

Coastal Access Modification Report GAL-MR3

Proposed changes to the submitted King Charles III England Coast Path proposals for Gretna to Allonby, Cumbria

Location affected: Longcroft/Whitrigg, Kirkbride

Natural England's Modification Report to the Secretary of State

August 2024

Purpose of this report

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.

3. On 25th July 2016, 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 Gretna to Allonby. Whilst parts of the stretch are now approved and open to walkers, the Secretary of State is considering several related objections and representations, before determining the remaining parts of Natural England's report. Public rights of access to parts of this stretch, including the area between Anthorn and Whitrigg, therefore have yet to commence.

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

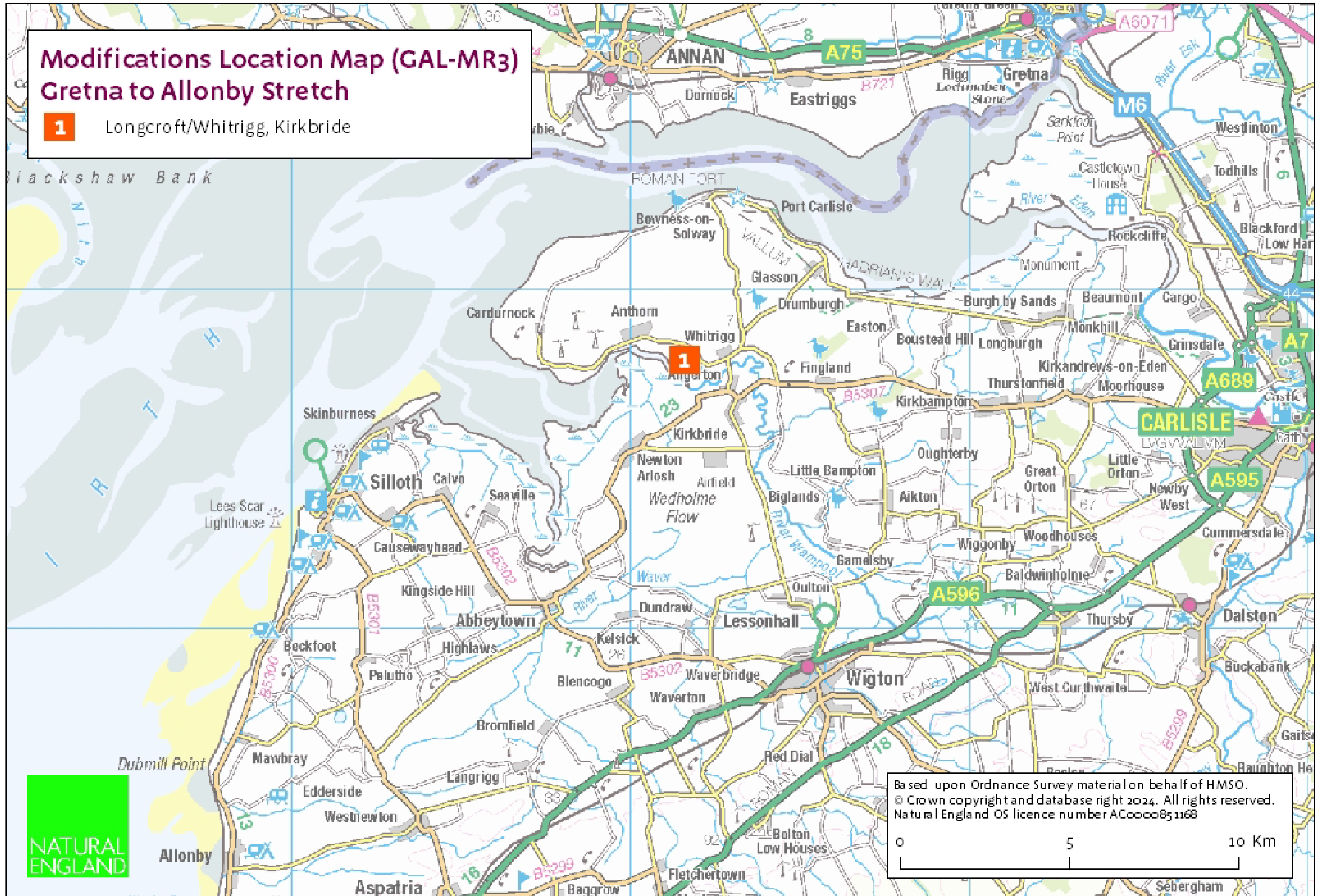
5. Some of these changes can, in Natural England's view, be effected through the Secretary of State's determination of representations and objections that have already been received. However other changes that are now considered necessary cannot be dealt with in this way, and need to be proposed now through a separate Modification Report (MR), so that they can be considered alongside the rest of Natural England's original proposals. The proposed changes at Longcroft and Whitrigg, which are subject of this report, are shown on the Ordnance Survey base map below, headed Modifications Location Map.

