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NATURAL  
ENGLAND

Proposed Changes to the  
England Coast Path at

# Coulderton and Nethertown, Cumbria

Natural England's Variation Report to the Secretary of State

Coastal Access Variation Report VR2  
1st August 2018



## Purpose of this report

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 coast; the other to creating an associated “margin” of land for the public to enjoy, either in conjunction with their access along the route line, or otherwise.

On 28<sup>th</sup> September 2015 the Secretary of State approved Natural England’s proposals relating to [Whitehaven to Silecroft](#) in Cumbria. The public rights of access to this stretch have yet to commence. Since the approval of the report, it has become clear that two changes are necessary to the route of the England Coast Path. This report contains Natural England’s proposals relating to those changes, which are at the following locations shown on the overview map below:

- At Coneyside, near Coulderton; and
- South of Nethertown

In order for these proposed changes to come into force they must be approved by the Secretary of State.

It is recommended that Natural England’s approved [report](#) relating to this stretch is read in conjunction with this report. In particular the Overview provides context to many of the issues discussed within this variation report.



## **Protection of sensitive nature conservation features:**

Natural England's approach to ensuring the protection of sensitive nature conservation features under the Coastal Access Programme is set out in section 4.9 of Coastal Access: Natural England's Approved Scheme 2013. We call our internal processes to support this approach 'Access and Sensitive Features Appraisal' (ASFA) and this document is a record of our conclusions. The appraisal includes our Habitats Regulations Assessment wherever relevant to the site in question, as well as documenting our consideration of potential effects on non-European sites or species protected in their own right.

An ASFA was produced in 2014 for the proposals relating to [Whitehaven to Silecroft](#). Relevant sections have been reviewed as we developed our proposals for this variation report.

Neither of the route modifications proposed in this report are in places that could impact on protected sites. Standard methods will be used to ensure protected species will not be harmed whilst works are carried out.

## Variation 1: Coneyside, near Coulderton

### Introduction

#### Understanding the proposals and accompanying maps:

<b>Start Point:</b> Field boundary (grid reference: NX 976 098)
<b>End Point:</b> Field boundary (grid reference: NX 978 093)
<b>Relevant Maps:</b> VR2a

#### Reason for variation:

The approved route of the England Coast Path would install the England Coast Path along an entirely new access route, on the seaward edge of a number of fields (see map VR2a).

However, since this alignment was approved, Network Rail has completed bank stabilisation and drainage works on land just seaward of the approved route. This presents an opportunity to realign the route onto the adjacent semi-improved pasture between the approved route and the railway line. Natural England believes that the proposed variation will provide a more pleasant walking experience and reduce impacts on land management practices.

#### Proposed variation:

Our proposal (map VR2a) is to re-route the path to the seaward side of its approved alignment to a new alignment on the adjacent land gently sloping down towards the coastal railway (proposed route sections WHS-VR2-S001 to WHS-VR2-S005). The proposed realignment would see the England Coast Path following this slightly more seawards route for approximately half a kilometre, before re-joining the approved route at the seaward edge of fields further south, towards Coulderton. This change would avoid the requirement to create access points through a number of hedge-banks.

As a consequence of these proposed changes, the area of coastal margin seaward of the trail would be very slightly reduced. However, in all other respects, we believe that the proposed variation will offer a more convenient and attractive access opportunity.

#### The Trail:

The proposed trail consists of a path of mostly natural surface, but with some steps, on sloping grassland between pasture and coastal railway. It will afford good views of the sea throughout and is slightly closer to the sea than the approved route.

#### Accessibility:

As a result of the terrain, in relation to both the proposed variation and the adjacent sections of approved route, the proposed route is likely to be unsuitable for most people with reduced mobility. We will aim to ensure that any access infrastructure will not be the limiting factor for less mobile walkers.

**Where we have proposed exercising our discretion:**

We propose to use our discretion to map the landward boundary of the coastal margin adjoining route sections WHS-VR2-S001 and part of WHS-VR2-S002 to the first fence landward of the trail, to add clarity to the extent of access rights.

We do not propose to use our discretion in relation to the landward boundary of the coastal margin adjoining route sections WHS-VR2-S003 to WHS-VR2-S005.

