

## Annex D

# Coastal Access – Isle of Wight – Wootton Bridge to the Medina



## Representations on IOW 3: Culver Down to Binnel Bay and Natural England's comments

November 2021

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### 1. Introduction

This document details representations we have received on the stated coastal access report. These fall into two categories:

- Representations received from persons or bodies that must be sent in full to the Secretary of State ('full' representations, reproduced below); and
- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State ('other' representations, summarised below).

It also sets out any comments that Natural England choose to make in response to these representations.

## 2. Background

Natural England's compendium of reports setting out its proposals for improved access to the coast from Wootton Bridge to the Medina was submitted to the Secretary of State on 18 March 2020. This began an eight week period during which representations and objections about each constituent report could be made. Due to disruptions caused by COVID-19, the eight week consultation period was extended to twelve weeks and ended on 9<sup>th</sup> June 2020.

In relation to the report for Culver Down to Binnel Bay, Natural England received 10 representations, of which six (6) were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These 'full' representations are reproduced in Section 3 of this document together with Natural England's comments where relevant.

As required by the legislation this document also summarises and, where relevant, comments on the four (4) representations submitted by other individuals or organisations, referred to here as 'other' representations.

Before making a determination in respect of a coastal access report, the Secretary of State must consider all 'full' representations and our summary of 'other' representations, together with Natural England's comments on each.

## 3. Record of 'full' representations and Natural England's comments on them

<b>Representation number:</b>	MCA/IOW3/R/1/IOW3889
<b>Organisation/ person making representation:</b>	The Ramblers, [redacted]
<b>Route section(s) specific to this representation:</b>	Report IOW3
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
The proposed route follows well established paths and the revetment. Our Support Document shows a representation table and we are supportive of the route proposed in 3.1 to 3.9 and 3.11 to 3.16.	
At 3.10, the route bypasses National Trust land at Knock Cliff Haddon's Pit access land. There is an opportunity to provide a route closer to the sea at this location.	
<b>Natural England's comments</b>	

Support for the route

We welcome the positive engagement from The Ramblers during the development of our proposals and its supportive comments made in the supporting document (see annex 1).

Route alignment

*Point 3.3 of support document*

We acknowledge that there is an area of green space on the landward side of the carpark at IOW-3-S020 and that this green space may be attractive for walkers to use. However, we have chosen the proposed route in this location as it follows the existing public right of way along the promenade which skirts the edge of the car park. The proposed route is also closer to the sea, provides better sea views and is more convenient (para 4.1 and 4.3 of the coastal access scheme) than the green space cited by the Ramblers. The route identified by the Ramblers would require crossing past a sailing club entrance (annex 2). This would pose more of a danger and inconvenience to walkers due to the incoming and outgoing traffic by boats and cars at the sailing club. It may also prove troublesome to members accessing the sailing club.

*Point 3.7 of support document*

We acknowledge that the clifftop route at Shanklin Chine (IOW-3-S029 and IOW-3-S036) is preferred by the Ramblers and forms part of the existing Isle of Wight Coast Path. We have chosen the proposed route along the promenade as it provides a more even surface in comparison to the undulating cliff walk, which will be easier for wheelchair users and those with restricted mobility to use. Additionally, our proposed route along the promenade is situated closer to amenities such as car parks and is closer to the sea, allowing for more convenient direct access to the beach (para 4.1 and 4.3 coastal access scheme). As mentioned by the Ramblers, the cliff top route is still available, as a public footpath, for the public to use if they prefer.

*Point 3.9 of support document*

On IOW-3-S041 we are replacing both the northern and southern stiles with kissing gates as depicted in Map IOW 3f (annex 3).

*Point 3.10 of support document*

We have reviewed our proposed route (IOW-3-S042) as part of this representation and the representation and objection received from the Isle of Wight Council. In light of safety concerns and infrastructure engineering and cost concerns raised by Island Roads (the Highways Authority) and the Isle of Wight Council, we are proposing to modify the route to use the permissive path through Haddon's Pit. This land is owned by the National Trust and we have their agreement to this new proposal. Please refer to our suggested modification in our comments on the representation MCA/IOW3/R/3/IOW0145.

In relation to the Ramblers comments about the need for path improvements at IOW-3-S063, we are proposing to improve the route here by removing the existing metal posts and topping up the path with new aggregate in order to make the route more accessible for England Coast Path users.

**Relevant appended documents (see section 5):**

- Annex 1: Ramblers Supporting Document IOW3
- Annex 2: Map of route section IOW-3-S020
- Annex 3: Report Map IOW 3f

**Representation number:**

MCA/IOW3/R/2/IOW0145

<b>Organisation/ person making representation:</b>	Isle of Wight Council, [redacted]
<b>Route section(s) specific to this representation:</b>	IOW-3-S001 to S003, IOW-3-S041, IOW-3-S069, IOW-3-S104, 105 and 106, IOW-3-S124 to S131
<b>Other reports within stretch to which this representation also relates:</b>	N/A
<b>Representation in full</b>	
<p><b>Context/Introduction:</b> The purpose of the following representations is for the Isle of Wight Council (Council) to highlight any existing problems with the proposed route and to confirm Council support for particular sections:</p> <p><b>3.1 Map IOW 3A: IOW-3-S001 to S003 (Culver Down):</b> The Council fully supports this route which broadly follows the cliff edge at a safe distance which will provide incredible sea views and will be new access in so far as a walked trail is concerned.</p> <p><b>3.2 Map IOW 3F: IOW-3-S041 (Field route adjacent Luccombe Road):</b> The Council fully supports this route which removes a stretch of walking in a road without pavements (which was assessed as being a moderate risk to pedestrians and requiring works to ensure the route is safe) by following an off road route in a field, thus avoiding risk and providing a safe, convenient and enjoyable route for the public.</p> <p><b>3.3 Map IOW 3G: IOW-3-S069 (Monks Bay):</b> The Council fully supports the introduction of this short section of path which enables the route to follow the periphery of the coast and remove the requirement for a short inland detour (which is necessary on the current promoted coastal path route).</p> <p><b>3.4 Map IOW 3I: IOW-3-S104, 105 and 106 (east of Steephill Cove):</b> The Council fully supports the formalisation of this stretch of revetment for public use as the England Coast Path. It is vital in order to follow the periphery of the coast and to provide sea views. It is also safe and convenient.</p> <p><b>3.5 Map IOW 3I and J: IOW-3-S124 to S131 (Orchard Bay to Woody Point):</b> Natural England requested assistance from the Council in assessing the likely implementation cost of the England Coast Path. The Council surveyed and provided a full assessment. This stretch was assessed as requiring extensive scrub clearance to create sufficient width to enable safe and convenient walking. Further, many sections are assessed as being very close to the cliff edge and in order to be National Trail standard compliant there is a need to move the path inland in a number of sections together with associated fencing for livestock. This work has been assessed by Natural England as not being necessary. The Council requests this is reconsidered on the grounds that the England Coast Path will need to be to National Trail standard. The Council has provided two options:</p> <ol style="list-style-type: none"> <li>1. Clearing of scrub (572m) along existing walked route and fencing (210m) in specific locations: £14,500 (estimated).</li> <li>2. Erecting fencing inland for longer stretches (700m in total (approx.)) between S124 to S131 (no scrub clearance): £8,000 (estimated).</li> </ol>	

