



# England Coast Path Stretch: Isle of Sheppey

## Report IOS 7: Isle of Harty (east) to Mocketts, Isle of Harty (west)

### Part 7.1: Introduction

Start Point:	Isle of Harty (east) (Grid reference 602946 166184)
End Point:	Mocketts, Isle of Harty (west) (Grid reference 600937 166398)
Relevant Maps:	IOS 7a to IOS 7b

7.1.1 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 on the Isle of Sheppey, Kent.

7.1.2 This report covers length IOS 7 of the stretch, which is the coast between Isle of Harty (east) and Mocketts, Isle of Harty (west). 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.

7.1.3 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.

7.1.4 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 7.2: Proposals Narrative

### The trail:

7.2.1 Generally follows existing walked routes, including public rights of way, along most of this length.

7.2.2 Follows the coastline quite closely in the western sections, with good views of the sea.

7.2.3 An inland diversion is necessary in the eastern sections to avoid a steep, inaccessible coastal slope and a sensitive wildlife site. This part of the trail still maintains good, elevated views of The Swale Estuary.

7.2.4 Includes four sections of new path, west of the Ferry Inn. See map IOS 7b and associated tables below for details.

### 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.

7.2.5 The following designated sites affect this length of coast (see Overview Maps C1 and C2):

- The Swale Special Protection Area (SPA)
- The Swale Ramsar site
- The Swale Site of Special Scientific Interest (SSSI)
- The Swale Marine Conservation Zone (MCZ)
- The Swale National Nature Reserve (NNR)
- Medieval Moated Site Scheduled Monument at Sayes Court, Parish of Leysdown

The following table brings together design features included in our access proposals to help to protect the environment along this length of the coast.

### 7.2.6 Measures to protect the environment

Map(s)	Route section number(s)	Design features of the access proposals	Reason included
IOS 7b	IOS-7-S007	<p>The following design features are described elsewhere in this report:</p> <ul style="list-style-type: none"><li>■ Coastal access rights would be excluded on land seaward of the trail at Park Farm, including grassland, marshes, reedbeds, and saline lagoons (see paras 7.2.14 &amp; 7.2.15).</li></ul>	<ul style="list-style-type: none"><li>■ To prevent disturbance from recreational users, to breeding, migratory and overwintering birds in these habitats.</li></ul>

Map(s)	Route section number(s)	Design features of the access proposals	Reason included
IOS 7b	IOS-7-S010 to IOS-7-S013	<p>The following design features are described elsewhere in this report:</p> <ul style="list-style-type: none"> <li>■ Coastal access rights would be restricted: requiring dogs to be kept on a lead (see paras 7.2.16 &amp; 7.2.17).</li> <li>■ A new interpretation board immediately south-west of the Ferry Inn, to explain the wildlife sensitivities along the south Sheppey coast, to the west, asking people to keep to the path and observe the requirement to keep dogs on leads.</li> <li>■ Prior to proposed surface improvement works, reptile surveys will be carried out to inform any methodologies necessary to safeguard protected species.</li> </ul>	<ul style="list-style-type: none"> <li>■ To prevent disturbance from dogs to the overwintering and breeding birds found on the upper saltmarsh here.</li> </ul>

7.2.7 Natural England is satisfied that the proposals for coastal access in this report are made in accordance with relevant environmental protection legislation. In respect of cultural heritage, we have taken advice from Historic England and others before confirming this conclusion. 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:

7.2.8 There are few artificial barriers to accessibility on the proposed route. However, the natural coastal terrain is often challenging for some 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 bank above the foreshore, west of Ferry Inn.

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

## Where we have proposed exercising statutory discretions:

**7.2.9 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 7.3.1 below.

7.2.10 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 7.3.1. 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 7.3.1 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.**

**7.2.11 Restrictions and/or exclusions:** We have proposed to exclude and/or restrict 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/flats of The Swale Estuary*

7.2.12 Access to the saltmarsh/mudflats in the coastal margin seaward of route sections IOS-7-S001 to IOS-7-S013 is to be excluded all year-round by direction under s25A 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 Direction Map IOS 7A.

7.2.13 The mudflat in this area is soft and sinking. It does not provide a safe walking surface and is subject to frequent tidal inundation. Areas of saltmarsh have deep channels and creeks, some of which would not be readily apparent to walkers and can pose a significant risk.