**See part 3 of the Overview to the original report - '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.**

No restrictions or exclusions were proposed or approved previously in relation to new access rights on this part of the coast, nor do we consider it necessary to propose any such restrictions and exclusions in relation to the newly proposed trail and margin. However, access rights to the spreading room would be subject to the national restrictions on coastal access rights.

**See Annex D of the Overview to the original report for detail of the national restrictions on coastal access rights.**

**Future Change:**

At the time of preparing the report, we do not foresee any other need for future changes to the access provisions proposed for the parts of the coast described in this variation report.

**Physical establishment of the trail:**

Way-markers would be necessary to guide people along the new route. Pedestrian gates would be installed to allow access through intervening field boundaries, as shown on map VR2a. As with most parts of the England Coast Path, these access points would be 'kissing gates' of a design to ensure maximum accessibility whilst ensuring control of grazing stock. We would also install steps on steeper parts of this route.

Our estimate of the capital costs for these works is £37,000. This is an increase of £30,000 compared to the original route set out in our report to the Secretary of State on 15<sup>th</sup> October 2014. This estimate is informed by advice from Cumbria County Council.

**Maintenance of the trail:**

Ongoing maintenance of the trail would be necessary from time to time. This variation represents no significant change to our overall estimate for the approved route, as set out in our report to the Secretary of State on 15<sup>th</sup> October 2014.

## Commentary on Maps.

### Section Details – Map VR2a: Coneyside, near Coulderton

Notes on table:

Column 6a - certain coastal land types are included automatically in the coastal margin where they fall landward of the trail if they touch it at some point. These coastal land types are: foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land.

1	2	3	4	5	6a	6b	6c	7
Map	Route section number(s)	Current status of this section	Current surface of this section	Roll-back proposed?	Default coastal land type?	Landward boundary of margin	Reason for landward boundary discretion	Proposed exclusions or restrictions
VR2a	WHS-VR2-S001	Not an existing walked route	Grass	No	No	Fence	Clarity and cohesion	None
VR2a	WHS-VR2-S002	Not an existing walked route	Bare soil: compacted	No	No	Various	Clarity and cohesion	None
VR2a	WHS-VR2-S003	Not an existing walked route	Grass	No	No	Landward edge of trail (2m)	Not used	None
VR2a	WHS-VR2-S004 and WHS-VR2-S005	Not an existing walked route	Bare soil: compacted	No	No	Landward edge of trail (2m)	Not used	None

## Variation 2: South of Nethertown

### Introduction

#### Understanding the proposals and accompanying maps:

<b>Start Point:</b> Southern edge of Nethertown (grid reference: NX 992 074)
<b>End Point:</b> Field centre (grid reference: NX 994 070)
<b>Relevant Maps:</b> VR2b

#### Reason for variation:

The approved route of the England Coast Path would install the England Coast Path along an entirely new access route, on the landward edge of fields southeast of Nethertown. Just west of Ellergill Beck, the route would turn south, away from the road, crossing the beck via a new footbridge, before continuing along the seaward edge of adjoining fields (see map VR2b).

However, since this alignment was approved, changes in land management practices have caused us to identify a slightly different route that, we believe, will be preferable for walkers and land managers alike.

#### Proposed variation:

Our proposal (map VR2b) is to re-route the path as it exits the southern edge of Nethertown; slightly inland of its approved alignment. The proposed route would follow the roadside, mostly using verges, for approximately 450 metres, before crossing Ellergill Beck via the existing road bridge, then turning south to join the previously approved route at NX 994 070 (proposed route sections WHS-VR2-S006 to WHS-VR2-S016). These changes would remove the path from a densely stocked field and also remove the requirement for a new pedestrian footbridge over Ellergill Beck.

As a consequence of these proposed changes, all land seaward of the trail would become part of the coastal margin. However, the change in extent of the coastal margin, between currently approved proposals and our new proposals, is small.

#### The Trail:

The proposed trail consists of a path of natural surface on roadside verges, with short sections being on a minor road (eg. in the vicinity of the bridge over Ellergill Beck). The proposed route will not afford views of the sea; however, this was also the case for the approved route.