6. These changed proposals are set out below and are 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.

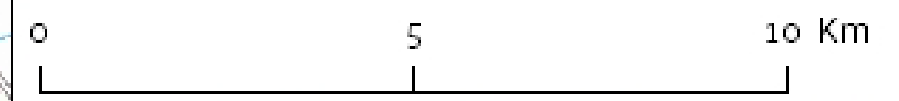
7. It is therefore recommended that for determination purposes, Natural England's original report relating to this stretch, which can be viewed [here](https://www.gov.uk/government/consultations/england-coast-path-from-gretna-to-allonby-comment-on-proposals) [https://www.gov.uk/government/consultations/england-coast-path-from-gretna-to-allonby-comment-on-proposals], should be read as proposed to be amended by this MR. The original stretch [Overview](https://assets.publishing.service.gov.uk/media/5a7f9780e5274a2e8ab4d1c7/gretna-allonby-overview.pdf) [https://assets.publishing.service.gov.uk/media/5a7f9780e5274a2e8ab4d1c7/gretna-allonby-overview.pdf] provides vital context to many of the issues discussed within this MR.

Modifications Location Map (GAL-MR3) Gretna to Allonby Stretch

1 Longcroft/Whitrigg, Kirkbride



Based upon Ordnance Survey material on behalf of HMSO.
© Crown copyright and database right 2024. All rights reserved.
Natural England OS licence number AC0000851168



Part A: Proposed modification at Longcroft and Whitrigg

Start Point:	Grid reference: NY 2115 5796
End Point:	Grid reference: NY 2199 5771
Relevant Map:	GAL-MR3a,3b,3c
Section numbers from original proposals no longer being proposed: GAL-3-S033 to GAL-3-S036, the eastern part of GAL-3-A003	

A.1 Introduction

Reason for and consequences of proposed modification:

A.1.1 Our original alignment of the ECP in this area, as proposed in Natural England's original report, followed a new route across the landward edge of Longcroft Marsh, to join with the public highway at Beckbrow Cottage.

A.1.2 This part of our original proposals was subject of two owner/occupier objections and several representations, which stated that original route was dangerous and would cause disturbance to land management practices. These were considered during a hearing in Wigton, in November 2017. As a result of the Appointed Person's recommendations, we were asked by Defra to consider whether other options for the alignment of the KCECP in this area might be preferable overall. Subsequently, we have identified a different alignment which we believe addresses the concerns raised, as proposed below.

A.2 Proposals Narrative

The Trail:

A.2.1 Our proposal (see map GAL-MR3a) is, from west to east, to re-route the path shown as GAL-3-S033 to S036 inclusive, in our original report. The realigned trail would extend for a length of 1.27 kilometres at a maximum of 565 metres northeast of the original route proposed.

A.2.2 From the eastern end of GAL-3-S032, the revised route would head generally north, initially to the landward boundary of the marsh, before continuing through the margin of an adjacent field to the nearby road. Between the marsh and the road, the revised route would follow the western bank of a small stream, being separated from the adjacent field by a new fence. On reaching the road, the revised route would follow the eastern part of the originally proposed optional alternative route, on the road edge or verge, to re-join the previously proposed route at Beckbrow Cottage.

Protection of the environment:

A.2.3 The sections of trail affected by this modification pass through or close to nationally and internationally designated sites for nature conservation. The following designated sites affect this length of coast:

- Solway Firth Special Protection Area (SPA)
- Solway Firth Special Area of Conservation (SAC)
- Upper Solway Flats & Marshes Ramsar site
- Upper Solway Flats & Marshes Site of Special Scientific Interest (SSSI)

Refer to 'Key Statutory Environmental Designations' maps below – GAL-MR3b

The route subject of the proposed modification is aligned on grazing marsh for approximately 30m within the above designated sites, and then through a field which is adjacent to the designated sites. Areas of saltmarsh and flats will fall within the coastal margin. Access rights to the saltmarsh and flats will be excluded by direction, under s25A of CROW 2000 (as being unsuitable for access).