### *Exclusion of access at Park Farm*

7.2.14 Access to the grassland, marshes/reedbeds and lagoons at Park Farm, seaward of route section IOS-7-S007 is to be excluded all year-round by direction s26(3)(a) of the Countryside and Rights of Way Act (2000) due to sensitive wildlife (breeding, passage and wintering birds). The exclusion does not affect the route itself and will have no legal effect on land where coastal access rights do not apply. See Direction Map IOS 7A.

7.2.15 Important populations of breeding and overwintering birds use the grassland, marshes, reedbeds and saline lagoons in the coastal margin, for feeding and roosting at high tide. The Habitats Regulation Assessment and the Nature Conservation Assessment for the site concluded that allowing access would cause a significant effect by disturbing the bird species using the site.

### *Restriction of access near Ferry Inn, Isle of Harty*

7.2.16 Dogs are to be kept on a lead on the route sections IOS-7-S010 to IOS-7-S013 by direction under section 26(3)(a) of the Countryside and Rights of Way Act (2000) all year round to protect sensitive wildlife (breeding, passage and overwintering birds). The exclusion will have no legal effect on land where coastal access rights do not apply. See Directions Map IOS 7A.

7.2.17 This stretch of coast supports important numbers of breeding and roosting marsh harrier, breeding waders and overwintering waterfowl. There has been very little public use of the coast here due to a lack of formal access provision. The Habitats Regulation Assessment for the site concluded that

allowing dogs off the lead would cause a significant effect by disturbing the internationally-protected bird species likely to use the site. The Assessment will be published alongside this report.

7.2.18 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.

7.2.19. The directions we give over mud flats and saltmarsh are intended to avoid any new public rights being created in view of their inherent hidden dangers.

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

7.2.20 **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.

7.2.21 Column 4 of table 7.3.1 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 IOS 7a and IOS 7b as the proposed route of the trail.

7.2.22 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 table 7.3.1, the route is to be at the centre of the line shown on maps IOS 7a and IOS 7b as the proposed route of the trail.

### Other future change:

7.2.23 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:

7.2.24 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.

7.2.25 Our estimate of the capital costs for physical establishment of the trail on the proposed route is £20,441.25 and is informed by:

- information already held by the access authority, Kent County Council, in relation to the management of 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.

7.2.26 There are three main elements to the overall cost:

- A significant number of new signs would be needed on the trail.
- A new interpretation board near Ferry Inn to explain access arrangements/directions and wildlife sensitivities in the area.
- Surface improvements to create a pathway west of the Ferry, including selective scrub clearance, ground levelling and revetment works. The surfaces and access furniture of the other paths and footways on the proposed route are generally of a suitable standard for the trail

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

**Table 1: Estimate of capital costs**

<b>Item</b>	<b>Cost</b>
Signs	£975
Interpretation	£900
Surface improvements	£15,900
Project management	£2,666.25
<b>Total</b>	<b>£20,441.25 (Exclusive of any VAT payable)</b>

7.2.27 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:

7.2.28 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).

7.2.29 We estimate that the annual cost to maintain the trail will be £1,543.47 (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 7.3: Proposals Tables

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

### 7.3.1 Section Details: Maps IOS 7a to IOS 7b – Isle of Harty (east) to Mocketts, Isle of Harty (west)

Key notes on table:

1. Column 2 – an asterisk (\*) against the route section number means see also table 7.3.2: 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. Column 4 – ‘Yes – see table 7.3.3’ 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.
3. 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.
4. 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
IOS 7a	IOS-07-S001*	Public bridleway	Yes - normal	No	Edge of track	Clarity and cohesion	
IOS 7a	IOS-07-S002*	Public highway	No	No	Edge of track	Clarity and cohesion	
IOS 7a	IOS-07-S003*	Public highway	No	No	Landward edge of road	Clarity and cohesion	