**Accessibility:**

As a result of the terrain, in relation to both the proposed variation and the adjacent sections of approved route, the proposed route is likely to be unsuitable for most people with reduced mobility. We will aim to ensure that any access infrastructure will not be the limiting factor for less mobile walkers.

**Where we have proposed exercising our discretion:**

We propose to use our discretion to map the landward boundary of the coastal margin adjoining route section WHS-VR2-S006 to the landward edge of the road, and route sections WHS-VR2-S007 to WHS-VR2-S013 to the first fence landward of the trail, to add clarity as to the extent of access rights.

We do not propose to use our discretion in relation to the landward boundary of the coastal margin adjoining route sections WHS-VR2-S014 to WHS-VR2-S016.

**See part 3 of the Overview to the original report - '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.**

A long-term access exclusion affecting the coastal margin was approved previously. This exclusion will still be required, despite the proposed variation, although the boundaries of the excluded area will be modified slightly as a consequence of the proposed route variation (map VR2c). Furthermore, access rights to the spreading room would be subject to the national restrictions on coastal access rights.

**See Annex D of the Overview to the original report for detail of the national restrictions on coastal access rights.**

**Future Change:**

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 variation report.

**Physical establishment of the trail:**

Some works would be undertaken to improve sight lines along the road, particularly in relation to the proposed road crossing points, and in the levelling or cutting of some of the grass verge to create space to walk off-road. We would also install a kissing gate and steps, where the path joins the road, as shown on map VR2b.

Our estimate of the capital costs for these works is £10,000. This is a decrease of £21,000 compared to the original route set out in our report to the Secretary of State on 15<sup>th</sup> October 2014. This estimate is informed by advice from Cumbria County Council.

**Maintenance of the trail:**

Ongoing maintenance of the trail would be necessary from time to time. This variation represents no significant change to our overall estimate for the approved route, as set out in our report to the Secretary of State on 15<sup>th</sup> October 2014.

## Commentary on Maps.

### Section Details – Map VR2b: South of Nethertown

Notes on table:

Column 6a - certain coastal land types are included automatically in the coastal margin where they fall landward of the trail if they touch it at some point. These coastal land types are: foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land.

1	2	3	4	5	6a	6b	6c	7
Map	Route section number(s)	Current status of this section	Current surface of this section	Roll-back proposed?	Default coastal land type?	Landward boundary of margin	Reason for landward boundary discretion	Proposed exclusions or restrictions
VR2b	WHS-VR2-S006	Public highway	Tarmac	No	No	Landward edge of road	Clarity and cohesion	Margin
VR2b	WHS-VR2-S007	Public highway	Grass	No	No	Fence	Clarity and cohesion	Margin
VR2b	WHS-VR2-S008	Public highway	Tarmac	No	No	Fence	Clarity and cohesion	Margin
VR2b	WHS-VR2-S009 and WHS-VR2-S010	Public highway	Grass	No	No	Fence	Clarity and cohesion	Margin
VR2b	WHS-VR2-S011 to WHS-VR2-S012	Public highway	Tarmac	No	No	Fence	Clarity and cohesion	Margin
VR2b	WHS-VR2-S013	Public highway	Grass	No	No	Fence	Clarity and cohesion	Margin
VR2b	WHS-VR2-S014	Public highway	Tarmac	No	No	Landward edge of trail (2m)	Not used	None
VR2b	WHS-VR2-S015	Public highway	Gravel	No	No	Landward edge of trail (2m)	Not used	None
VR2b	WHS-VR2-S016	Not an existing walked route	Grass	No	No	Landward edge of trail (2m)	Not used	None

## **Formal Proposals**

- Below are our formal proposals to the Secretary of State for the variations to the approved route proposed in this report.
- They should be read in conjunction with the relevant maps (VR2a to VR2c).
- The commentary above explains the practical effect of these proposals.

## **Formal Proposals – Couderton and Nethertown, Cumbria**

### **Discretion to include an estuary**

The coastline subject of the variations proposed at Couderton and Nethertown, within this report, is part of the open coast of Cumbria; consequently, Natural England did not exercise its discretion in relation to estuaries in relation to this part of the coast originally, nor is this discretion being exercised as part of the proposed variation.

### **Proposed route of the trail**

The route is to be at the centre of the line shown on maps VR2a to VR2b as the proposed route of the trail.