In order to provide longevity and to avoid scrub disturbance the Council recommends that option 2 is agreed by Natural England.

**Natural England's comments**

Natural England welcomes the positive engagement from the Council during the development of our proposals and the supportive comments.

**3.5 Map IOW 3I and J: IOW-3-S124 to S131 (Orchard Bay to Woody Point):**

This part of the representation has now been withdrawn after confirmation from Natural England that all reasonable works to bring the path up to standard will be funded at time of implementation. Please see the appended email in section 5 (annex 4) from the IOW Council confirming this.

Our proposals remain unchanged, however, should the path erode then Natural England can implement roll-back.

**Relevant appended documents (see section 5):**

Annex 4: Email from Isle of Wight Council regarding confirmation of representation withdrawal for 3.5

<b>Representation number:</b>	MCA/IOW3/R/3/IOW0145
<b>Organisation/ person making representation:</b>	Isle of Wight Council, [redacted]
<b>Route section(s) specific to this representation:</b>	IOW-3-S042 and land to the east thereof
<b>Other reports within stretch to which this representation also relates:</b>	N/A

**Representation in full**

**Objection to route along Luccombe Road and suggested alternative:**

Route section IOW-3-S042 is along a road where walking in the actual carriageway is necessary due to there being no footway/pavement and no walkable verge.

Section 4.1.1 of the Coastal Access Natural England's Approved Scheme, 2013 (NE446) (Approved Scheme) states that Natural England is required by section 297(2) of the Marine and Coastal Access Act 2009 to have regard to the safety and convenience of those using the route and the desirability of it adhering to the periphery of the coast and providing views of the sea.

Section 4.7.1 of the Approved Scheme provides that where there is an existing national trail along the coast - **or another clear walked line along the coast, whatever its status**, Natural England will normally propose or adopt it as the line for the England Coast Path so long as it is safe and practicable for public use, it can be used at all times, and the alignment makes sense....The council considers that Natural England has failed to comply with the above requirements for the following reasons:

- Any walking in a carriageway is unsafe and inconvenient no matter how low the risk.
- Walking along the road in this location does not guarantee views of the sea as this is wholly reliant upon the landowner keeping hedges cut to a low height, which of course they are under no obligation to do. At most times the hedges are high and this, coupled with a relatively narrow road, creates a tarmac corridor to walk along (see photograph 3.2 (1) attached).
- Natural England have already identified a risk and the need to avoid walking in this road due to aligning the path in a field immediately to the north (route section IOW-3-S041).
- A field is available to the east of the road which is perfectly acceptable for use as the England Coast Path. It is difficult to understand why a route through this field has not been proposed by Natural England as the England Coast Path alignment. That land is already open to the public on a permissive basis, a path already exists with signposted entrance/exit points and stiles. This path complies with the provisions in section 4.7.1 of the Approved Scheme. It also provides unimpeded and fantastic views of Sandown Bay and Culver Cliff (see photograph 3.2 (4) attached. Such views will be completely missed if the proposed road route is adopted which would be a travesty and in breach of the main aims of the Coastal Access scheme i.e. the primary purpose of the scheme is to enable people to enjoy the coast of England by adhering to the periphery of the coast and to offer views of the sea from “**the trail**” – Approved Scheme 4.5.1 and 4.6.1.

The attached map 3.2 and photographs 3.2 (1) to (4) have previously been submitted to Natural England for consideration. The map outlines the Council’s proposed alternative route for this section through the field which is in compliance with the Approved Scheme for the following reasons:

- It will remove all risk from walking along a road.
- It will be safe, convenient and an enjoyable experience without the public having to be wary of traffic or having to move out of the way of traffic.
- It will not affect the extent of spreading room available to the public in any meaningful way.

The Council objects to the route of the trail as proposed by Natural England and requests that the Council’s suggested alternative route or another “off road” route is utilised as the England Coast Path trail.

Finally, this section was assessed in the Island Roads Highway Risk Assessment, February 2020 as there being a moderate risk to pedestrians and minor works required to ensure the route is safe. The recommended works involve the provision of carriageway step off areas on a firm and level verge to allow pedestrians to safely step off the carriageway out of the path of approaching vehicles. To date the Isle of Wight Council (“the Council”) is unaware that Natural England has taken any steps to further assess the situation in terms of where such step off areas be located, the cost of establishment/future maintenance and whether such areas are within highway verge (and for which the consent of the Highway Authority will be required) or whether private land will need to be utilised. This will need to be addressed by Natural England if the inland road route becomes the England Coast Path.

#### **Natural England’s comments**

After further discussions with the Council, and Island Roads completing an additional highways assessment (annex 6), Natural England has agreed a new route with the relevant landowner at this location (annex 7). This is as a result of discussions with the Isle of Wight Council and the Highways Authority subsequent to the publication of the report, which made it clear that the modified route option would be easier to maintain in the future and is also safer, closer to the coast and provides better views of the sea (annex 8). We originally proposed the published route as the modified route does double-back on itself and the local

residents confirmed that they would continue using the road as it is more convenient. However, on balance we believe that the modified route best fits the criteria set out in the Coastal Access Scheme. The details of the newly affected landowner, the National Trust, will be passed on to the Appointed Person prior to a Site Visit in case they would like to invite the National Trust to the discussion when determining the objection for this site (Objection ID: MCA/IOW3/O/2/IOW0145 made by the Isle of Wight Council, [redacted]).