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
IOS 7a	IOS-07-S004*	Public highway	No	No	Landward edge of road	Clarity and cohesion	
IOS 7a	IOS-07-S005* and IOS-07-S006*	Public bridleway	No	No			
IOS 7b	IOS-07-S007*	Public bridleway	No	No			
IOS 7b	IOS-07-S008* and IOS-07-S009*	Public highway	Yes - See table 7.3.3	No	Landward edge of road	Clarity and cohesion	
IOS 7b	IOS-07-S010* and IOS-07-S011*	Not an existing walked route	Yes - See table 7.3.3	No	Fence line	Clarity and cohesion	
IOS 7b	OS-07-S012* and IOS-07-S013*	Not an existing walked route	Yes - See table 7.3.3	No			

### 7.3.2 Other options considered: Maps IOS 7a to IOS 7b – Isle of Harty (east) to Mocketts, Isle of Harty (west)

Map(s)	Route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
IOS 7a and IOS 7b	IOS-7-S001 to IOS-7-S009	<p>We considered aligning the trail west along the coast towards Ferry Inn, either:</p> <ul style="list-style-type: none"> <li>■ along the landward edge of The Swale National Nature Reserve, or</li> <li>■ through arable and grass fields, inland of the National Nature Reserve</li> </ul> <p>No other options were identified for the trail in relation to Map IOS 7a.</p>	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> <li>■ it provides excellent, elevated views of the estuary</li> <li>■ it follows existing well-used paths and rights of way</li> <li>■ it avoids difficult, steep coastal terrain with important wildlife, sensitive to recreational disturbance</li> <li>■ it avoids areas of land used for field sports and clay pigeon shooting</li> <li>■ 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.</li> </ul>
IOS 7b	IOS-7-S008 to IOS-7-S013	<p>We considered aligning the trail westwards along a public right of way, landward of Ferry Inn, before either:</p> <ul style="list-style-type: none"> <li>■ continuing north-west up to a high point just landward of a large pond (with good coastal views), before descending to join the seawall near Lily Banks – at the western end of section IOS-7-S013</li> <li>■ following the public bridleway and Harty Ferry Road inland, before turning west along a track then south along a field boundary to join the seawall near Lily Banks, as above</li> </ul>	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> <li>■ it is close to the shoreline, and avoids any significant inland diversion</li> <li>■ it maintains views of The Swale Estuary</li> <li>■ the proposal is made with the support of the landowner</li> <li>■ it avoids areas of the higher ground used in field sports (shooting)</li> <li>■ 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.</li> </ul>

Map(s)	Route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
		No other options were identified for the trail in relation to this map.	

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.

### 7.3.3 Roll-back implementation – more complex situations: Map IOS 7b – The Ferry Inn to Mocketts, Isle of Harty (west)

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
IOS 7b	IOS-7-S008 to IOS-7-S013	Designated site (The Swale SSSI, SPA, Ramsar)	If it is no longer possible to find a viable route seaward of a designated site (e.g. SSSI, SPA, Ramsar) whose designated features are sensitive to public access, or where the existing route already passes through such a site must be altered, we will choose a new route after detailed discussions with the relevant experts and with any potentially affected owners or occupiers, which will either (a) continue to pass through the site, if appropriate or (b) if necessary, be routed landward of it.
IOS 7b	IOS-7-S008 to IOS-7-S013	The Ferry Inn	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.

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 7.4: Proposals Maps

### 7.4.1 Map Index

Map reference	Map title
IOS 7a	Isle of Harty (east) to Park Farm
IOS 7b	Park Farm to Mocketts, Isle of Harty (west)
Directions Map IOS 7A	Directions for Report IOS 7: Isle of Harty (east) to Mocketts, Isle of Harty (west)

### 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

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

- BY** - Public byway
- CT** - Cycletrack (cycles only)
- CP** - Cycletrack (pedestrian)
- FP** - Public footpath
- FW** - Public footway (Pavement)
- BW** - Public bridleway
- KB** - 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 footpaths
- Public byways
- Public bridleways
- Restricted byways
- Sustrans national routes
- Existing access land

