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NATURAL
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Coastal Access Modification Report MR1

Proposed changes to the submitted King Charles III England Coast Path proposals for Isle of Wight 3: Culver Down to Binnel Bay

Location affected: Luccombe

Natural England's Modification Report to the Secretary of State

August 2023



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 18th March 2020, 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 Culver Down to Binnel Bay. The Secretary of State is considering the related objections and 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 minor change is necessary to the route proposed for the England Coast Path on this stretch.

1.4 The change needs to be proposed through a 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 headed MR1 - Overview Map - Location of modification proposals on Isle of Wight coast:

- Luccombe, Isle of Wight

1.5 This changed 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.

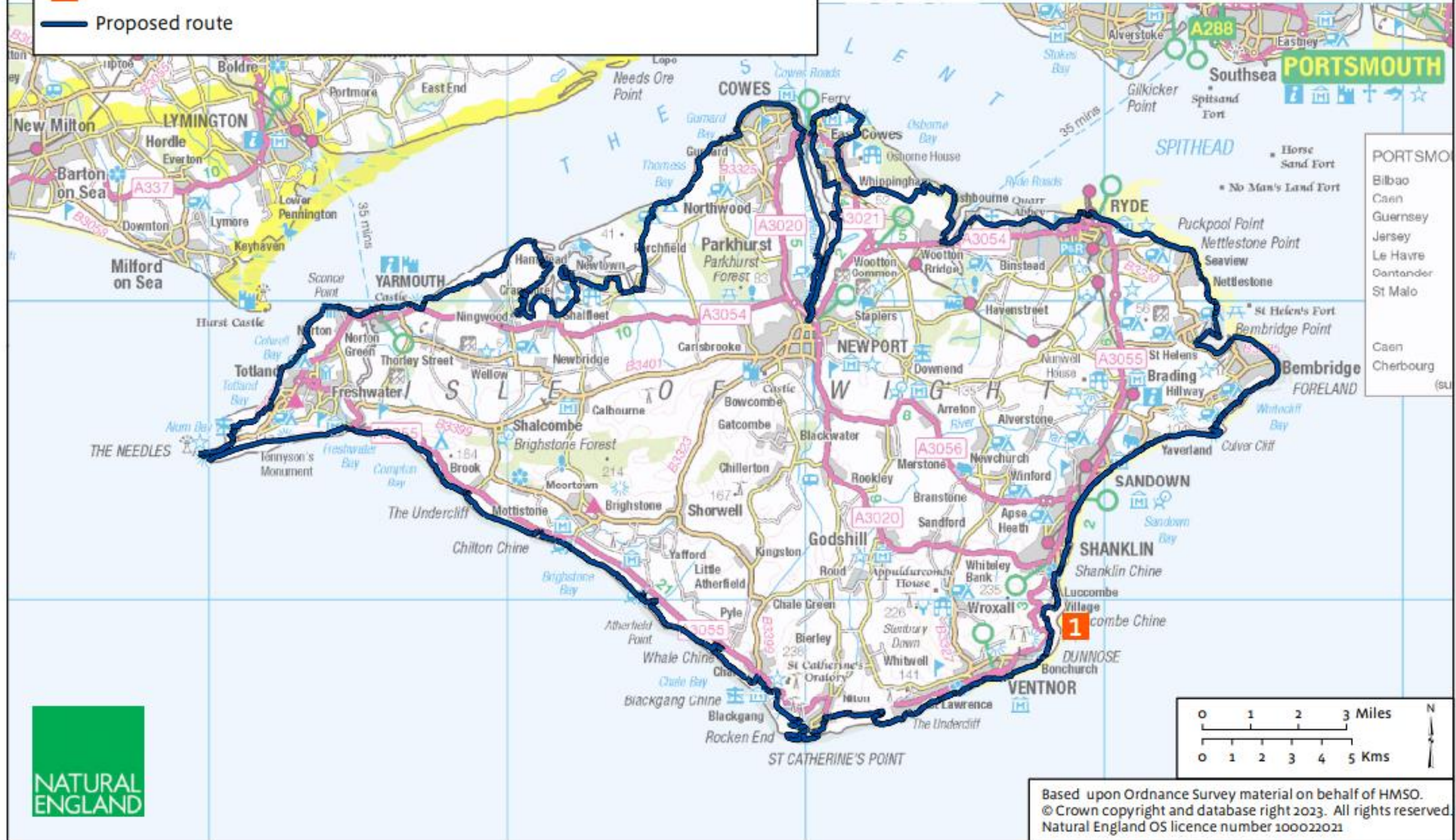
1.6 It is therefore recommended that for determination purposes, Natural England’s original report relating to this length, which can be viewed [here](#), should be read as proposed to be amended by this MR. The original stretch [Overview](#) provides vital context to many of the issues discussed within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