We ask the Secretary of State to approve the amended route as set out on the map included in annex 9. Accompanying this map, we have also included a revised entry for table 3.3.1.

**Relevant appended documents (see section 5):**

Annex 5: Supporting map and photographs supplied by the Isle of Wight Council

- Map 3.2 outlining proposed alternative route and
- Photographs 3.2 (1) to (4)

Annex 6: Coastal Path Route Risk Assessments (for Luccombe Road), November 2020 update

Annex 7: Email correspondence with National Trust agreeing to route

Annex 8: Email correspondence with the Isle of Wight Council regarding verge improvement works

Annex 9: Map of new route at Luccombe and revised attribute table 3.3.1

<b>Representation number:</b>	MCA/IOW Stretch/R/1/IOW3910
<b>Organisation/ person making representation:</b>	[redacted] on behalf of Bird Aware Solent  The Solent Recreation Mitigation Partnership, a partnership comprising of the fifteen Solent local authorities (some of whom are themselves in the “full” category as Access Authorities), Natural England, the Royal Society for the Protection of Birds, the Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The Partnership for South Hampshire provide political governance for the Solent Recreation Mitigation Partnership. This response is submitted with their support and backing, as such we are treating it as a “full” representation.
<b>Route section(s) specific to this representation:</b>	Whole Stretch
<b>Other reports within stretch to which this representation also relates:</b>	All reports
<b>Representation in full</b>	

As representatives of the SRMP partnership, we welcome the concept of the England Coast Path as something of value to local people and residents, but we have some real concerns that we would like addressing.

We recognise and thank you for your timely and inclusive approach to engaging with us during the development of a route for the ECP. As you are aware those parts of the Solent being identified as a potential route for the ECP are covered also by our mitigation programme, identified in our Strategy which was formally adopted by PUSH in December 2017 and replaces the interim Strategy we had been operating under since 2014.

We acknowledge the ECP team have consulted with us and hope that the ECP team have benefitted from SRMP partners' local knowledge and ecological expertise. We understand that this input has formed part of the evidence to define a route which does not lead to additional impacts on the Solent's SPA birds and their habitats. We appreciate that the proposed ECP route will need to satisfy the Habitats Regulations and that avoidance and mitigation may be required for the chosen route. This is in the same way that SRMP is a response to allowing development to proceed in satisfaction of those same regulations.

There are two specific areas of concern that have been expressed by partners that could potentially create conflict between the objectives of the two initiatives, outlined below.

#### **Increased Visitor Numbers**

Partners have expressed concerns that the ECP will lead to a rise in the number of visitors to sensitive parts of the coast. This will cause increased disturbance to the overwintering birds that journey to our SPAs, many of which are red and amber listed.

Whilst the SRMP is employing a range of measures to mitigate against disturbance from increasing housing numbers, it does not have the resources to deal with any further elevation in visitor numbers as a result of the ECP. Therefore there is a real concern of a conflict between these two initiatives. Any rise in visitor numbers as a result of ECP use has the potential to diminish the effectiveness of the SRMP measures. ECP will need to ensure that it provides its own mitigation package to protect against the impact of increased visitor numbers it will create.

#### **Mapping of Spreading Zone**

It is understood that in some areas of the ECP the spreading zone will be excepted for reasons of safety or nature conservation. Concern is raised about Ordnance Survey's plans for depicting the 'spreading zone' as a magenta wash and not making any exceptions for excepted areas.

As such, to an ECP user carrying an Ordnance Survey map it will appear that they are free/encouraged to walk on intertidal areas. In large parts of the SRMP area, these can be extremely large, support fragile habitats and be a huge food resource for birds and other species. Increased footfall through these areas would cause great damage to these fragile habitats and enormous disturbance to vulnerable wintering bird populations.

Whilst it is understood that exceptions to the spreading zone will be sign posted on the ground and listed on NE's website, enforcement of these would seem to fall to the landowner/occupier. If it is not possible to depict the spreading zone for the ECP accurately on Ordnance Survey maps, we would urge NE to reconsider its inclusion on the map entirely.



We are therefore seeking assurance from you about these two concerns in particular, rather than the more general issues you are already aware of and will be incorporating into the Access & Sensitive Features Appraisal.

## **Natural England's comments**

### **Increased visitor numbers**

We understand the disturbance pressure affecting the Solent SPAs as a result of increasing demand for places to recreate from a growing population. Improving provision for walking, and particularly high quality, well maintained and promoted routes is one of a number of positive ways of managing demand.

Natural England maintains that over the course of developing our proposals for England Coast Path on the Isle of Wight we have thought carefully about possible impacts on the European sites and their associated designated features that could be affected. We have taken an iterative approach to developing and refining our access proposals, including thorough discussion with the SRMP and other organisations with relevant local knowledge, and are satisfied that sufficient measures are included to mitigate the risks. After careful consideration, we believe that the proposals we have made will not be likely to have a significant effect on a European sites that gives rise to the real risk of an adverse effect on its overall integrity. In reaching this conclusion, we have taken account of the relevant conservation objectives for the European sites involved and their ecological characteristics.

Our programme to establish the England Coast Path is complementary to the Partnership's strategy; it seeks to enable responsible access to the Solent coast and inform visitors about the ecological sensitivities. Through meetings and a series of workshops we have developed our proposals in close liaison with Bird Aware Solent and have fully considered the Bird Aware Solent evidence base and both the interim and definitive mitigation strategy. A key feature of the Bird Aware Solent strategy is the provision of coastal rangers to educate and inform coastal visitors about the wintering bird sensitivities and how to enjoy the site, whilst avoiding disturbing the feeding and roosting birds. Our proposals for the alignment and detailed design of the Coast Path complement the work of the rangers. The definitive strategy aims to widen the range of mitigation from the interim strategy through providing on-the-ground access management projects specific to each site, including measures such as interpretation panels. Although a definitive list of these projects has yet to be finalised, Bird Aware Solent and Natural England colleagues have liaised to identify the likely projects that would be effective to reduce recreational disturbance in the Solent based on evidence.

