



England Coast Path Stretch: Iwade to Grain

Report IGR 5: Lower Halstow to Shoregate Creek

Part 5.1: Introduction

Start Point:	Lower Halstow (Grid reference 585950 167424)
End Point:	Shoregate Creek (Grid reference 584938 169125)
Relevant Maps:	IGR 5a

5.1.1 This is one of a series of linked but legally separate reports published by Natural England under section 51 of the National Parks and Access to the Countryside Act 1949, which make proposals to the Secretary of State for improved public access along and to this stretch of coast between Iwade in Kent and Grain in Medway.

5.1.2 This report covers length IGR 5 of the stretch, which is the coast between Lower Halstow and Shoregate Creek, Kent. It makes free-standing statutory proposals for this part of the stretch, and seeks approval for them by the Secretary of State in their own right under section 52 of the National Parks and Access to the Countryside Act 1949.

5.1.3 The report explains how we propose to implement the England Coast Path (“the trail”) on this part of the stretch, and details the likely consequences in terms of the wider ‘Coastal Margin’ that will be created if our proposals are approved by the Secretary of State. Our report also sets out:

- any proposals we think are necessary for restricting or excluding coastal access rights to address particular issues, in line with the powers in the legislation; and
- any proposed powers for the trail to be capable of being relocated on particular sections (“roll-back”), if this proves necessary in the future because of coastal change.

5.1.4 There is also a single Overview document for the whole of this stretch of coast, explaining common principles and background. **This and the other individual reports relating to the stretch should be read in conjunction with the Overview. The Overview explains, among other things, how we have considered any potential environmental impacts of improving public access to this part of the coast, and this report, and other separately published assessments we refer to, then provides more detail on these aspects where appropriate.**

Part 5.2: Proposals Narrative

The trail:

5.2.1 Follows existing walked routes, including public rights of way, along all of this length.

5.2.2 Follows the coastline closely maintaining good views of the Medway Estuary.

5.2.3 Follows a route similar to the existing Saxon Shore Way long distance promoted route.

Protection of the environment:

In this part of the report, we explain how we have taken account of environmental protection objectives in developing our proposals for improved coastal access.

5.2.4 The following designated sites affect this length of coast (see Overview Map C):

- Medway Estuary and Marshes Special Protection Area (SPA)
- Medway Estuary and Marshes Ramsar site
- Medway Estuary and Marshes Site of Special Scientific Interest (SSSI)
- Medway Estuary Marine Conservation Zone (MCZ)

5.2.5 We consider that the coastal environment, including features of the sites listed above, along this length of coast is unlikely to be sensitive to the improvements to coastal access envisaged and that no special measures are needed in respect of our proposals.

5.2.6 Natural England is satisfied that the proposals for coastal access in this report are made in accordance with relevant environmental protection legislation. For more information about how we came to this conclusion; see the following assessments of the access proposals that we have published separately:

- A Habitats Regulations Assessment relating to any potential impact on the conservation objectives of European sites.
- Our Nature Conservation Assessment, in which we document our conclusions in relation to other potential impacts on nature conservation.

Part 6b of the Overview includes some contextual information about protecting the environment along this length of coast.

Accessibility:

5.2.7 There are few artificial barriers to accessibility on the proposed route. However, the natural coastal terrain is often challenging for people with reduced mobility and this is the case on sections of our proposed route because:

- The trail would follow an uneven grass or bare soil path along the top of the seawalls.
- The existing kissing gates on the seawall may not provide enough space for those with larger mobility scooters or pushchairs, however there are physical constraints to replacing these kissing gates with larger alternatives.

5.2.8 Near Homestead Farm (map IGR 5a), we will install a new ramp to access an existing footbridge. We will also remove the field gate on the seawall to make it easier to follow the Coast Path near this location. The surfacing near the seawall kissing gates will be improved to make it easier and safer to pass through. We envisage this happening as part of the physical establishment works described below.

See part 6a of the Overview - 'Recreational issues' - for more information.

Where we have proposed exercising statutory discretions:

5.2.9 Estuary: This report proposes that the trail should contain sections aligned on the estuary of the River Medway. Natural England proposes to exercise its functions as if the sea included the estuarial waters of that river as far as Rochester Bridge, as indicated by the extent of the trail shown on Overview Map A2.

5.2.10 The Medway Estuary empties into both The Swale and the Thames estuaries. Alignment along these estuaries also formed part of our proposals made for the Whitstable to Iwade and Grain to Woolwich stretches, submitted to the Secretary of State on 27 June 2017 and 5 June 2019, respectively.

See part 5 of the Overview for a detailed analysis of the options considered for this estuary and our resulting proposals.