MR1 - Overview map

Location of modification proposals on Isle of Wight coast

1 Luccombe, Shanklin

— Proposed route



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Part A: Proposed modification at Luccombe, Isle of Wight

Start Point: **Grid reference: SZ 58345 79674**

End Point: **Grid reference: SZ 58087 79330**

Relevant Map: **Map MR1**

Section numbers from original proposals no longer being proposed:

IOW-3-S044 to IOW-3-S048

A.1 Introduction

Reason for and consequences of proposed modification:

A.1.1 Our original alignment of the King Charles III England Coast Path (KCIIECP) in this area, as proposed in Natural England's [original report](#), followed the existing public right of way (PROW) and Isle of Wight Coast Path along the top of the cliff at Luccombe Chine.

A.1.2 Following a period of heavy rainfall and dramatic land movement, the route had to be closed. On inspection the route was considered too unstable and works to secure the route for public use would not be sustainable. The Isle of Wight Council have closed the footpath on the grounds of health and safety and reopening possibilities are unlikely due to the extent of the damage and unstable conditions.

A.2 Proposals Narrative

The Trail:

A.2.1 Our proposal (see Map MR1 - Modification 1 - Luccombe) is, from north to south, to re-route the path inland from that shown as IOW-3-S044 to IOW-3-S048 in our original report. The length of the realigned trail will be 884m, compared to the original route proposed of 452m.

A.2.2 The proposed modification to the route:

- Goes around the back of the cliff top woodland slope, through a field which has sea views
- Follows the public footpath along sections IOW-MR1-S003 and IOW-MR1-S008
- Follows 'other existing walked routes' along sections IOW-MR1-S001, IOW-MR1-S002, IOW-MR1-S004 and IOW-MR1-S009 to IOW-MR1-S012
- Follows a newly established trail along sections IOW-MR1-S005 to IOW-MR1-S007 across National Trust land
- Re-joins the original trail at the start of section IOW-3-S049
- Is the only viable option as the cliff slope is steep and too unstable to support a trail, and there are people's homes and gardens seaward that would be impossible to avoid

Protection of the environment:

A.2.3 The modified proposal is aligned along existing public footpaths, other existing walked routes or newly created walked routes.

A.2.4 No internationally or nationally designated sites will be affected by this modification, and therefore there is no need to consider the consequences of it for the HRA of coastal access proposals between Culver Down to Binnel Bay. Natural England is satisfied that the proposed modification is in accordance with relevant environmental protection legislation.

Accessibility:

A.2.5 The proposed trail consists of a path with a mixture of a concrete and grass surface. There are slight gradients to the route that may be challenging for those with reduced mobility. We had considered replacing the two existing kissing gates with pedestrian gates leading into and out of the National Trust field, however, this could present problems in the future for control of grazing livestock. In addition, there are no suitable egress and ingress points for parking for wheelchair users in this area and the nature of the terrain on the sections leading south are steep, narrow and there are steps present.

Where we have proposed exercising statutory discretions:

Landward boundary of the coastal margin:

A.2.6 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 A.3.1 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:

A.2.7 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:

A.2.8 Part 7 of the Overview to the original stretch reports explains that Natural England can propose that the route of the trail should be able to change in the future, without further approval from the Secretary of State, in response to coastal change, and the proposals in this respect are then set out in that report/those reports.