Representatives of the ECP team have provided updates on the proposals to Bird Aware Solent meetings. These sessions have generated useful feedback which we have used in developing our proposals.

### **Mapping of Spreading Zone**

How coastal margin is to be mapped on the OS maps does not form part of our proposals.

The decision as to how to depict on OS 1:25,000 maps the England Coast Path and the 'coastal margin' created on approved stretches by the Access to the Countryside (Coastal Margin) (England) Order 2010 resulted from detailed discussions with the Coastal Access National Stakeholder Group. This group, representing a balance of interests including user, conservation and land manager representative organisations, considered it imperative that the route of the England Coast Path and the coastal margin should both be depicted. This

decision reflected the importance afforded by the stakeholder group to acknowledge the statutory duty to establish both a 'long distance walking route' around the coast of England and to identify a margin of land within which the public will also have access, subject to what follows.

Coastal margin will generally have, as a large component, land which is subject to coastal access rights but in some areas contains much land which is not subject to these rights. This may be because either it is excepted land, as set out in Schedule 1 of CROW, or because it is subject to statutory restriction.

It follows that, in contrast to the position with CROW 'open access land', the depiction of coastal margin on OS maps is not a depiction of 'access land' per se, but a depiction of the status of the land, rather as national park boundaries are depicted on the maps. This distinction was central to the decision to depict coastal margin uniquely on OS maps.

It was felt that because the existing open access 'yellow wash' is well-known by users and often perceived to mean that all areas within it are accessible, a different coloured wash and boundary to depict the coastal margin should be used in order to clearly reflect the different nature of this new designation. In deciding this, the stakeholder group concluded that to show the coastal margin boundary only would not achieve the desired effect. Also, where coastal access rights have superseded existing open access rights on the coast, showing the boundary only would mean removing the existing yellow access land wash in order to avoid confusion – but this might create the undesirable impression of a *loss* of public access rights. Because of OS operational needs, the colour chosen for depicting the coastal margin was magenta, (a 10% magenta wash) bounded on its landward edge by distinctive magenta semi-circles.

It was decided that the England Coast Path itself would be depicted by a green diamond (lozenge) symbol placed along the route and named England Coast Path with the National Trail acorn symbol placed alongside the name. Alternative routes will be shown by hollow version of the green diamond (lozenge) symbol.

The depiction of coastal margin on OS digital and paper products with a magenta wash comes with a clear, concise explanation in the key: "All land within the 'coastal margin' (where it already exists) is associated with the England Coast Path and is by default access land, but in some areas it contains land not subject to access rights - for example cropped land, buildings and their curtilage, gardens and land subject to local restrictions including many areas of saltmarsh and flat that are not suitable for public access. The coastal margin is often steep, unstable and not readily accessible. Please take careful note of conditions and local signage on the ground"

The key also gives the link to the National Trails website <http://www.nationaltrail.co.uk/> which is the official source for information on the England Coast Path.

The new coastal access arrangements bring greater clarity on the ground about the rights of public access to coastal land.

It is in the interest of all parties that information regarding these new rights and about the new coastal margin designation is depicted accurately and consistently on OS maps, with appropriate explanation.

With regard to excepted land, the national stakeholder group acknowledged that it would not be feasible to remove the magenta wash from the myriad of excepted land parcels falling within the coastal margin. This was because even if it were practicable in a mapping sense, it would be impossible to identify all excepted land for consistent removal. As a result, taking this approach would be misleading as people would assume because some parts of the margin were magenta-shaded and some not, the shaded areas must have access rights. By

having all the coastal margin depicted on OS maps with the magenta wash it is obvious that this is not the case.

A similar unintended consequence would result if single large areas of excepted land only were removed from the margin shown on OS maps. In addition, land use changes and as a result individual land parcels would move in or out of being excepted, often over a short period. For example agricultural land in rotation may move from arable (excepted) to grass (not excepted) and vice versa.

This approach to depicting the England Coast Path and coastal margin on OS maps has been in use since 2014. Natural England is unaware of any issues that have resulted in practice from this approach. This is despite the inclusion of some very substantial areas of developed or other excepted land with the magenta wash – for example:

- On the Isle of Portland, because of the need for the approved route of the ECP to cut across the north east corner of the island, the mapped coastal margin includes Portland Port, the Verne prison, houses, other buildings and their curtilage.
- On the Tees estuary, the coastal margin comprises extensive areas of industry and business interspersed with brownfield sites and areas where access rights are excluded to protect wintering birds.

In conclusion, we support the OS approach to identifying and explaining the status of the English Coastal Margin on their 1:25000 maps, and we are not aware of any practical problems that have arisen from it. We understand why initial concerns may arise about the approach in areas that are new to it – but the best place for site-specific messaging is on the ground, and these local messaging needs receive careful attention when we conduct our alignment and establishment phases on each stretch of coast.

<b>Representation number:</b>	MCA/IOW Stretch/R/8/IOW3902
<b>Organisation/ person making representation:</b>	[redacted] on behalf of the Isle of Wight Local Access Forum
<b>Route section(s) specific to this representation:</b>	Whole stretch – Reports 2 to 10
<b>Other reports within stretch to which this representation also relates:</b>	As above
<b>Representation in full</b>	

### The Isle of Wight Local Access Forum

Dear Colleagues,

Due to the Corvid 19 pandemic the I.W Local Access Forum were unable to hold its last Forum meeting to formulate an agreed response to the consultation process. In addition a number of key persons are currently in the shielding group (until end of June 2020) and as a consequence no site visits or consultations could take place in person.

As a National advisory body and constituted organisation the Chairman was therefore unable to agree or steer the Forum towards "a clear and agreed line" (para 5.2.4 LAF's in England).

However we have consistently been able to put our point across during the pre-consultation phase and have encouraged both individuals and organisations to comment at all stages.

sincerely, [redacted] - I.W LAF Chair.