5.2.11 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 5.3.1.

5.2.12 The Proposals Tables show where we are proposing to alter the default landward boundary of the coastal margin. These proposals are set out in columns 5b and 5c of table 5.3.1. Where these columns are left blank, we are making no such proposals, so the default landward boundary applies. See the note relating to Columns 5b & 5c (above Table 5.3.1) explaining what this means in practice.

See also part 3 of the Overview - 'Understanding the proposals and accompanying maps', for a more detailed 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.

5.2.13 Restrictions and/or exclusions: We have proposed to exclude access by direction under the Countryside and Rights of Way Act (2000) in certain places along this section of coast.

Exclusion of access to the saltmarsh/flat at Lower Halstow and Ham Green (Medway Estuary)

5.2.14 Access to the mudflat and saltmarsh in the coastal margin seaward of route sections IGR-5-S001 to IGR-5-S016 is to be excluded all year round by direction under Section 25A of the Countryside and Rights of Way Act (2000) as it is unsuitable for public access. The exclusion does not affect the route itself and will have no legal effect on land where coastal access rights do not apply. See Directions Maps IGR 5A and IGR 5B.

5.2.15 The mudflat in this location is soft and sinking. It does not provide a safe walking surface and is subject to frequent tidal inundation. RNLI and Coastguard data indicates incidents of people being rescued from the mud in the Medway Estuary. Areas of saltmarsh have deep channels and creeks, some of which would not be readily apparent to walkers and can pose a significant risk.

5.2.16 These directions will not prevent or affect:

- any existing local use of the land by right: such use is not covered by coastal access rights;
- any other 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 any rights at common law or by Royal Charter etc.

Any such use is not prohibited or limited by these arrangements.

5.2.17 The directions we give under Section 25A are intended to avoid any new public rights being created over the area in question in view of the hidden dangers of mudflats and saltmarsh.

See part 8 of the Overview - 'Restrictions and exclusions' - for a summary for the entire stretch.

5.2.18 **Coastal erosion:** Natural England is able to propose that the route of the trail would be able to change in the future, without further approval from the Secretary of State, in response to coastal change. This would happen in accordance with the criteria and procedures for 'roll-back' set out in part 7 of the Overview.

Natural England may only propose the use of this roll-back power:

- as a result of coastal erosion or other geomorphological processes or encroachment by the sea, or
- in order to link with other parts of the route that need to roll back in direct response to such changes.

5.2.19 Column 4 of table 5.3.1 indicates where roll-back has been proposed in relation to a route section. Where this is the case, the route, as initially determined at the time the report was prepared, is to be at the centre of the line shown on maps IGR 5a as the proposed route of the trail.

5.2.20 If at any time in the future any part of a route section upon which roll-back has been specified needs, in Natural England's view, to change 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 7 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.

On sections for which roll-back is not proposed in tables 5.3.1, the route is to be at the centre of the line shown on map IGR 5a as the proposed route of the trail.

Other future change:

5.2.21 At this point we do not foresee any need for future changes to the access provisions that we have proposed within this report.

See parts 7 - 'Future changes' of the Overview for more information.

Establishment of the trail:

5.2.22 Below we summarise how our proposed route for the trail would be physically established to make it ready for public use before any new rights come into force.

Establishment works will only start on this length of coast once these proposals have been approved by the Secretary of State. The works may therefore either precede or follow the start of establishment works on other lengths of coast within the stretch, and detailed in their separate reports.

5.2.23 Our estimate of the capital costs for physical establishment of the trail on the proposed route is £2,107 and is informed by:

- information already held by the access authority, Kent County Council, in relation to the management of the existing public rights of way;
- the conclusions of our deliberations in relation to potential impacts on the environment; and

- information gathered while visiting affected land and talking to the people who own and manage it about the options for the route.

5.2.24 There are three main elements to the overall cost:

- A number of new signs would be needed on the trail
- A new ramp up to the footbridge and the removal of a field gate obstructing the path will make it easier to use
- Minor surfacing works are required to improve the trail

Table 1 shows our estimate of the capital cost for the physical establishment described above.

Table 1: Estimate of capital costs

Item	Cost
Signs	£492
Ramp and removal of field gate	£940
Surfacing	£400
Project management	£275
Total	£2,107 (Exclusive of any VAT payable)

5.2.25 Once the Secretary of State’s decision on our report has been notified, and further to our conversations with land managers during the route planning stage, Kent County Council will liaise with affected land owners and occupiers about relevant aspects of the design, installation and maintenance of the new signs and infrastructure that are needed on their land. Prior to works being carried out on the ground, all necessary permissions, authorisations and consents will be obtained. All such works would conform to the published standards for National Trails and the other criteria described in our Coastal Access Scheme.

