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NATURAL
ENGLAND

Coastal Access Modification Report MR1

Proposed changes to the submitted England Coast Path proposals
for Anglian Water Sewage Works to Mersea Stone, Mersea Island

Location affected: Mersea Outdoors to Coopers Beach Holiday
Park, Mersea Island

Natural England's Modification Report to the Secretary of State

May 2022



Part 1: Purpose of this report

1.1 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.

1.2 On 28th June 2017, Natural England submitted a report to the Secretary of State for the Environment, Food and Rural Affairs, setting out proposals for improved access to the coast from Anglian Water Sewage Works to Mersea Stone. The Secretary of State is considering the related representations before determining Natural England’s report. Public rights of access to this stretch therefore have yet to commence.

1.3 Since submission of its report, it has become clear to Natural England that because of altered circumstances a change is necessary to the route it proposed for the England Coast Path on this stretch.

1.4 This change needs to be proposed through a separate Modification Report (MR), so that it can be considered alongside the rest of Natural England’s original proposals. The proposed change is at the location shown on the Ordnance Survey base map below Map MR1a – Mersea Island – Modification Location:

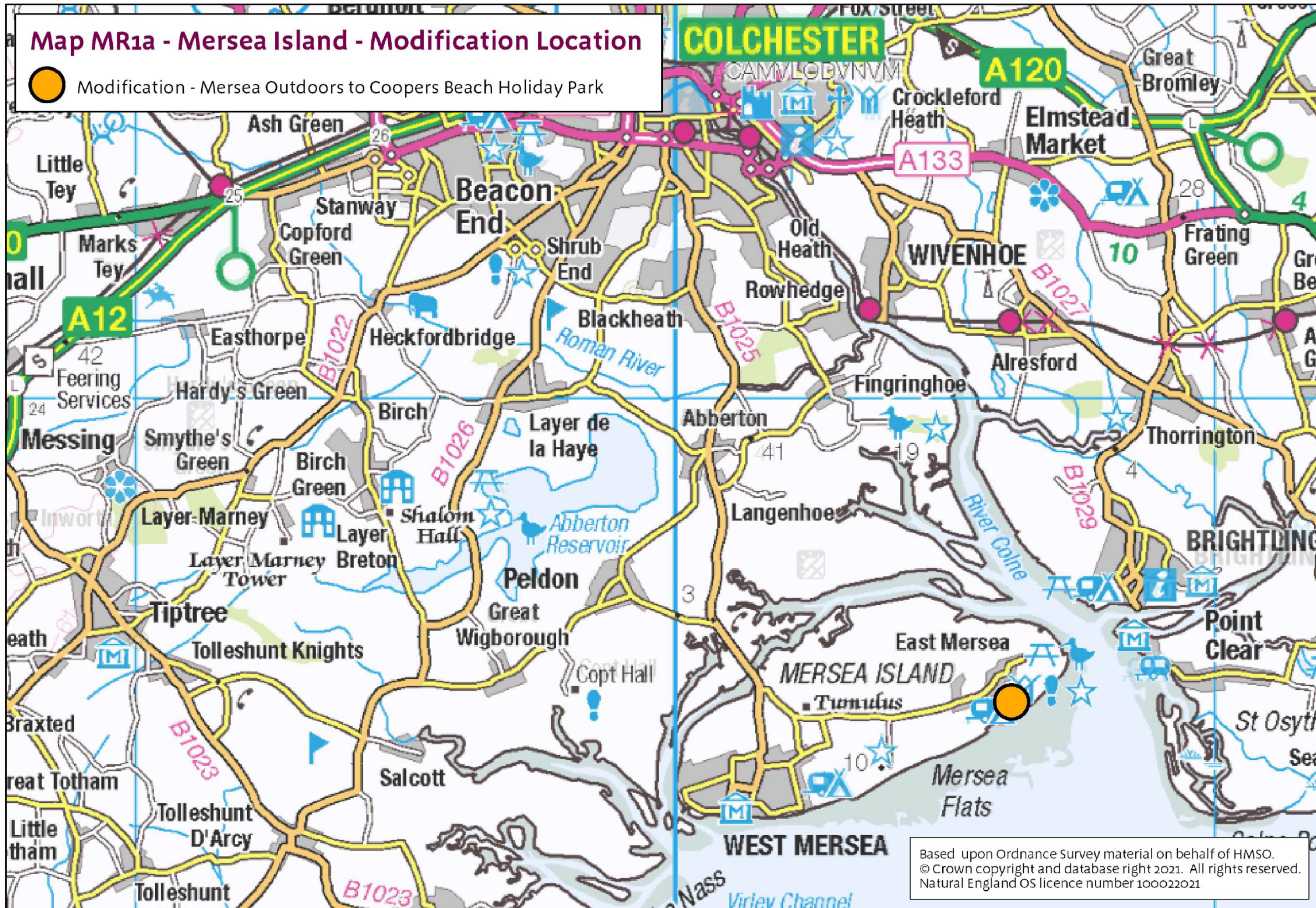
- Mersea Outdoors to Coopers Beach Holiday Park, Mersea Island