### **Natural England's comments**

Natural England thanks the Isle of Wight LAF for its constructive engagement with the Programme during the development of these proposals

<b>Representation ID:</b>	MCA/IOW Stretch/R/6/IOW0016
<b>Organisation/ person making representation:</b>	Open Spaces Society
<b>Name of site:</b>	IOW 2 - 10
<b>Report map reference:</b>	All
<b>Route sections on or adjacent to the land:</b>	All
<b>Other reports within stretch to which this representation also relates</b>	All
<b>Representation in full:</b>	
<p>The Open Spaces Society has considered the representations being submitted by The Ramblers' Association. They wish fully to support all those representations as follows:</p> <p>Isle of Wight Report 2 –Overall Key Issue paper 2a Quarr Abbey Key Issue 2b Ryde House Key Issue 2c Bembridge Lagoons Key Issue 2d Bembridge Coast Isle of Wight Report 3 Overall, with mention of Haddons Pit Isle of Wight Report 4 Overall</p>	

Isle of Wight Report 5 Overall  
 Item 5.2 Freshwater Bay  
 Item 5.5 Needles Viewpoint  
 Item 5.7 Needles Park  
 Isle of Wight Report 6 Overall  
 Key Issue Paper 6A - Colwell to Linstone Chine  
 Key Issue Paper 6F – Hamstead Gully Copse  
 Isle of Wight Report 7 Overall  
 Key Issue Paper 7C - Corfe Fields  
 Key Issue Paper 7F – Newtown Ranges  
 Isle of Wight Report 8 Overall  
 Isle of Wight Report 9 Overall  
 Report 10 Overall  
 Item 10.3 Linking Northwood to the river  
 Item 10.6 Riverside Field  
 Item 10.13 Folly Works  
 Item 10.14 Whippingham riverside  
 Item 10.16 North of power station  
 Item 10.17 Britannia way riverside development

**Natural England’s comment:**

The Open Spaces Society representation concerns the whole stretch. Natural England has responded to the parts of the representation that are relevant to the IOW 3 report (Ramblers’ Items - Isle of Wight Report 3 overall, with mention of Haddon’s Pit).

For our comments please see our response above to the Ramblers’ representation:  
 MCA/IOW3/R/1/IOW3889

**Relevant appended documents (see Section 5):**

Annex 1: Ramblers Supporting Document, IOW 3  
 Annex 2: Map of route section IOW-3-S020  
 Annex 3: Report Map IOW 3f

**4. Summary of ‘other’ representations making non-common points, and Natural England’s comments on them**

<b>Representation ID:</b>	MCA/IOW Stretch/R/5/IOW4210
<b>Organisation/ person making representation:</b>	The Disabled Ramblers
<b>Name of site:</b>	IOW 2 - 10
<b>Report map reference:</b>	all
<b>Route sections on or adjacent to the land:</b>	all
<b>Other reports within stretch to which this representation also relates</b>	all

**Summary of representation:**

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access even though users of mobility vehicles have the same rights of access that walkers do. Man-made structures along the England Coast Path on the Isle of Wight should not be a barrier to access for users of mobility vehicles.

Disabled Ramblers notes that Natural England proposes to help fulfil the Isle of Wight ROWIP ambitions with regard to replacing all stiles with gates. This is a positive step.

Natural England states, in the *Overview* document to this stretch that they *have considered interrelationships between their proposals and the Isle of Wight Rights of Way Improvement Plan (IOW ROWIP)*. The Isle of Wight ROWIP was published in 2006, then reassessed and reviewed in 2016 and the findings published in 2018. *Policy C: Creating New Access* of this review states an objective is to make improvements to the network which benefit as wide a range of users as possible, and which address issues of accessibility for people with mobility difficulties.

Disabled Ramblers requests that Natural England goes further than just replacing stiles with gates and considers all types of structure along the England Coast Path on the Isle of Wight. All new structures should allow convenient access to mobility vehicle riders as standard and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. (NB this new standard postdates the ROWIP review, so would not have been available at the time to inform the review.)

Disabled Ramblers also request that, as part of the preparation of the England Coast Path, all existing structures are removed and replaced if they prevent access to users of mobility vehicles.

Suitability of all structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

Disabled Ramblers requests:

- that installation of new structures should be suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- that existing man-made structures that are a barrier to those who use mobility vehicles, should be reviewed, and where necessary removed and replaced with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set in the attached document *Man-made Barriers and Least Restrictive Access*.

**Natural England's comment:**

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'.

We have endeavoured to achieve this as we have developed our proposals for the Isle of Wight, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Isle of Wight County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the *Disabled Ramblers Notes on Manmade Barriers* and will also be focusing on these documents as we work with the access authorities. We have not proposed any stiles on this route and where they do exist, we are removing them e.g., we will be replacing the stile at IOW-3-S041 with a new pedestrian gate. We have also limited the use of kissing gates.

We also note the Disabled Ramblers' pertinent advice regarding the larger/ all-terrain mobility vehicles and believe that many parts of the Isle of Wight, including much of the alignment covered by Report IOW 3, lend themselves to use by such vehicles.

Section 4.3 of the Scheme – 'Adjustments for disabled people and others with reduced mobility' guides our approach to aligning the trail to ensure that it is as inclusive as possible.

*"4.3.8 We follow the principles set out in our publication "By All Reasonable Means" to make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility, whilst accepting that such opportunities will often be constrained by practical limitations, such as the rugged nature of the terrain or the availability of visitor transport and facilities (see section below). Where there is a choice of routes (after taking into account all the key principles in chapters 4 and 5 of the Scheme), we favour the one that is accessible to the widest range of people or most easily adapted for that purpose.*

*4.3.9 Throughout the trail, we avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances. For example, where we install infrastructure in preparation for the introduction of the rights (or replace existing infrastructure, once it has reached the end of its useful life) we normally use:*

- *gaps to cross field boundaries where livestock control is not an issue;*
- *gates rather than stiles where livestock will be present, designed to enable access by people with wheelchairs; and*
- *graded slopes rather than steps if practicable.*

*4.3.10 Where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with reduced mobility. This may include improvements to the information available about those lengths of trail that are already accessible to a wide range of people. We also ask local representatives to help us identify, prioritise and design suitable and affordable physical improvements to the trail according to their local needs and the available budget. They might typically identify:*