Maintenance of the trail:

5.2.26 Because the trail on this length of coast will form part of the National Trail being created around the whole coast of England called the England Coast Path, we envisage that it will be maintained to the same high quality standards as other National Trails in England (see The New Deal; Management of National Trails in England from April 2013: details at Annex A of the Overview).

5.2.27 We estimate that the annual cost to maintain the trail will be £1,881 (exclusive of any VAT payable). In developing this estimate we have taken account of the formula used to calculate Natural England’s contribution to the maintenance of other National Trails.

Part 5.3: Proposals Tables

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

5.3.1 Section Details: Map IGR 5a - Lower Halstow to Shoregate Creek

Key notes on table:

1. Column 2 – an asterisk (*) against the route section number means see also table 5.3.2: Other options considered.
2. Column 4 – ‘No’ means no roll-back is proposed for this route section. ‘Yes – normal’ means roll-back is proposed and is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future as any coastal change occurs.
3. Column 4 – ‘Yes – see table 5.3.3’ means roll-back is proposed, but refer to that table below about our likely approach to implementing it for this route section. This is because a more complex situation exists in this case and consideration must be given to how roll-back may happen in relation to excepted land, a protected site etc.
4. Column 5a - 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. The relevant land type (foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land – see Glossary) is shown in this column where appropriate. “No” means none present on this route section.
5. Columns 5b and 5c – Any entry in these columns means we are proposing to align the landward boundary of the coastal margin on this route section with the physical feature(s) shown in 5b, for the reason in 5c. No text here means that for this route section the landward edge of the margin would be that of the trail itself - or if any default coastal land type is shown in 5a, that would be its landward boundary instead.

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
IGR 5a	IGR-5-S001 to IGR-5-S003	Public footpath	Yes – See table 5.3.3	No			
IGR 5a	IGR-5-S004	Public footpath	Yes – See table 5.3.3	No	Landward edge of path	Clarity and cohesion	
IGR 5a	IGR-5-S005 to IGR-5-S009	Public footpath	Yes – See table 5.3.3	Yes – bank			

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
IGR 5a	IGR-5-S010*	Other existing walked route	Yes – See table 5.3.3	Yes – bank			
IGR 5a	IGR-5-S011	Public footpath	Yes – See table 5.3.3	Yes – bank			
IGR 5a	IGR-5-S012	Public footpath	Yes – See table 5.3.3	No			
IGR 5a	IGR-5-S013* to IGR-5-S014*	Other existing walked route	Yes – See table 5.3.3	No			
IGR 5a	IGR-5-S015	Public footpath	Yes – See table 5.3.3	Yes – bank			
IGR 5a	IGR-5-S016	Public footpath	Yes – See table 5.3.3	No	Landward edge of path	Clarity and cohesion	

5.3.2 Other options considered: Map IGR 5a - Lower Halstow to Shoregate Creek

Map(s)	Route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
IGR 5a	IGR-5-S010	We considered aligning the trail along the existing public right of way near Twinney Wharf, which is inland of the seawall.	We opted for the proposed route because: <ul style="list-style-type: none"> ■ it is closer to the coast with good views of the Medway Estuary, ■ the proposed route follows the existing walked route, along the top of the seawall, ■ 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.
IGR 5a	IGR-5-S013 to IGR-5-S014	We considered aligning the trail along the existing public right of way that follows the coastline.	We opted for the proposed route because: <ul style="list-style-type: none"> ■ the line of the public right of way is partly eroded and no longer accessible, ■ the proposed route follows the existing walked route on the ground, ■ 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.

Note: Any public rights of way not forming part of the proposed trail would remain available for people to use under their pre-existing rights.

5.3.3 Roll-back implementation – more complex situations: Map IGR 5a - Lower Halstow to Shoregate Creek

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
IGR 5a	IGR-5-S001 to IGR-5-S016	Buildings	<p>We are aware that stretches of coast around this peninsula have been identified for future 'no active intervention' within Shoreline Management Plans. The exact policies are currently being refined as part of the Medway Estuary and Swale Flood and Coastal Erosion Risk Strategy.</p> <p>If it is no longer possible to find a viable route seaward of excepted land such as buildings or any other excepted land such as homes and gardens, we will choose a route that passes landward of them, following discussions with owners and occupiers and relevant experts.</p>

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
			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, any later adjustment of the trail is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future as any coastal change occurs.