### **Landward boundary of coastal margin**

Adjacent to route sections WHS-VR2-S001 and WHS-VR2-S007 to WHS-VR2-S013, the landward boundary of the coastal margin is to coincide with the fence shown landward of the trail on maps VR2a & VR2b.

Adjacent to route section WHS-VR2-S002, the landward boundary of the coastal margin is to coincide with various features landward of the trail shown on VR2a.

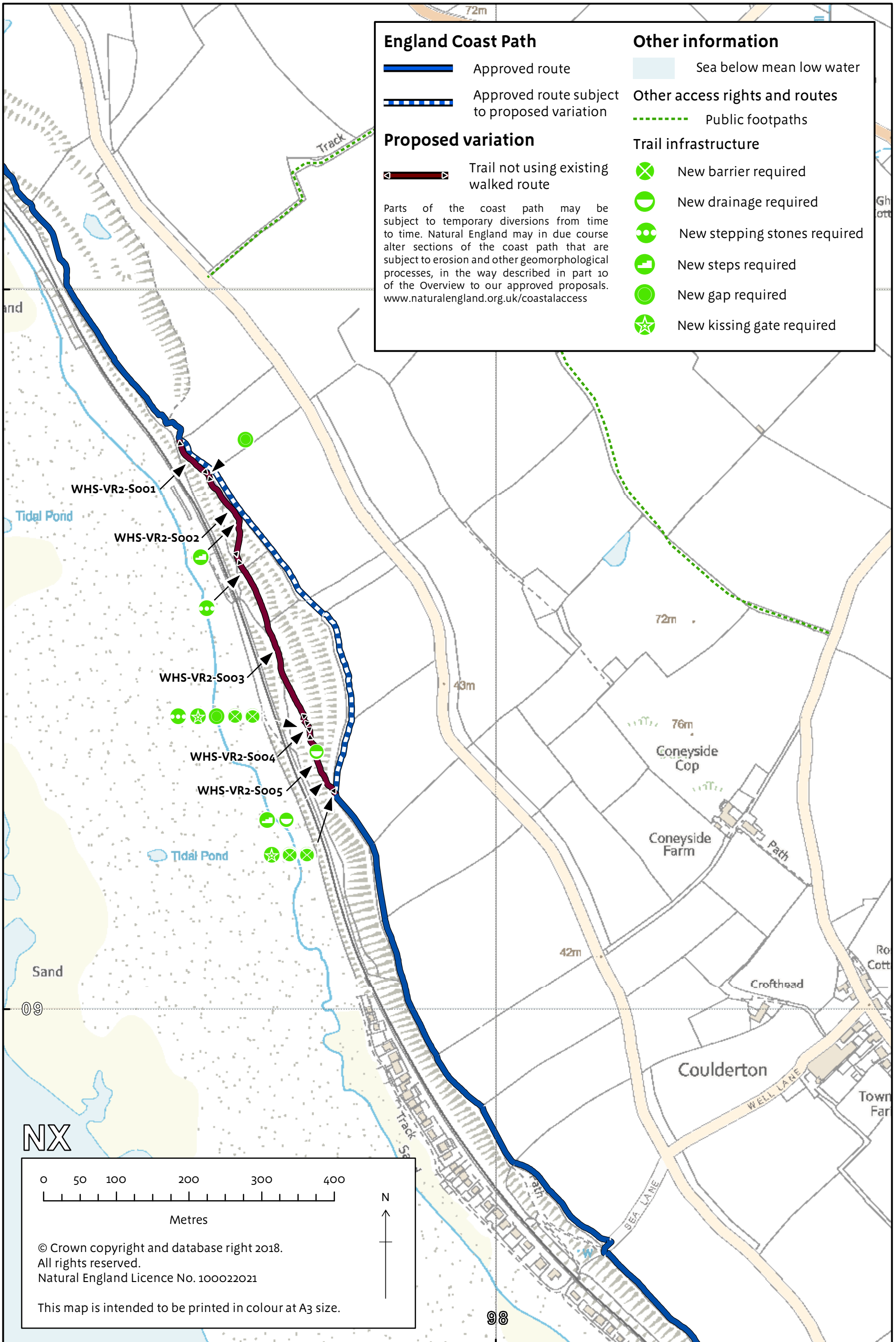
Adjacent to route section WHS-VR2-S006, the landward boundary of the coastal margin is to coincide with the landward edge of the road shown as the trail on VR2b.