- *particular sections of trail that are well-served by public transport and visitor facilities, but have physical barriers to access for people with reduced mobility which could realistically be removed; or*
- *sections with potential to provide key strategic links through adjustments that are readily achievable.*

*4.3.11 In all this, we will have regard to any concerns about making it easier in practice for people to enter land unlawfully with vehicles; the importance of conserving cultural heritage features and landscape character in the design of the trail and infrastructure; land management needs, for example the need for crossing points to be designed to prevent livestock from escaping; the costs involved; and the need for crossing points between fields*

*to facilitate access for horse riding or cycling where there are existing rights or permissions for these activities.”*

Finally, the English coastline is often a rugged and challenging environment. However, a large proportion of the route on IOW 3 is on concrete surfacing and following public rights of way that is generally suitable for use by those with reduced mobility. Nevertheless, it does also include locations where the new or retained infrastructure may restrict access to those with reduced mobility. For example:

- As the alignment at Luccombe road has moved from being on the road to in the field (mentioned in representation above) this may limit access as there are kissing gates leading into an uneven field. Although, the Isle of Wight Coast Path will still be available along Luccombe Road.
- There are existing concrete steps located at IOW-3-S068, IOW-3-S119, IOW-3-S125 and IOW-3-S133

**Relevant appended documents (see Section 5):**

Annex 10: Disabled Ramblers Document: *Man-made Barriers and Least Restrictive Access*

<b>Representation ID:</b>	MCA/IOW Stretch/R/3/IOW4199
<b>Organisation/ person making representation:</b>	[redacted] on behalf of Isle of Wight Area of Outstanding Natural Beauty Steering Committee
<b>Name of site:</b>	Stretch wide
<b>Report map reference:</b>	All
<b>Route sections on or adjacent to the land:</b>	All
<b>Other reports within stretch to which this representation also relates</b>	All

**Summary of representation:**

The Isle of Wight portion of the England Coast Path (National Trail) has the potential to provide both positive and negative impacts on the designated area and the communities that live and work within the designation. The IW AONB Steering Committee therefore believe there is sufficient reason to comment on the proposed route of the path as it impacts the purposes of the designation to conserve and enhance natural beauty

The Isle of Wight AONB Partnership welcomes the establishment of the England Coast Path on the coast of the Isle of Wight and recognise and applaud the work of the Isle of Wight Council’s Rights of Way team in their long-term promotion and maintenance of the existing Isle of Wight coastal path. The extra resources being made available to the local authority to maintain the path are particularly welcomed in the light of the reduction in funding to local authorities in recent years.

They acknowledge the difficult task that Natural England faced given the coastal erosion issues, the environmental constraints and the often-conflicting issues of land-use and public



access. They also recognise that, in the light of these constraints, the vast majority of the England Coast Path National Trail makes use of existing rights of way.

Expressions of disappointment and satisfaction were discussed regarding the details of the route. It was felt that opportunities had been missed for better access to the coast notably at Norton Spit and the woodland around Quarr. It was felt that photography would have both improved the interpretation and illustrated the issues that were highlighted in the report. Recommend a fixed-point photography scheme is established as an aid for subsequent monitoring of the effects of the proposed mitigation on the coastal environment and landscape.

With regard to the Isle of Wight AONB designation there are two specific comments for Natural England to consider:

Firstly, the apparent conflict between the provisions of the Conservation of Habitats and Species Regulations (CHSR)2017 with regard to the establishment of Solent Recreation and Mitigation Project (SRMP) and the provisions of the Marine and Coastal Access Act (MCA) 2009 and the promotion of the new England Coast Path. In the light of the Sandford principle, they would be grateful if Natural England would clarify the hierarchy of legislation that seeks to allow increased recreational pressure to Natura 2000 sites under MCA2009 whilst seeking to reduce it under CHSR2017. Natural England, in their response to the evidence used to establish the SRMP agreed that signage was inadequate to mitigate the adverse impacts to the internationally designated sites by the potential disturbance to foraging and roosting overwintering birds by people and dogs. Natural England agreed with the conclusion that the SRMP wardens would be far more effective in this regard. The representation asks therefore if Natural England's opinion has changed regarding the effectiveness of this form of mitigation and would be grateful for clarity on this issue. In any case, they recommend that, due the national importance of the AONB designation, Natural England commission an evaluation programme to determine the success of the mitigation measures outlined in the reports.

Secondly, the IWAONB, in pursuance of its objectives seek a reduction in the amount of signage and other clutter that detracts from the scenic beauty which the Coastal Path is enabling people to enjoy. In the light of the reports on the efficacy of signage noted above, we would ask that the level of required signage and associated infrastructure is reviewed.

In conclusion the provisions of the Marine and Coastal Act 2009 seem to have been satisfactorily addressed by the proposed route, given the constraints and having to consider the needs and aspirations of all parties concerned and are grateful to Natural England for the opportunity to consider and remark on the report

**Natural England's comment:**

Natural England thanks the Isle of Wight AONB Steering Committee for its constructive engagement with the Programme during the development of these proposals. We note their conclusion that the provisions of the Marine and Coastal Act 2009 seem to have been satisfactorily addressed by the proposed route, given the constraints and having to consider the needs and aspirations of all parties concerned. We also note the Committee's feeling that opportunities were missed for better access at certain locations, such as at Quarr (IOW2) and Norton Spit (IOW6). During consultation we explained in detail the rationale for our proposals and in our final report we discuss the other options that were considered.

Conflicting legal duties

The Committee suggests there is a conflict between the work of Bird Aware Solent (established as a strategic approach to mitigate possible impacts of increased demand for outdoor recreation on European sites as a consequence of planned development of over 60,000 new homes across the Solent area) and the coastal access duty (Part 9 of the Marine and Coastal Access Act 2009).

Natural England disagrees with the implication that implementing coastal access and initiatives like Bird Aware Solent are necessarily at odds with one another. The coastal access legislation recognises there are multiple interests at the coast and provides safeguards for avoiding conflicts where necessary. The 2009 Act doesn't alter the requirements of the Habitats Regulations, nor in any way prevent Natural England from fulfilling obligations to protect, conserve and restore European sites. Access management interventions delivered through the Coastal Access Programme, will often be beneficial for conservation and help to manage existing pressures in the Solent area. The Coastal Access Scheme explains how Natural England will implement coastal access and the formal and informal access management measures available to Natural England to avoid or reduce possible impacts as necessary, for example by aligning new sections of trail away from sensitive areas, or by using the opportunity of delivering coastal access to help manage existing pressures.