Part 5.4: Proposals Maps

5.4.1 Map Index

Map reference	Map title
IGR 5a	Lower Halstow to Shoregate Creek
Directions Map IGR 5A	Directions for Report IGR 5: Lower Halstow to Shoregate Creek
Directions Map IGR 5B	Directions for Report IGR 5: Lower Halstow to Shoregate Creek

PROPOSALS

Trail Sections

- Trail using existing public right of way or highway
- Trail using other existing walked route
- Trail not using existing walked route
- Alternative route
- Trail shown on other maps
- Approved or open England Coast Path

Maps that show sections of the trail that follow the existing South West Coast Path as currently walked and managed use the following trail categories. Information on the existing status and infrastructure is not shown.

- Trail using existing South West Coast Path
- Alternative or optional alternative route using existing South West Coast Path

Trail sections which follow existing public rights of way or highways are indicated by a suffix:

- BW** - Public bridleway
- BY** - Public byway
- CP** - Cycletrack (pedestrian)
- CT** - Cycletrack (cycles only)
- FP** - Public footpath
- FW** - Public footway (Pavement)
- RB** - Restricted byway
- RD** - Public road

Coastal Margin

Explanatory note

Part 3 of the Overview to the report explains where the landward boundary of the coastal margin falls by default. Our proposals include any suggested variation of this default boundary. The purple wash on the map indicates where as a result of our proposals the coastal margin would extend significantly to the landward side of the proposed route of the trail. The coastal margin may include some areas where coastal access rights do not apply, either seaward or landward of the proposed route of the trail: the Overview explains more about this. The landward boundary of the coastal margin may in due course move inland, if the trail rolls back under proposals in this report to respond to coastal change.

- Coastal margin landward of the trail
- Coastal margin landward of the trail which is existing access land

Other Information

Other access rights and routes

- Public bridleways
- Public byways
- Public footpaths
- Restricted byways
- South West Coast Path
- Sustrans national routes
- Existing access land

Infrastructure types

For status of each, where shown on map, see colour codes below

Bridges:

- Clapper bridge
- Footbridge
- Quad bike bridge
- Sleeper bridge
- Vehicle bridge

Stiles:

- Ladder stile
- Lift-up stile
- Squeeze stile
- Step stile
- Stone stile

Gates:

- Bristol gate
- Field gate
- Gateway with no gate
- Kissing gate
- Pedestrian gate
- Wheelchair gate

Miscellaneous:

- Barrier
- Boardwalk
- Bollard
- Cattle grid
- Culvert
- Motorbike barrier
- Cycle chicane
- Drainage
- Drop-kerb
- Gap in fence
- Hurdle
- Roadside sign
- Interpretation panel
- Ramp
- Revetment
- Stepping stones
- Steps
- Advisory sign

Infrastructure status

Each symbol shown on the map is colour coded as appropriate, as in this example for a set of steps:

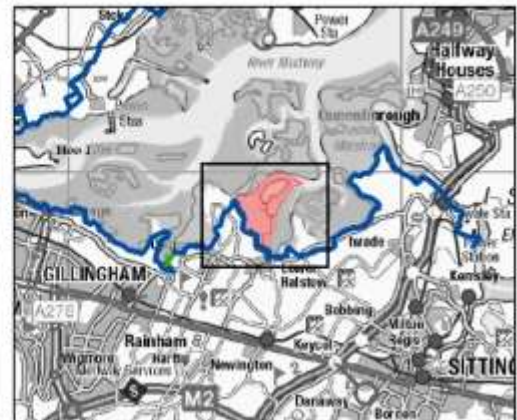
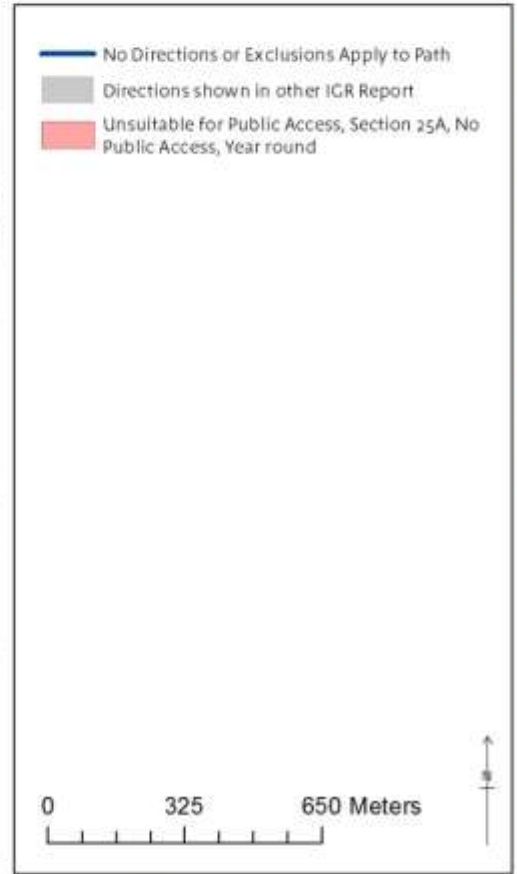
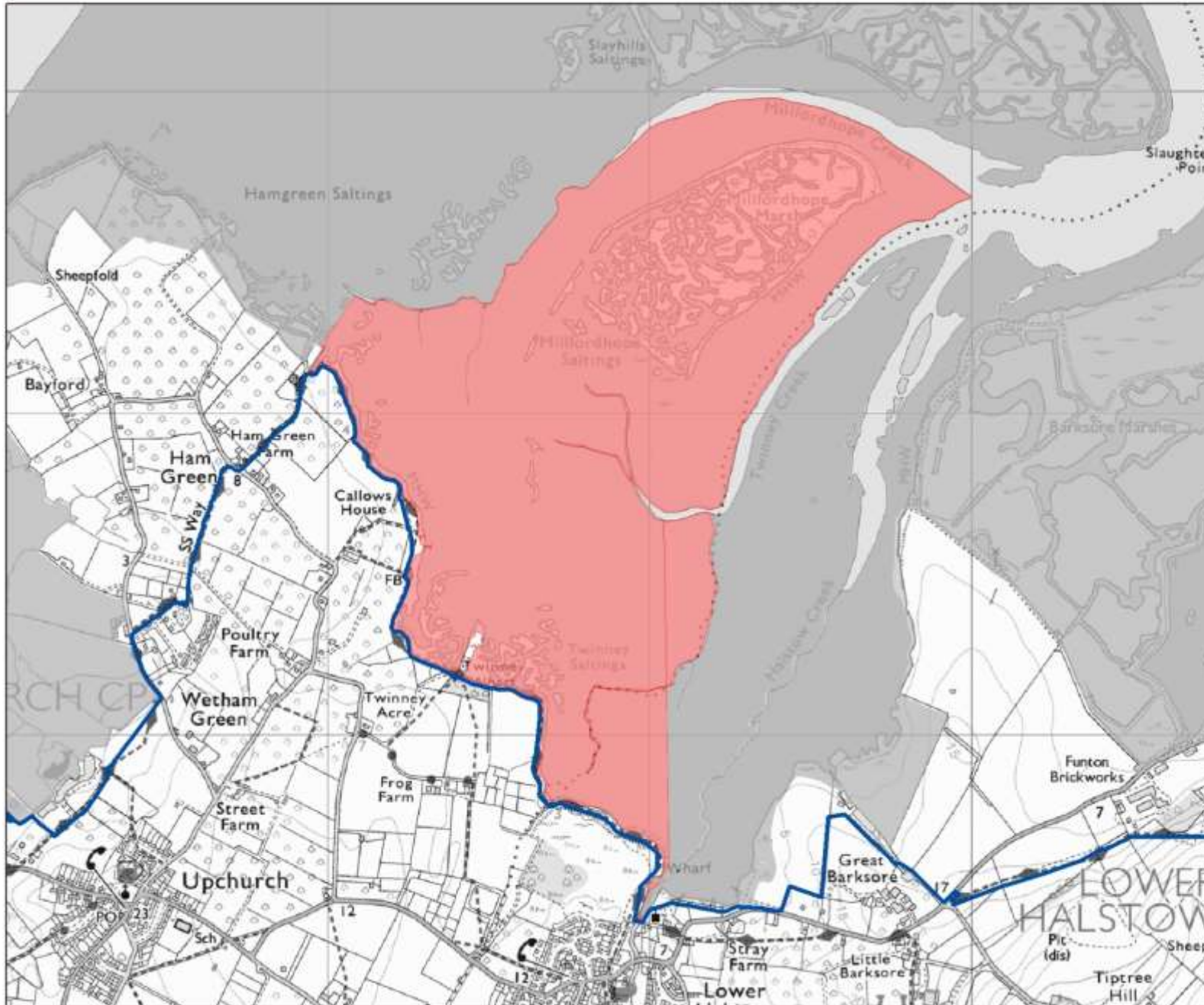
- Existing steps to be retained
- New steps required
- Existing steps to be removed

* Please note that the items in this legend may not all be present on an individual map or report.



Directions Map IGR 5A

These directions only affect land where coastal access rights apply and will not affect existing rights of access, such as on public rights of way.



Directions Map IGR 5B

These directions only affect land where coastal access rights apply and will not affect existing rights of access, such as on public rights of way.