1.5 This modified proposal is set out below and is subject to a fresh objections and representations process; to advice by a person appointed by the Secretary of State about any objections that are received to the proposals; and then to determination by the Secretary of State alongside Natural England’s original proposals.

1.6 It is therefore recommended that for determination purposes, Natural England’s original report relating to this length, which can be viewed [here](#), should be read as proposed to be amended by this MR. The original stretch [Overview](#) provides vital context to many of the issues discussed within this MR.

Map MR1a - Mersea Island - Modification Location

 Modification - Mersea Outdoors to Coopers Beach Holiday Park



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Part A: Proposed modification at Mersea Outdoors to Coopers Beach Holiday Park, Mersea Island

Start Point:	Grid reference: SS6043 2135
End Point:	Grid reference: SS6051 2135
Relevant Map:	MR1b
Section numbers from original proposals no longer being proposed: Part of MSI-3-S014 to MSI-3-S021FP	

2.1 Introduction

Reason for and consequences of proposed modification:

2.1.1 Our original alignment of the England Coast Path (ECP) in this area, as proposed is shown in Natural England's [original report](#) submitted to the Secretary of State. It involved a significant inland diversion to take the trail inland of a stretch of seawall that is eroding rapidly. The seawall is currently inaccessible because the Public Right of Way along the top of it has been closed by the Essex County Council Highways department.

2.1.2 Following publication, as a result of further ongoing erosion of the seawall, it became apparent that the proposed alignment was increasingly impacted by tidal inundation.

2.2 Proposals Narrative

The Trail:

2.2.1 Our proposal (see map MR1b) is, from east to west, to re-route the path shown as part MSI-3-S014 (part of) to MSI-3-S021FP in our original report.

2.2.2 The modified proposed route is to take the existing public footpath from grid reference SS6043 2135 (MSI-MR1-S001FP) in a northerly direction to join the public footpath (MSI-MR1-S002FP) that goes eastwards to join Church Lane (MSI-MR1-S003RD). From Church Lane the proposed modification is to go southwards down Church Lane and along the public footpath (MSI-MR1-S004FP) along the access road to Cooper Beach Holiday Park, re-joining the original trail alignment at grid reference SS6051 2135 (MSI-3-S021FP).

2.2.3 The length of the modified proposed route is 1850m compared to the original proposal of 965m.

Protection of the environment:

2.2.4 This part of the coast includes the following sites, designated for nature conservation or heritage preservation (See maps C1, C2 and C3 of the Overview):

Essex Estuaries Special Area of Conservation (SAC) —

Colne Estuary (Mid-Essex Coast Phase 2) SPA —

Colne Estuary (Mid-Essex Coast Phase 2) RAMSAR —

Colne Estuary SSSI —

Colne Estuary NNR —

Blackwater, Crouch Roach and Colne Estuaries Marine Conservation Zone (MCZ) —

Scheduled Ancient Monument 1013832 – Tudor Blockhouse (SAM). (EHCR 2217)

2.2.5 Natural England's previous proposal for this section of the route (made in 2017) was to create a new path at the landward edge of the saltmarsh. This proposal would have led to some extra recreational disturbance and a small loss of habitat where two proposed sleeper bridges were proposed. We concluded this impact was acceptable since the area affected is small in the context of the site.