A.2.9 Column 4 of table A.3.1 indicates where roll-back has been proposed in relation to a modified route section. Where this is the case, the route, as initially determined at the time the MR was prepared, is to be at the centre of the line shown on map MR1 as the proposed modified route of the trail.

A.2.10 If at any time in the future any part of a modified 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.

Establishment of the trail:

A.2.11 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.

A.2.12 Our estimate of the capital costs for these works is £5,110. This is a decrease of around £15,580 compared to the original route set out in our report to the Secretary of State on 18th March 2020. This is mainly because there will no longer be a need for the construction of two sets of steps on IOW-3-S047 and a reduction in length of aggregate surfacing.

A.2.13 Summary of cost implications:

- Original cost estimate for establishment of submitted route (sections IOW-3-S044 to IOW-3-S048) = £20,690
- Cost estimate for establishment of proposed modified route = £5,110
- Likely saving = £15,580

A.2.14 These estimates are informed by information already held by the access authority.

A.2.15 There are two main elements to the overall capital costs:

- Aggregate surfacing
- Signage (multi-fingerposts, simple waymarkers and roundels)

A.2.16 If the Secretary of State approves our report, the Isle of Wight Council will liaise with the affected landowners and occupiers about relevant aspects of the establishment works and installation of new signs 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:

A.2.17 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 18th March 2020.

Part A.3: Proposals Tables

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

Table A.3.1: Map MR1 – Modification 1 – Luccombe

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 A.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 in Annex B to 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)	New 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	Reason for landward boundary proposal	Explanatory notes
MR1	IOW-MR1-S001	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track
	IOW-MR1-S002	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track
	IOW-MR1-S003	Public footpath	Yes – see table A.3.3	No	Fence line	Clarity and cohesion	Fence

1	2	3	4	5a	5b	5c	6
Map(s)	New 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	Reason for landward boundary proposal	Explanatory notes
	IOW-MR1-S004	Other existing walked route	Yes – see table A.3.3	No	Landward edge of trail (2m)		
	IOW-MR1-S005	Not an existing walked route	Yes – see table A.3.3	No	Landward edge of trail (2m)		
	IOW-MR1-S006	Not an existing walked route	Yes – see table A.3.3	No	Landward edge of trail (2m)		
	IOW-MR1-S007	Not an existing walked route	Yes – see table A.3.3	No	Landward edge of trail (2m)		
	IOW-MR1-S008	Public footpath	Yes – see table A.3.3	No	Landward edge of trail (2m)		
	IOW-MR1-S009	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track
	IOW-MR1-S010	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track

1	2	3	4	5a	5b	5c	6
Map(s)	New 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	Reason for landward boundary proposal	Explanatory notes
	IOW-MR1-S011	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track
	IOW-MR1-S012	Other existing walked route	Yes – see table A.3.3	No	Road	Clarity and cohesion	Edge of road/track