The saltmarshes around the Solway Estuary are used by roosting non-breeding waterbirds. There are no roost sites recorded in the immediate vicinity of the proposed modification. All of the saltmarshes within the Solway Estuary are used to some degree by breeding bird species, however this area is not one of the key sites for breeding birds within the SSSI.

Dogs off-lead may cause an increase in disturbance to birds using Anthorn and Longcroft marshes. In order to reduce this risk, the following measure is proposed:

□ A direction requiring people to keep their dogs on leads on the route over Anthorn Marsh. This restriction would operate all year.

The proposed modification reduces the length of the trail on saltmarsh by 1 km, compared to the original proposed route. The trail was originally proposed to be aligned along the landward edge of Longcroft Marsh and would now avoid this area. Therefore, the proposed modification reduces the potential for non-breeding and breeding bird disturbance, compared to the originally proposed route.

Long term use of the coastal access rights on saltmarsh habitats could cause a degradation of vegetation. The proposed modification reduces the length of the trail on saltmarsh by 1 km, compared to the original proposed route, therefore reducing the area of saltmarsh at risk of damage, compared to the original proposals.

A.2.4 Natural England is therefore satisfied that modifying its proposals in the way described in this report will not lead to them having an adverse effect on the site integrity of Solway Firth SPA, Solway Firth SAC and Upper Solway Flats & Marshes Ramsar site and is fully compatible with conservation of Upper Solway Flats & Marshes SSS.

Accessibility:

A.2.5 Whilst we would hope to make the trail as accessible as possible, the terrain is likely to limit accessibility to some extent, for those sections not following the road:

- The path surface will be mainly natural.
- The natural features and ground conditions in this area are likely to prove difficult for some walkers with limited mobility; however, overall, we would expect the realigned route to be at least as accessible as the original route, and probably more accessible.

A.2.6 The part of the original route proposals, between Anthorn and Longcroft, might also prove challenging for those with reduced mobility, as it crosses saltmarsh habitat on the edge of the estuary. However, it is possible to bypass these sections altogether, by following the road entirely from Anthorn to Whitrigg Bridge.

Where we have proposed exercising statutory discretions: Landward boundary of the coastal margin:

A.2.7 As a result of our modified proposals, the area of seaward coastal margin would be considerably increased, to include all of the land between the road and the estuary, from Longcroft to Beckbrow Cottage. Where the modified route is not aligned on the open marsh, the landward boundary of the margin would be coincident with the new fence that would be installed alongside the trail, between the marsh and the road. We have not made any proposal to add further land to the landward coastal margin, in relation to the sections covered by this report.

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.2.8 Access rights to the seaward margin would be subject to the excepted land rules and the national restrictions on coastal access rights.

A.2.9 The previously proposed direction to exclude coastal access rights from the coastal margin over Longcroft and Whitrigg marshes would remain; however, the landward extent of the affected area would now be coincident with the boundary at the landward edge of Longcroft Marsh and Whitrigg Marsh.

A.2.10 Access to the saltmarsh and mudflat in the coastal margin seaward of route sections GAL-MR3-S001 to GAL-MR3-S004 (Longcroft Marsh) is to be excluded all-year round by direction under section 25A of the Countryside and Rights of Way Act (2000) as this area is unsuitable for public access. These exclusions do not affect the route itself and will have no legal effect on land where coastal access rights do not apply. See Direction Map GAL-MR3c.

A.2.11 Access to the saltmarsh and mudflat in the coastal margin seaward of the eastern part of route section GAL-MR3-S004 is to be excluded all-year round by direction under section 26(3)(a) of the Countryside and Rights of Way Act (2000), in order to prevent disturbance to birds. These exclusions do not affect the route itself and will have no legal effect on land where coastal access rights do not apply. See Direction Map GAL-MR3c.