2.2.6 The modified proposal is to align this section of path further up the slope on existing public rights of way.

2.2.7 A benefit of the new proposal is that it avoids the need to install the new bridges within the saltmarsh and also avoids any disturbance on what would have been a new route. Since the proposals were published in June 2017, the erosion of the seawall (effectively 'unmanaged realignment' of the coast) has led to the inundation of a significant area, which is likely in time to attract wildlife interest. As this habitat was not present in 2017, it was not assessed in the published Mersea Island sensitive features report.

2.2.8 As a result of the 'People over Wind' European Court ruling, a new Habitat Regulations Assessment (HRA) has been written in April 2022. This assesses in detail the new proposed route, as in this MR, and takes account of the newly inundated area. The HRA concludes that the proposed ECP route around Mersea Island, including this newly proposed section, will not have an adverse effect on the integrity of the designated features.

2.2.9 Modification to the originally proposed alignment will move the path onto existing public footpaths and public highway which are sustainable over the long term.

2.2.10 Natural England is therefore satisfied that modifying the proposed alignment of the trail between Mersea Outdoors and Coopers Beach Holiday Park in the way described will not have an adverse effect on the site integrity of the European sites and is fully compatible with the conservation objectives of The Colne Estuary SSSI.

Accessibility:

2.2.11 The proposed trail consists of a path with a soil and turf surface and a section of tarmac. Like the original proposed route, the modified trail is likely to be unsuitable for some people with reduced mobility because of the nature of the terrain.

Where we have proposed exercising statutory discretions:

Landward boundary of the coastal margin:

2.2.12 We have used our discretion on some sections of the modified 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 3.2.1 below for details of how we have applied this discretion.

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.

Restrictions and/or exclusions:

2.2.13 Access rights to the seaward margin would be subject to the excepted land rules and the national restrictions on coastal access rights. We do not propose any additional local restrictions or exclusions.

Coastal erosion:

2.2.15 Column 4 of table 2.3.1 proposes that the modified section of trail should be able to roll back in this way, as the previously proposed alignment would have been able to. In relation to the modified route section MSI-MR1-S001FP to MS1-MR1-S004 FP, the route, as initially determined at the time this report is prepared, is to be at the centre of the line shown on map MR1b as the proposed route of the trail.

2.2.16 Under our proposal, if at any time in the future any part of this modified route section needs, in Natural England’s view, to change for this reason 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 to the original report 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.

Establishment of the trail:

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

2.2.18 Our estimate of the capital costs for these works is £4,426. This is an increase of around £826 compared to the original route set out in our report to the Secretary of State on 28th June 2017.

2.2.19 Summary of cost implications:

- Original cost estimate for establishment of submitted route (sections MSI-3-S014 to MSI-3-S021FP) = £3600
- Cost estimate for establishment of proposed modified route = £4246
- Likely increase = £826

2.2.20 These estimates are informed by information already held by the access authority.

2.2.21 There is one main element to the overall capital costs:

- A number of new signs will be needed on the trail, in particular where the modified route is not otherwise obvious on the ground.

2.2.22 If the Secretary of State approves our report, Essex County Council will liaise with the affected landowners and occupiers about relevant aspects of the establishment works. 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:

2.2.23 As for the previously proposed route, ongoing maintenance of the trail would be necessary from time to time. This modification would make no significant change to our overall estimate for the originally submitted route, as set out in our report to the Secretary of State on 28th June 2017.

Part 2.3: Proposals Tables

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

Table 2.3.1 Details for sections that differ from the existing proposal – Map MR1b: Mersea Outdoors to Coopers Beach Holiday Park

Key notes on table:

1. 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.
2. Column 4 – ‘Yes – see table 2.3.2’ 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 in Annex B of the 2017 Overview) 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.