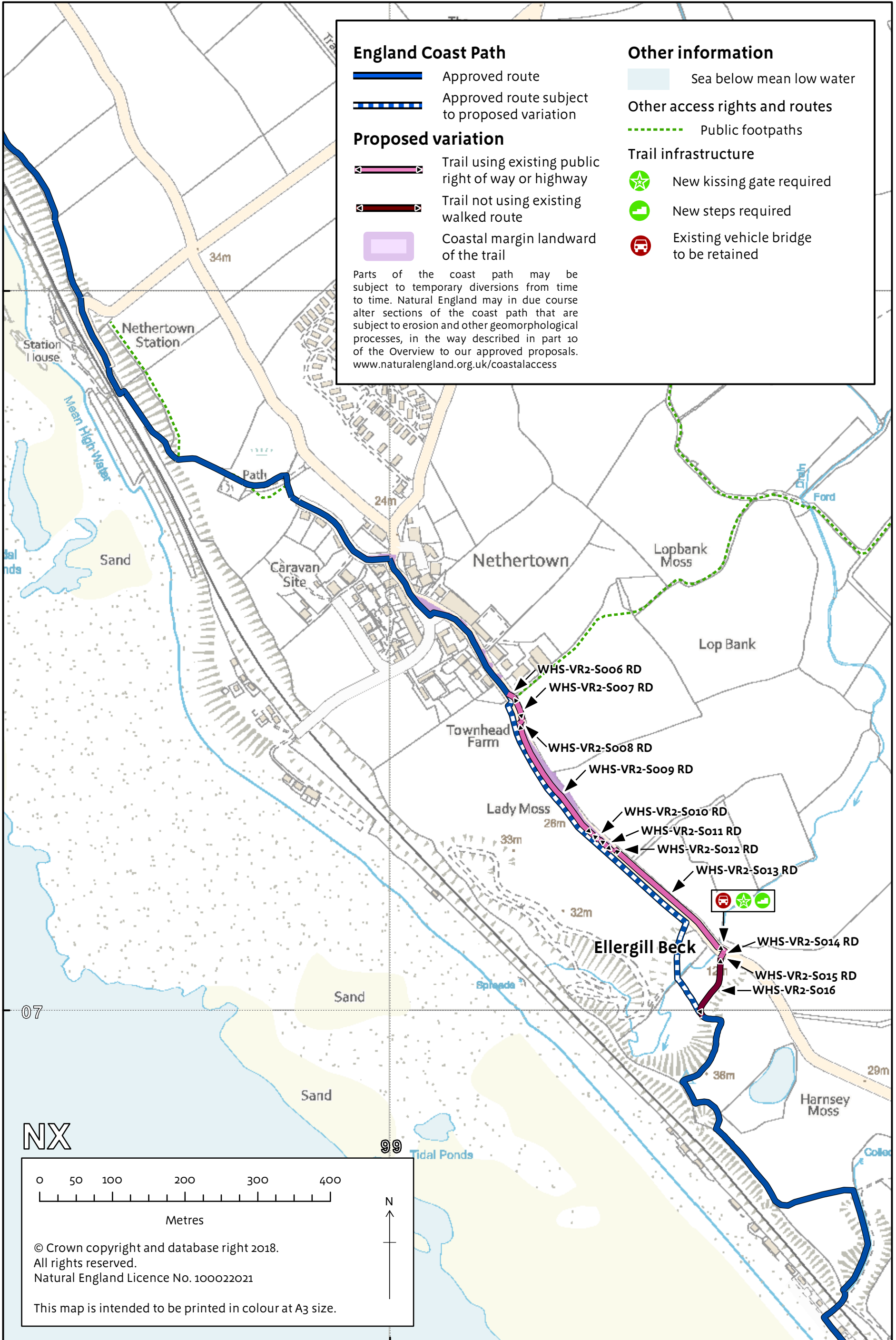
### **Local restrictions and exclusions**