The Committee cite the Sandford Principle in their representation. The Sandford Principle can be summarised as where a National Park Authority (or AONB Conservation Board) is not able to reconcile its two statutory purposes concerning public enjoyment and conservation by skilful management, conservation should come first. This principle is given effect in s11A(2) of the Environment Act 1995, and we don't believe this specific provision is directly relevant to implementation of coastal access on the Isle of Wight. So far as the general principle is concerned, as explained above, we suggest that the 2009 Act includes adequate provisions to enable reconciliation of any conflicts with nature conservation that might arise from the coastal access duty.

We further note that ways in which building houses might lead to impacts on populations of wintering birds in the Solent area are somewhat different from those that might arise from implementing coastal access. The mechanism by which development might impact is by increasing demand for local greenspace at coastal sites in the vicinity of where development is planned. Natural England believes it is necessary for developers to contribute to improving access management at sensitive locations within easy travelling distance of new developments, and that the Bird Aware Solent initiative is an appropriate means of achieving this.

Coastal access on the other hand, is directly concerned with how access is provided. The provision of good quality, well maintained paths, designed and installed with nature conservation goals in mind, will often be a positive contribution to site management. In practice, in the Solent area, the proposed route for the Coast Path mainly follows existing paths. Where new connecting sections of route are proposed, significant impacts are usually avoided by routing away from more sensitive areas.

#### Efficacy of access management techniques

The Committee goes on to ask Natural England to clarify our views on different access management techniques, and particularly installing notices compared with employing wardens. Natural England believes that both signs and wardens can be effective access management measures. We note that the effectiveness of techniques can be enhanced by having suitable strategies for their deployment. It has been shown, for example, that the effectiveness of leaflets used to promote responsible recreation in the Thames Basin and Solent areas can be enhanced by their design. We don't think it is a case of one or the

other – quite the opposite, we believe that both signs and wardens can play a role in delivering effective access management, and further that they should ideally be used in combination with other techniques including manipulation of the physical environment to make certain routes more or less attractive. Recent findings about the impact of wardens in the Solent area support this view, that strategies using a mix of techniques, including signs, are likely to be more effective in achieving the best outcome overall.

Bird Aware Solent is funded through financial contributions from developers and we fully support the focus on using the resources generated to provide wardens. With coastal access on the other hand, interventions are mainly associated with improvements to paths and their associated infrastructure, including directional signage, awareness raising notices, physical barriers and screening. Through our consultation during the design stage of implementing coastal access, we make sure our proposals fit with Bird Aware Solent's site-specific projects. Also, we assess our impacts in combination with the development pressure. We believe that interventions delivered by coastal access and Bird Aware Solent may be beneficially combined with access management done by local authorities, Environment Agency, wildlife organisations and others. We hope this provides some clarification about Natural England's views on access management.

### Evaluation

The Committee further recommends that Natural England evaluates the impacts of access management interventions delivered through coastal access. We agree with this and hope that our programme evaluation will contribute to the wider evidence base concerning effective visitor management strategies. Note also that the quality standards for National Trails include ongoing monitoring of path condition and Natural England will be regularly reviewing any formal restrictions and exclusions on coastal access rights in the margin.

The Committee recommends using fixed point photography for monitoring future changes. We will bear this in mind as a possible method to use as part of evaluation. We note also that this might be something a future trail partnership would consider supporting.

### Signage:

The management of the trail and its associated infrastructure and signs will conform to the published standards for other National Trails. These standards consider the overall convenience of the trail within a design framework that uses natural surfaces such as grass wherever possible and otherwise favours the use of natural or carefully chosen artificial materials and local designs that blend well with their setting. We pay particular attention to the location, design and installation of access infrastructure on sites of conservation value (where clearance, digging and drainage works would have the potential to damage features of interest) and in other areas where specific consents are required from other authorities. As such NE has worked closely with the Council and other bodies to ensure signage is kept to a minimum but not to the detriment of users following the trail.

<b>Representation ID:</b>	MCA/IOW Stretch/R/2/IOW0259
<b>Organisation/ person making representation:</b>	Southern Gas
<b>Name of site:</b>	Stretch wide
<b>Report map reference:</b>	All
<b>Route sections on or adjacent to the land:</b>	Specified within the supporting documentation

<b>Other reports within stretch to which this representation also relates</b>	All
<b>Summary of representation:</b> NE should be aware that ground works that take place in the vicinity of gas infrastructure could result in personal injury or damage to the gas infrastructure. As such NE will be expected to consult with Southern Gas in relation to said points of interaction and any ground works that might be required.  Southern Gas has provided a bundle of plans that show the locations of the relevant infrastructure on the IOW which is situated either on the route or in close proximity (50m).	
<b>Natural England's comment:</b> Natural England and the Isle of Wight Council (who will undertake the establishment works) will consult with Southern Gas as necessary during the establishment phase.	
<b>Relevant appended documents (see Section 5):</b>  There are a significant number of documents that were provided to help NE locate gas infrastructure. These have not been attached but can be provided if necessary.	

<b>Representation ID:</b>	MCA/IOW Stretch/R/4/IOW3891
<b>Organisation/ person making representation:</b>	[redacted] (chairman) on behalf of Isle of Wight Gardens Trust
<b>Name of site:</b>	Ventnor Botanic Gardens
<b>Report map reference:</b>	Report IOW 3 Map 3i
<b>Route sections on or adjacent to the land:</b>	N/A
<b>Other reports within stretch to which this representation also relates</b>	Report IOW 2 Map 2b (Quarr Abbey) Report IOW 2 Map 2g (The Priory, St Helens) Report IOW 4 Map 4a (Old Park, St Lawrence)
<b>Summary of representation:</b> The Isle of Wight Gardens Trust reviewed the reports and maps relating to the proposed route of the England Coast Path on the Isle of Wight. For IOW 3 they identified that the following parks and gardens are affected:  Ventnor Botanic Garden – This site is on the national register of parks and gardens of historic interest as Grade II (National Heritage List no. 1001598). The proposed route to the new National Trail uses the existing route of the Isle of Wight Coastal Path following public rights of way. We raise no objection to this proposal.	