Alternative routes:

A.2.12 The proposed change to the main route, covered by this report, does not remove the requirement for the optional alternative route which forms part of our original proposals. However, that optional alternative route would be shortened if this modification is approved, as the main trail would then, in part, follow what was previously proposed as optional alternative route between Anthorn and Beckbrow Cottage.

Coastal erosion:

A.2.13 Part 7 of the Overview to the original stretch report 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.2.14 Column 4 of table 2.3.1 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 GAL-MR3a as the proposed modified route of the trail.

A.2.15 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.

On sections for which roll-back is not proposed in table A.3.1, the modified route is to be at the centre of the line shown on map GAL-MR3a as the proposed route of the trail.

Establishment of the trail:

A.2.16 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.2.17 Our estimate of the capital costs for these works is £12,985. This is a decrease of around £7,385 compared to the original route set out in our report to the Secretary of State in July 2016. The main reason for this decrease in estimated cost is that a number of bridges, originally specified to cross various drains and streams over the marsh, will no longer be required.

A.2.18 Summary of cost implications:

- Original cost estimate for establishment of submitted route (sections GAL-3-S033 to S03) = £20,370.
- Cost estimate for establishment of proposed modified route = £12,985.
- Likely saving = £7,385.

A.2.19 These estimates are informed by information supplied by the access authority.

A.2.20 There are four main elements to the overall capital costs:

- Scrub clearance and path creation for an entirely new path;
- Installation of new kissing gates and modification to an existing gateway;
- Installation of new fencing alongside the route; and
- Installation of a number of directional and advisory signs.

A.2.21 If the Secretary of State approves our report, Cumberland Council will liaise with the affected land owners 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.2.22 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 25th July 2016.

Part A.3: Proposals Tables

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

Table A.3.1: Map GAL-MR3a – Anthorn Marsh to Beckbrow Cottage

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
GAL-MR3a	GAL-MR3-S001	Not an existing walked route	Yes – see table A.3.3	No	Fence	Clarity and cohesion	
GAL-MR3a	GAL-MR3-S002	Not an existing walked route	Yes – see table A.3.3	No	Fence	Clarity and cohesion	
GAL-MR3a	GAL-MR3-S003	Not an existing walked route	Yes – see table A.3.3	No	Fence	Clarity and cohesion	
GAL-MR3a	GAL-MR3-S004	Public road	No	No			

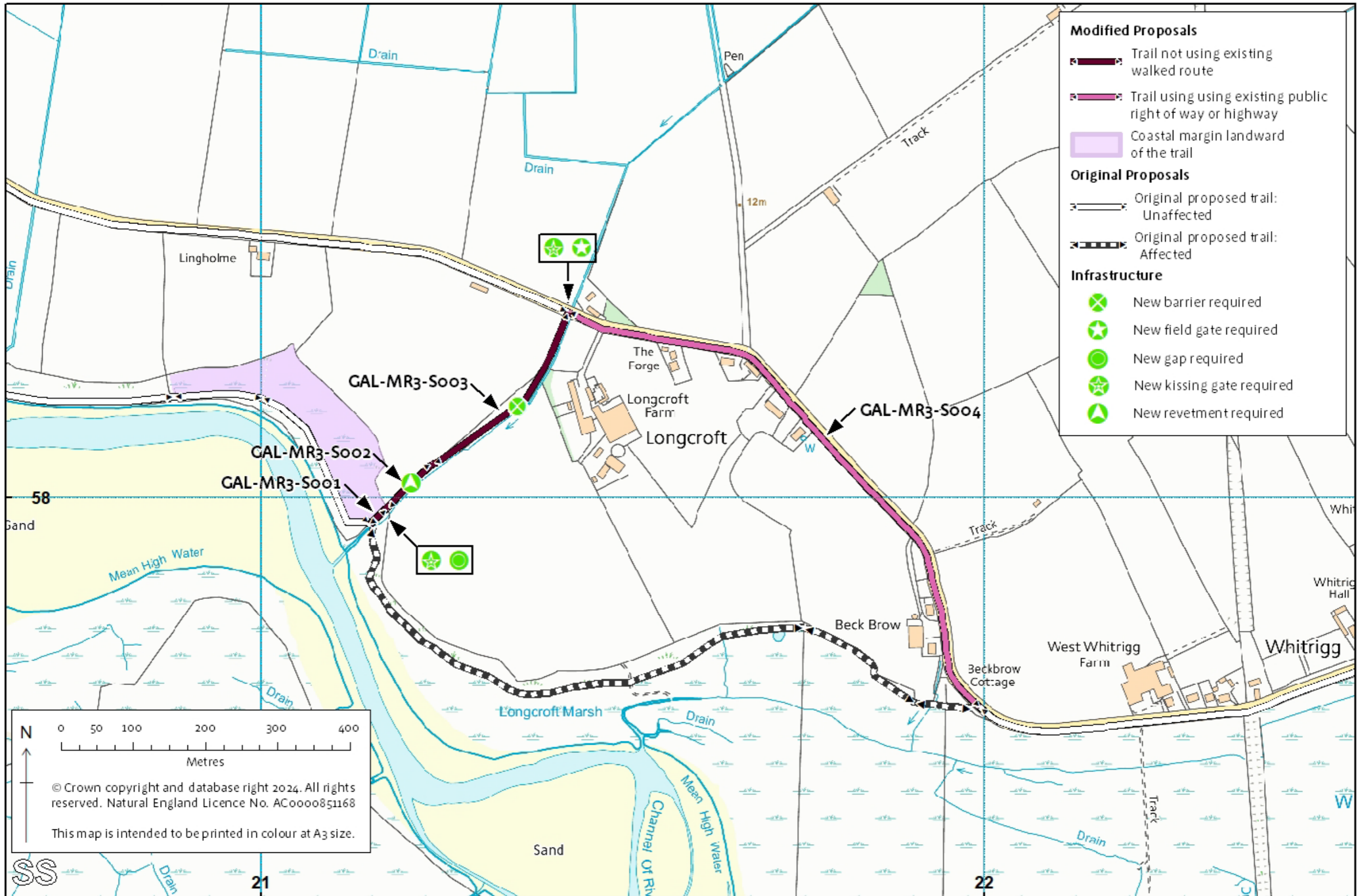
A.3.2 Other options considered: Map GAL-MR3a - Anthorn Marsh to Beckbrow Cottage