A.3.2 Other options considered: Map MR1 – Modification 1 – Luccombe

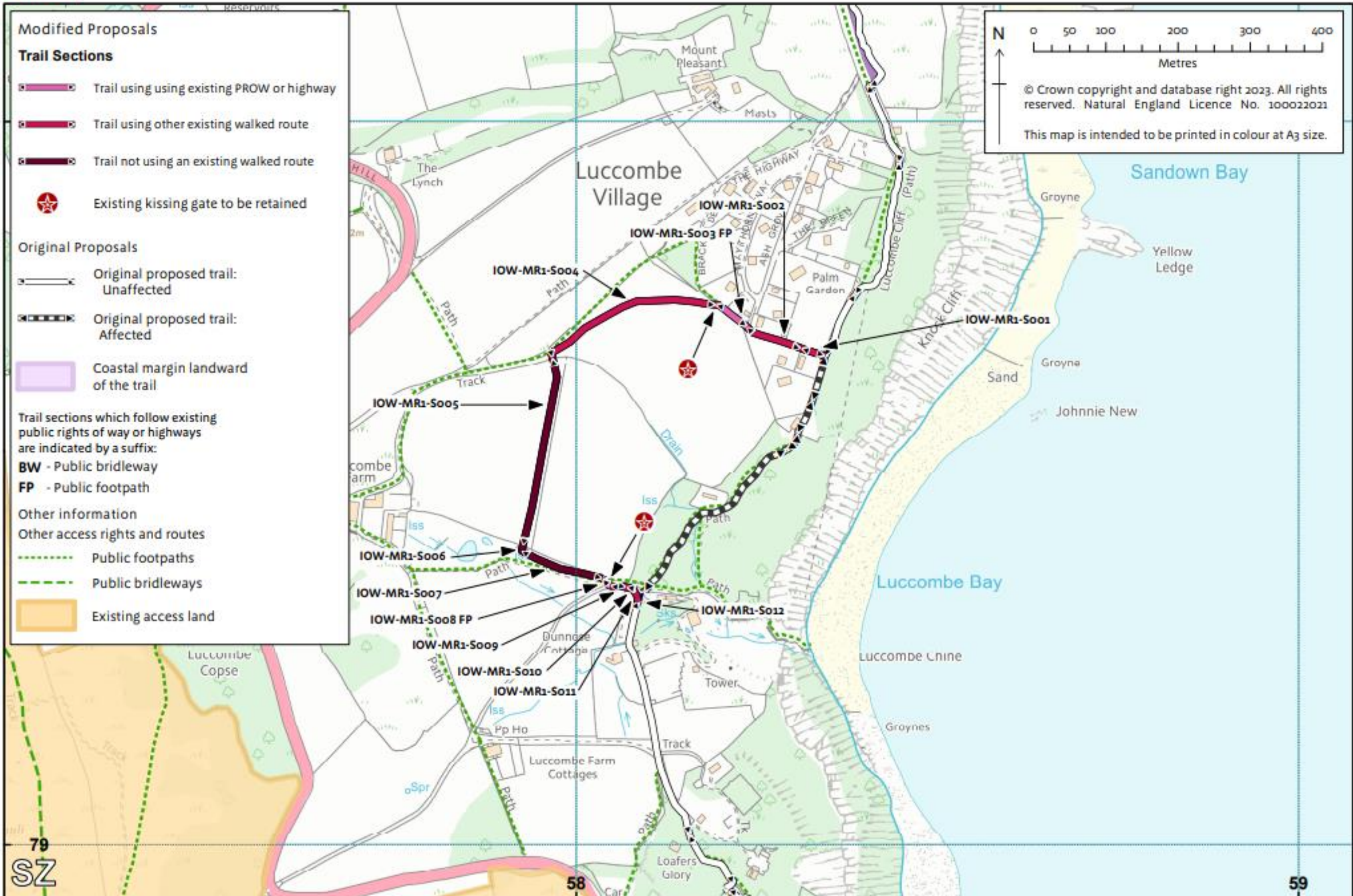
Map(s)	New route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
MR1	IOW-MR1-S003 to IOW-MR1-S007	We considered aligning the trail through the middle of the National Trust field (seaward of the proposed route). Entering at the start of IOW-MR1-S003, following a straight line before exiting at the end of IOW-MR1-S007	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it provides extensive sea views due to the elevation- better amenity value ■ this proposal is made with the support of the landowner ■ it requires less infrastructure works and ongoing maintenance liability. The other route had wet patches in the southern field and would have required creating two gaps in the hedges ■ 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.

A.3.3 Roll-back implementation – more complex situations: Map MR1 - Modification 1 - Luccombe

Map(s)	New route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
MR1	IOW-MR1-S001 and IOW-MR1-S002	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.
	IOW-MR1-S003		
	IOW-MR1-S004		
	IOW-MR1-S005 to IOW-MR1-S007		
	IOW-MR1-S008		
	IOW-MR1-S009 to IOW-MR1-S012		

Map MR1 - Modification 1 - Luccombe



Enquiries should be addressed to:
Coastal Access Delivery Team - South
Natural England
4th floor, Eastleigh House
Upper Market Street
Eastleigh
Hampshire SO50 9YN

Telephone: [0300 060 3900](tel:03000603900)

Email: southcoastalaccess@naturalengland.org.uk



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