit of Peak Hill is very steep ■ we concluded that overall the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.

7.2.3 Roll-back implementation – more complex situations: Maps 7a and 7c: Otter Estuary and Ladram Bay

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.

In relation to all other sections where roll-back has been proposed, the trail is likely to be adjusted to follow the current feature (e.g. cliff edge/beach) for the foreseeable future.

Part 7.3: Chapter 7 - Formal Proposals

- Below are our formal proposals to the Secretary of State for the length of coast shown on maps 7a to 7e.
- They should be read in conjunction with the relevant maps.
- The commentary above explains the practical effect of these proposals.

Formal Proposals – Otter Estuary to Sid Estuary

Discretion to include an estuary

7.3.1 Natural England proposes to exercise its functions as if the sea included the estuarial waters of the River Otter as far as White Bridge on South Farm Road as indicated by the extent of the trail shown on map 7a.

Proposed route of the trail

7.3.2 In relation to route sections KLR-7-S012 to KLR-7-S014, KLR-7-S033 to KLR-7-S034 and KLR-7-S043 to KLR-7-S045, the route is to be at the centre of the line shown on maps 7c to 7e as the proposed route of the trail.

7.3.3 In relation to route sections KLR-7-S001 to KLR-7-S011, KLR-7-S015 to KLR-7-S032 and KLR-7-S035 to KLR-7-S042, the route, as initially determined at the time the report was prepared, is to be at the centre of the line shown on maps 7a to 7e as the proposed route of the trail.

7.3.4 If at any time any part of a route section listed in the previous paragraph needs, in Natural England's view, to change as a result of coastal erosion or other geomorphological processes or encroachment by the sea, in order for the overall route to remain viable, the new route for the part in question will be determined by Natural England without further reference to the Secretary of State. This will be done in accordance with the criteria and procedures described under the title 'Roll-back' in part 8 of the Overview and section 4.10 of the Coastal Access Scheme. If this happens, the new route will become the approved route for that section for the purposes of the Order which determines where coastal access rights apply.

Landward boundary of coastal margin

7.3.5 Adjacent to route sections KLR-7-S005 to KLR-7-S006, KLR-7-S016 to KLR-7-S018, KLR-7-S024, KLR-7-S029 and KLR-7-S032 to KLR-7-S033 the landward boundary of the coastal margin is to coincide with the fence line which at the time of writing this report is at the landward edge of the trail shown on maps 7b to 7d.

7.3.6 Adjacent to route section KLR-7-S012 the landward boundary of the coastal margin is to coincide with the wall which at the time of writing this report is at the landward edge of the trail shown on map 7c.

7.3.7 Adjacent to route sections KLR-7-S021 to KLR-7-S022 the landward boundary of the coastal margin is to coincide with the hedge bank which at the time of writing this report is at the landward edge of the trail shown on map 7c.

- 7.3.8 Adjacent to route section KLR-7-S035 the landward boundary of the coastal margin is to coincide with the hedgerow which at the time of writing this report is at the landward edge of the trail shown on map 7d.
- 7.3.9 Adjacent to route sections KLR-7-S001 to KLR-7-S002 and KLR-7-S040 to KLR-7-S043, the landward boundary of the coastal margin is to coincide with the landward edge of the path shown as the trail on maps 7a and 7e.
- 7.3.10 Adjacent to route sections KLR-7-S003, KLR-7-S034 and KLR-7-S044 the landward boundary of the coastal margin is to coincide with the landward edge of the road shown as the trail on maps 7a, 7d and 7e.
- 7.3.11 Adjacent to route section KLR-7-S045 the landward boundary of the coastal margin is to coincide with the landward edge of the promenade shown as the trail on map 7e.

Local restrictions and exclusions

- 7.3.12 Natural England proposes to exclude access relevant to this length of coast, as follows:
- 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.

Please refer to Part 9 of the Overview for further details.

Alternative routes

- 7.3.13 There are no proposals for alternative routes in relation to this length of coast.