Map(s)	New route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
GAL-MR3a	GAL-MR3-S001 to S003	We considered aligning the trail alongside other field boundaries, between Anthorn Marsh and the nearby road.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it follows the estuary side for the maximum distance possible, providing excellent views; and <p>it minimises the extent of the trail on the road-side.</p> <p>We therefore concluded that, overall, the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.</p>
GAL-MR3a	GAL-MR3-S001 to S003	We considered aligning the trail entirely on the road/roadside verge, between Anthorn and Beckbrow cottage.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ it follows the estuary side for the maximum distance possible, providing excellent views; ■ it minimises the extent of the trail on the road-side; and ■ any alignment entirely on the road would have extended the default coastal margin over a greater area of land than is necessary. <p>We therefore concluded that, overall, the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.</p>

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: Maps GAL-MR3a & 3b - Anthorn Marsh to Beckbrow Cottage

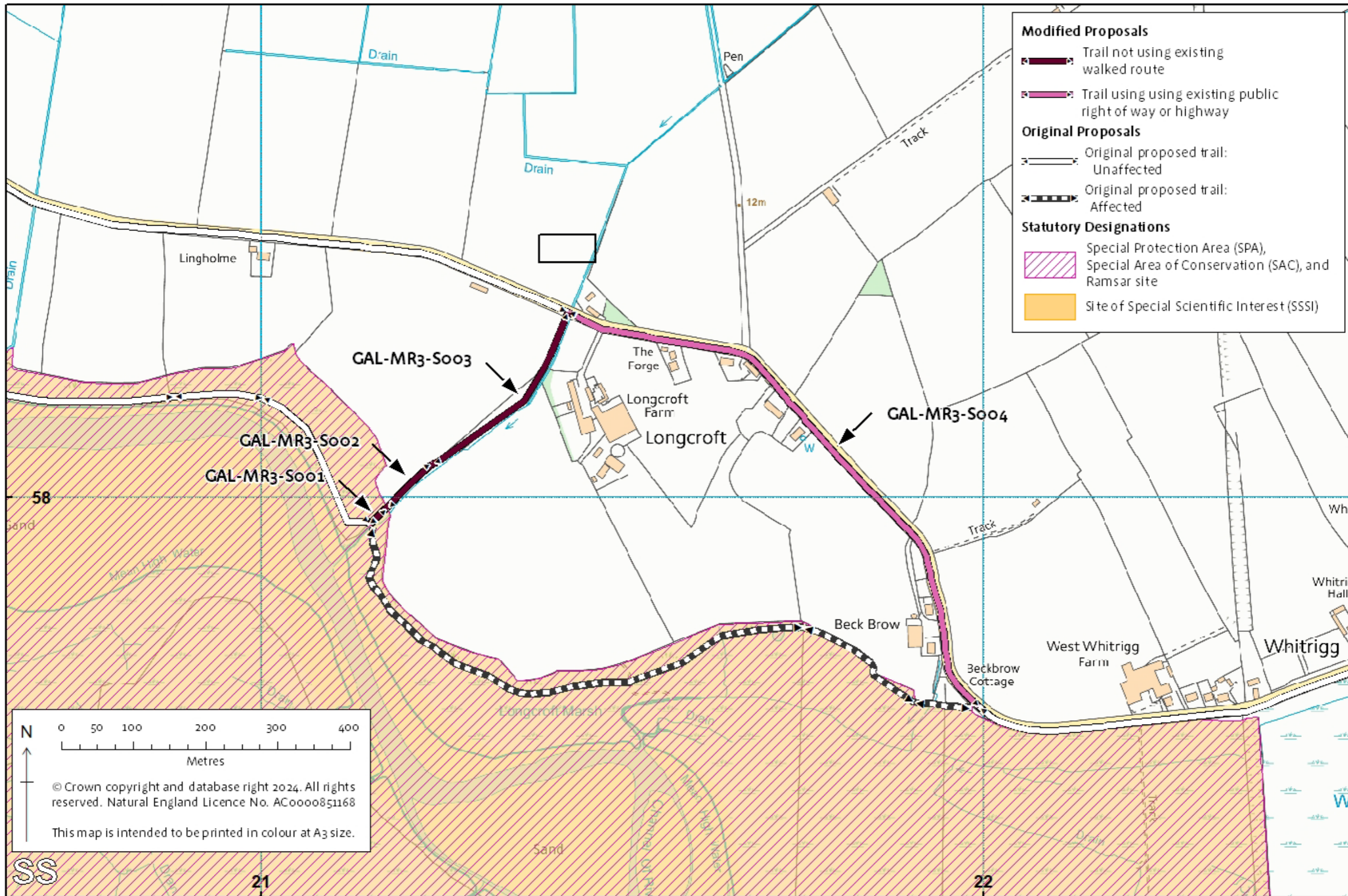
Map(s)	New route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
GAL-MR3a & 3b	GAL-MR3-S001 to S003	Solway Firth SPA/ SAC, Upper Solway Flats and Marshes Ramsar site, and associated SSSIs.	<p>If it is no longer possible to find a viable route seaward of the designated sites, or where the existing route already passing 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) pass through the site, if appropriate or (b) if necessary, be routed landward 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. Our published Access and Sensitive Features Appraisal/Habitats Regulations Assessment will also be reviewed as part of this process.</p>