#### Infrastructure types (for status see below)

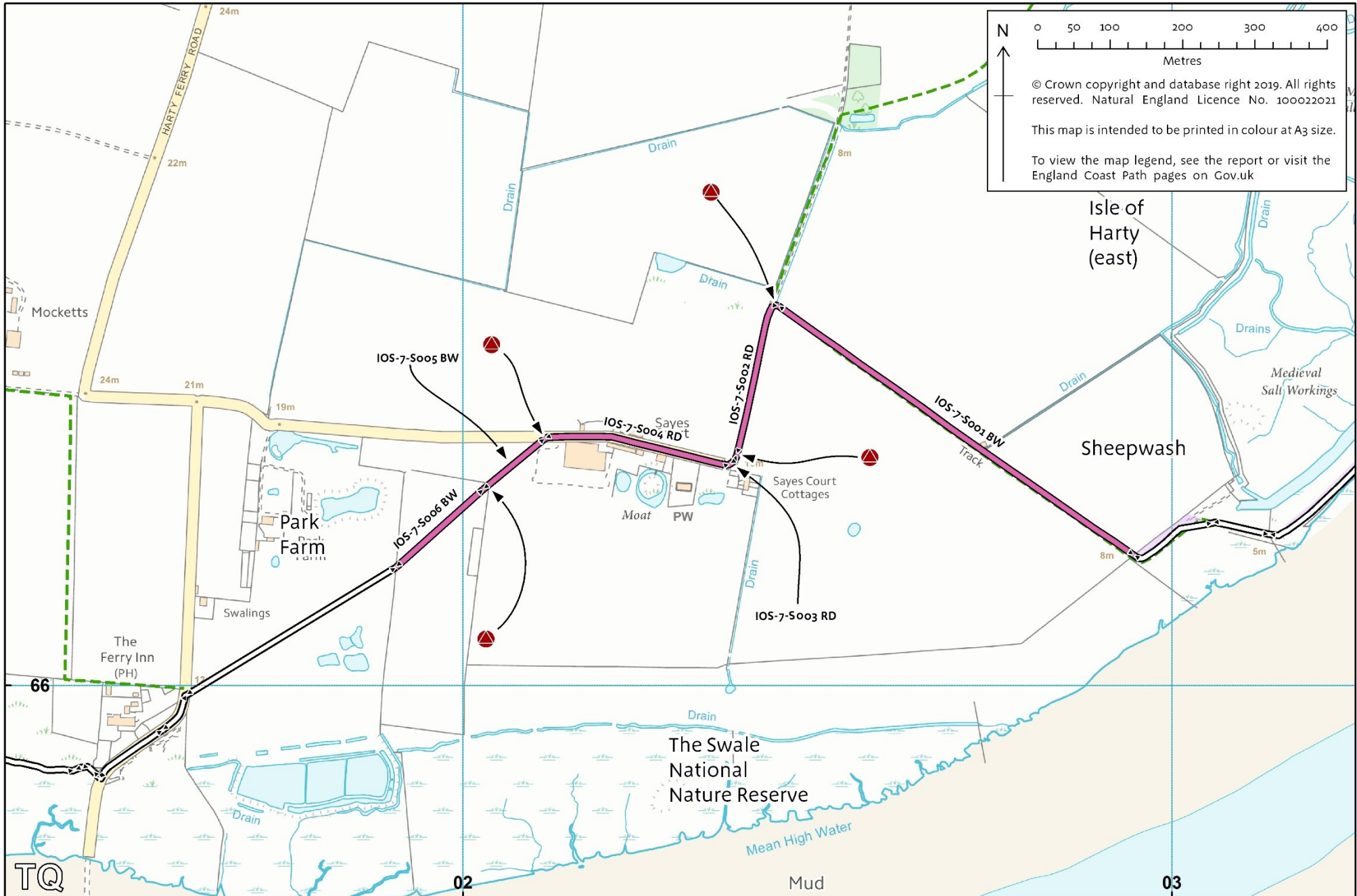
- |                  |                      |                      |
|------------------|----------------------|----------------------|
| barrier          | cycle chicane        | hurdle               |
| boardwalk        | drainage             | ramp                 |
| bollard          | drop-kerb            | revetment            |
| clapper bridge   | gap in fence         | stepping stones      |
| footbridge       | Bristol gate         | steps                |
| quad bike bridge | field gate           | ladder stile         |
| sleeper bridge   | kissing gate         | lift-up stile        |
| vehicle bridge   | pedestrian gate      | squeeze stile        |
| cattle grid      | wheelchair gate      | step stile           |
| culvert          | gateway with no gate | stone stile          |
|                  |                      | interpretation panel |