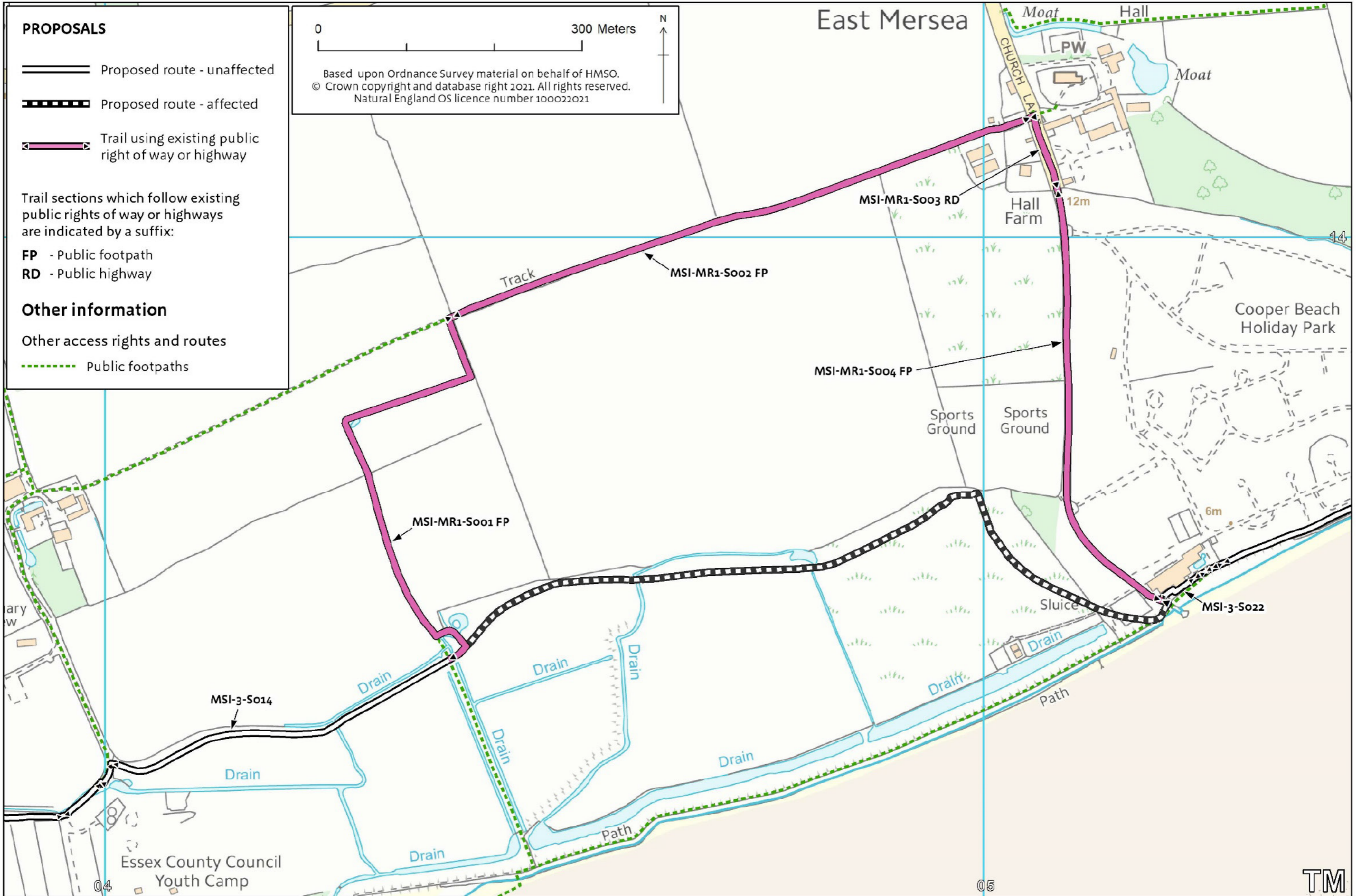
1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See part 8 of 2017 report Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
MR1b	MSI-MR1-S001 FP	Public footpath	Yes - normal	No			
	MSI-MR1-S002 FP	Public footpath	Yes – (see table 2.3.2)	No			
	MSI-MR1-S003 FP	Public Highway	Yes – (see table 2.3.2)	No	Road	Clarity and Cohesion	
	MSI-MR1-S004 FP	Public footpath	Yes – (see table 2.3.2)	No			

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.

Table 2.3.2: Roll-back implementation – more complex situations: Map MR1b Mersea Outdoors to Coopers Beach Holiday Park

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
MR1b	MSI-MR1-S002 FP	Buildings and their curtilage, gardens.	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.
MR1b	MSI-MR1-S003 FP	Buildings and their curtilage, gardens.	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.
MR1b	MSI-MR1-S004 FP	Coopers Beach Slipway	If it is no longer possible to find a viable route seaward of the specified caravan site, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the site 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.

Map MR1b - Mersea Outdoors to Coopers Beach Holiday Park



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Natural England is here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

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