Map GAL-MR3a Longcroft/Whitrigg, Kirkbride



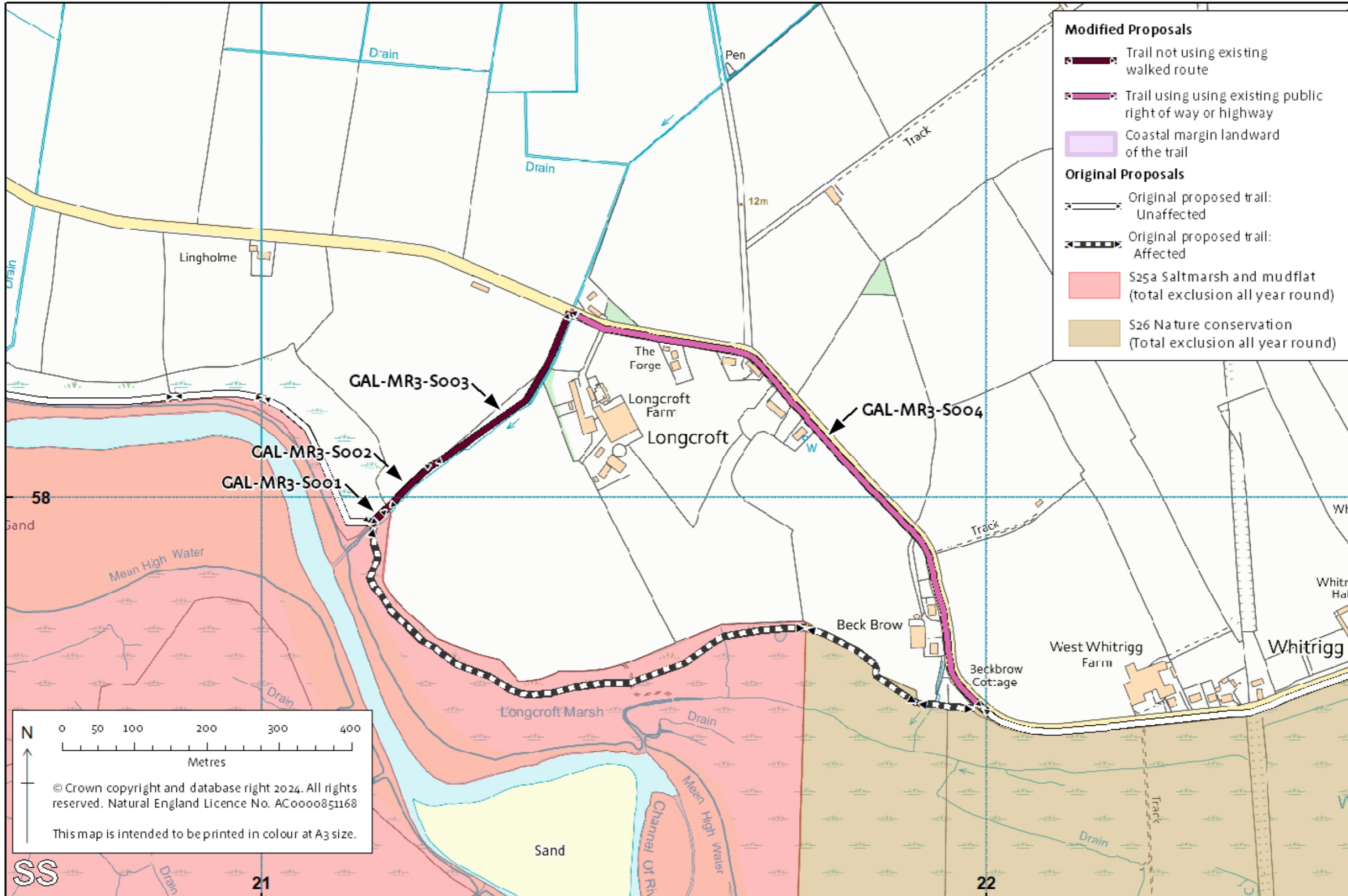
Map GAL-MR3b Longcroft/Whitrigg, Kirkbride - Key Statutory Environmental Designations



Map GAL-MR3b Longcroft/Whitrigg, Kirkbride - Key Statutory Environmental Designations



Coastal Access - Gretna to Allonby - Natural England's Proposed Modification to Proposed Route
Map GAL-MR3c Longcroft/Whitrigg, Kirkbride - Restrictions and Exclusions



Map GAL-MR3c Longcroft/Whitrigg, Kirkbride - Restrictions and Exclusions

Enquiries should be addressed to:

Coastal Access Delivery Team – Northwest

Natural England

County Hall

Spetchley Road

Worcester WR5 2NP

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

Email: northwest.coastalaccess@naturalengland.org.uk



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.

ISBN: 978-1-78367-406-0

Catalogue Code: NE818

Natural England publications are available as accessible pdfs from www.gov.uk/natural-england. Should an alternative format of this publication be required, please contact our enquiries line for more information: 0300 060 0797 or email enquiries@naturalengland.org.uk

This publication is published by Natural England under the Open Government Licence v3.0 for public sector information. You are encouraged to use, and reuse, information subject to certain conditions. For details of the licence visit www.nationalarchives.gov.uk/doc/open-government-licence/version/3

Please note: Natural England photographs are only available for non-commercial purposes. For information regarding the use of maps or data visit www.gov.uk/how-to-access-natural-englands-maps-and-data.

© Natural England 2024