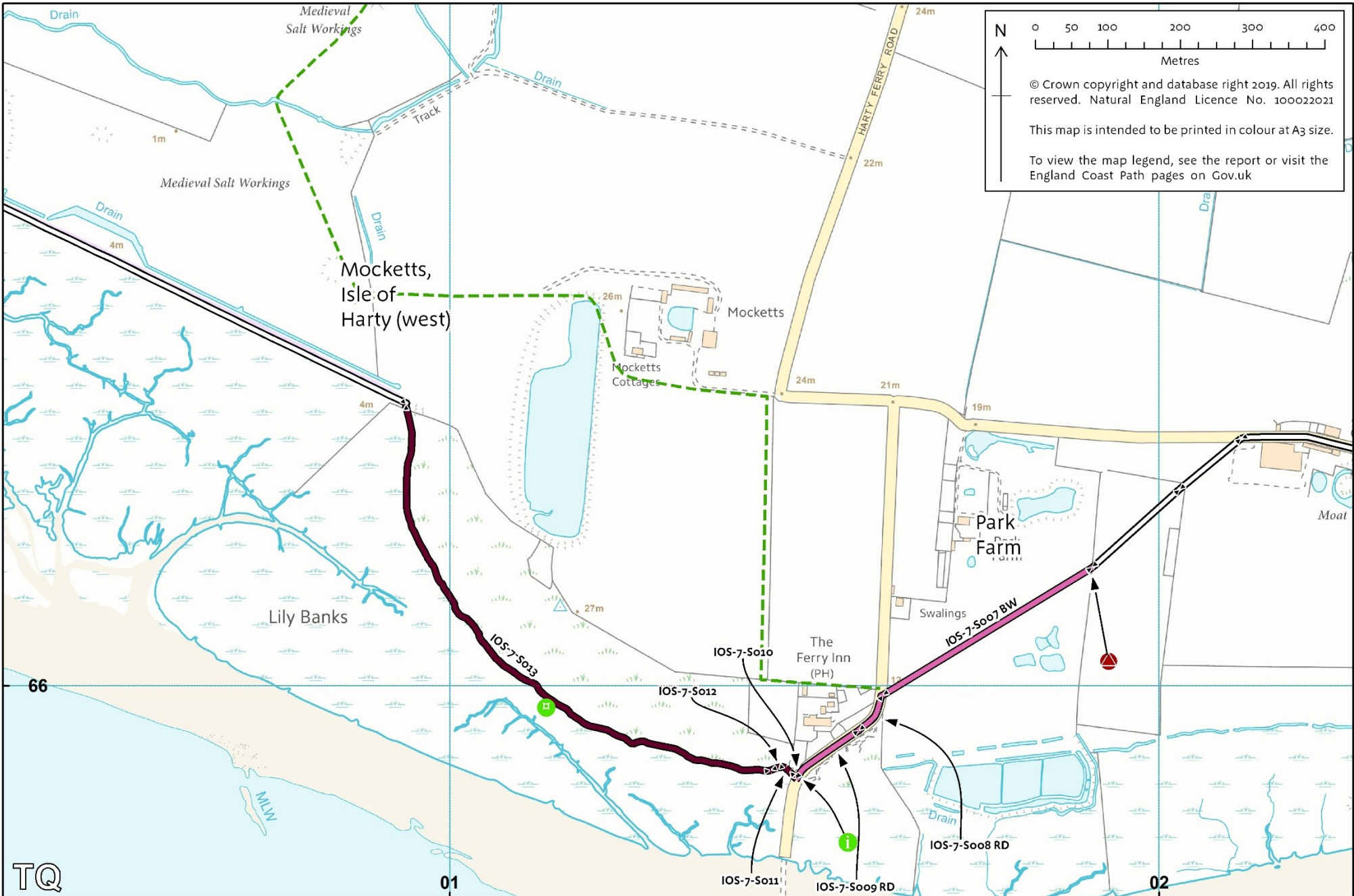
#### Infrastructure status

Infrastructure status will be indicated by one of three colours, as shown in the example below:

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

Map IOS 7a: Isle of Harty (east) to Park Farm





**Directions Map IOS 7A**

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.