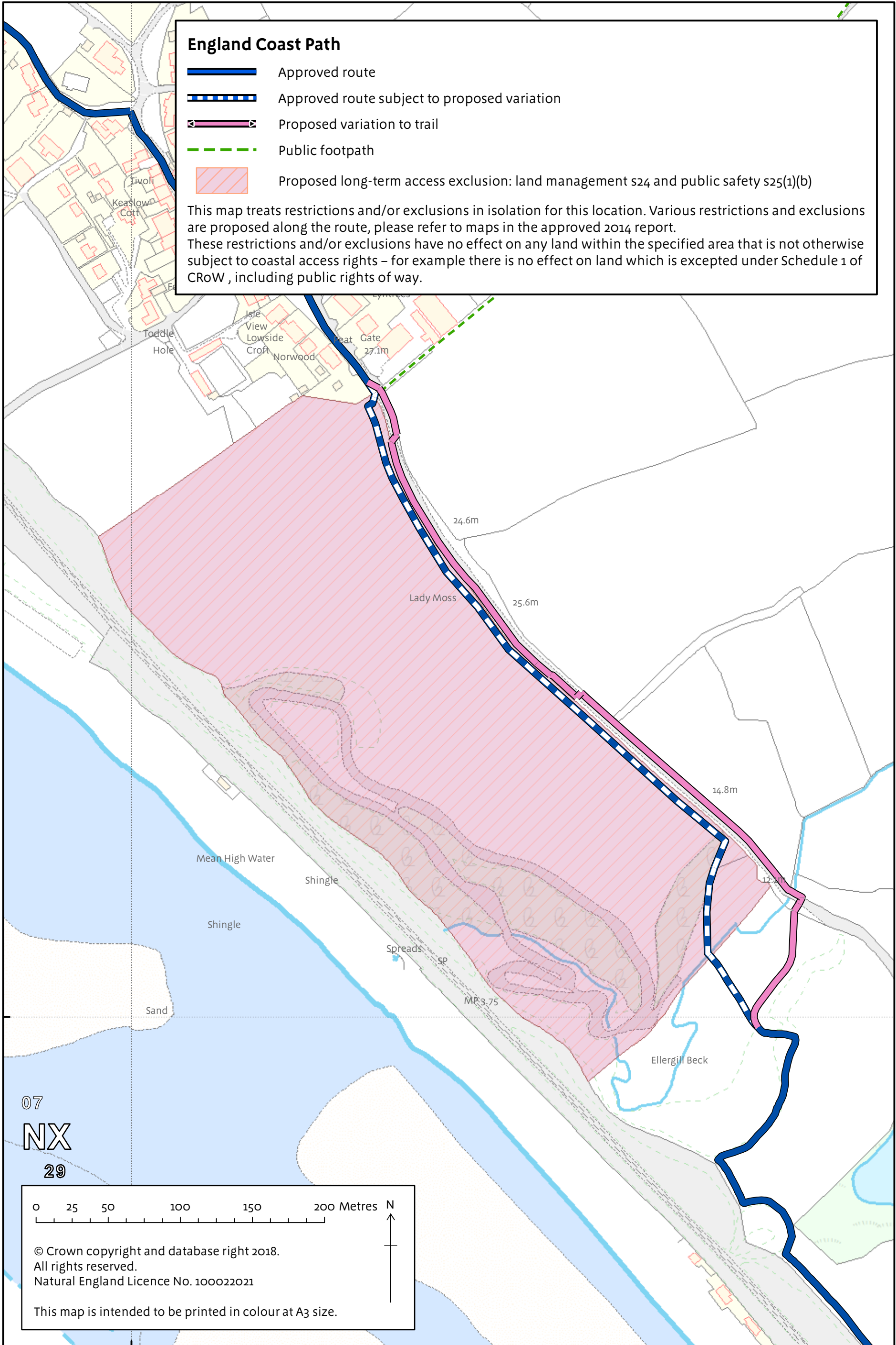
The previously approved exclusion covering much of the land at Lady Moss, south of Nethertown, would be extended slightly so as to cover the entire land parcel (map VR2c). All other aspects of the exclusion remain unchanged from that which was previously approved.

### **Alternative routes**

This variation report does not include proposals for alternative routes.







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