**Natural England's comment:**

Natural England thanks the Isle of Wight Gardens Trust for its supportive comments.

**5. Supporting documents**

<b>Supporting Document</b>	<b>Description and Ref number</b>
Annex 1	MCA/IOW3/R/1/IOW3889 Ramblers Supporting Document IOW3
Annex 2	MCA/IOW3/R/1/IOW3889 Map of route section IOW-3-S020
Annex 3	MCA/IOW3/R/1/IOW3889 Report Map IOW 3f
Annex 4	MCA/IOW3/R/2/IOW0145 Email from Isle of Wight Council regarding confirmation of representation withdrawal for 3.5
Annex 5	MCA/IOW3/R/3/IOW0145 Supporting map and photographs supplied by the Isle of Wight Council
Annex 6	MCA/IOW3/R/3/IOW0145 Coastal Path Route Risk Assessments (for Luccombe Road), November 2020 update
Annex 7	MCA/IOW3/R/3/IOW0145 Email correspondence with National Trust agreeing to route
Annex 8	MCA/IOW3/R/3/IOW0145 Email correspondence with the Isle of Wight Council regarding verge improvement works
Annex 9	MCA/IOW3/R/3/IOW0145 Map of new route at Luccombe and revised attribute table 3.3.1
Annex 10	MCA/IOW Stretch/R/5/IOW4210 Disabled Ramblers Document: <i>Man-made Barriers and Least Restrictive Access</i>

Annex 1: MCA/IOW3/R/1/IOW3889

Ramblers Supporting Document IOW3



# England Coast Path Stretch: **Isle of Wight**


Report IOW 3: Culver Down to Binnel Bay

## Ramblers Support Documents



## Isle of Wight Report – IOW Ramblers Representation 3

Ref	Location	NE Proposal	IWR Comment/Proposal	Photo
3.1	IOW-3-S001 to IOW-3-S003	Trail follows the perimeter of access land at Culver Down	The route affords access to a number of historic monuments: Earl Yarborough Monument, Bembridge Fort, and Gun Emplacements at Culver battery. There is also a pub and café. Culver and Bembridge Downs are access land managed by National Trust	 <p><i>Figure 1 gun emplacement Culver Down</i></p>
3.2	IOW-3-S004 to IOW-3-S019	Follows public footpaths BB30 and SS43	The route provides good sea views and continues down public footpaths through Bembridge Down and by Red Cliff, site of significant dinosaur finds.	 <p><i>Figure 2 Trail follows a track above Red Cliffs</i></p>
3.3	IOW-3-S020	Through a public car park	Trail should follow green areas where available	
3.4	IOW-3-S021 to IOW-3-S023	Trail follows a pavement along B3395	Route follows revetment and passes Sandown Zoo and Dinosaur Isle attractions.	
3.5	IOW-3-S024 to IOW-3-S027	Trail cuts the corner of Culver Parade and Avenue road slipway by a café to reach the esplanade		
3.6	IOW-3-S028-IOW-3-S029	Trail follows revetment at the esplanade passing the pier.		
3.7	IOW-3-S029 to IOW-3-S036	Trail follows the revetment to Shanklin Chine on SS59	Our preferred route was the existing cliff top trail which avoids a busy revetment. However, this public footpath will remain for those walkers wishing to take this route.	

Ref	Location	NE Proposal	IWR Comment/Proposal	Photo
3.8	IOW-3-S037 to IOW-3-S040	Ascends Appley steps SS74 and joins Luccombe Road		
3.9	IOW-3-So41	Coast path follows SS2 adjacent to the road.	A new gate will be welcomed here and care is needed with signage to clarify the trail location.	
3.10	IOW-3-S042 to IOW-3-S075	Follows existing coast path through landslip area	At Knock Cliff access land, there is an opportunity for the path to pass through Haddons Pit, a NT area and take the path much closer to the coast, as well as avoiding a quiet road. We support this route and agree with S048 comments about access to Luccombe Chine. Agree about access via shingle beach at Bonchurch. There is a need to upgrade the path at Upper Bonchurch.V65a	
3.11	IOW-3-S076 to IOW-3-S090	Follows esplanade to Ventnor Bay	We support this route	 <p><i>Figure 3 Bonchurch to Ventnor revetment</i></p>
3.12	IOW-3-S091 to IOW-3-S097	Follows pavements and public highway into La Falaise car park.	IWR support this route	
3.13	IOW-3-S098 to IOW-3-S102	Follows public footpaths to the recreation ground	IWR support this route.	
3.14	IOW-3-S103 to IOW-3-S113	Follows paths to Steephill Cove	IWR support this improved route	
3.15	IOW-3-S114 to IOW-3-S125	Follows an established path through Botanic Gardens perimeter on cliff top.	IWR fully support this important route.	



<b>Ref</b>	<b>Location</b>	<b>NE Proposal</b>	<b>IWR Comment/Proposal</b>	<b>Photo</b>
3.16	IOW-3-S126 to IOW-3-S141	Follows established paths	IWR supports this route.	



Report Map IOW 3f



Coastal Access - Isle of Wight - Natural England's Proposals  
 Report IOW 3: Culver Down to Binnel Bay  
**Map IOW 3f: The Priory to Nansen Hill**



Map IOW 3f: The Priory to Nansen Hill



Annex 4: MCA/IOW3/R/2/IOW0145


Email from Isle of Wight Council regarding confirmation of representation withdrawal for 3.5

MCA/IOW3/R/2/IOW0145 (3.1) - Confirmation of withdrawal of representation re proposed England Coast Path


[Reply](#) [Reply All](#) [Forward](#) [...](#)


Mon 01/03/2021 14:04

Dear 

Please accept this email as confirmation of our withdrawal of our representation re the proposed England Coast Path in respect of concerns over the cost of works required between Orchard Bay and Woody Point. We are prepared to do this following your confirmation that all reasonable works required to bring the path up to standard will be funded at the time of establishment of the path.

With best wishes

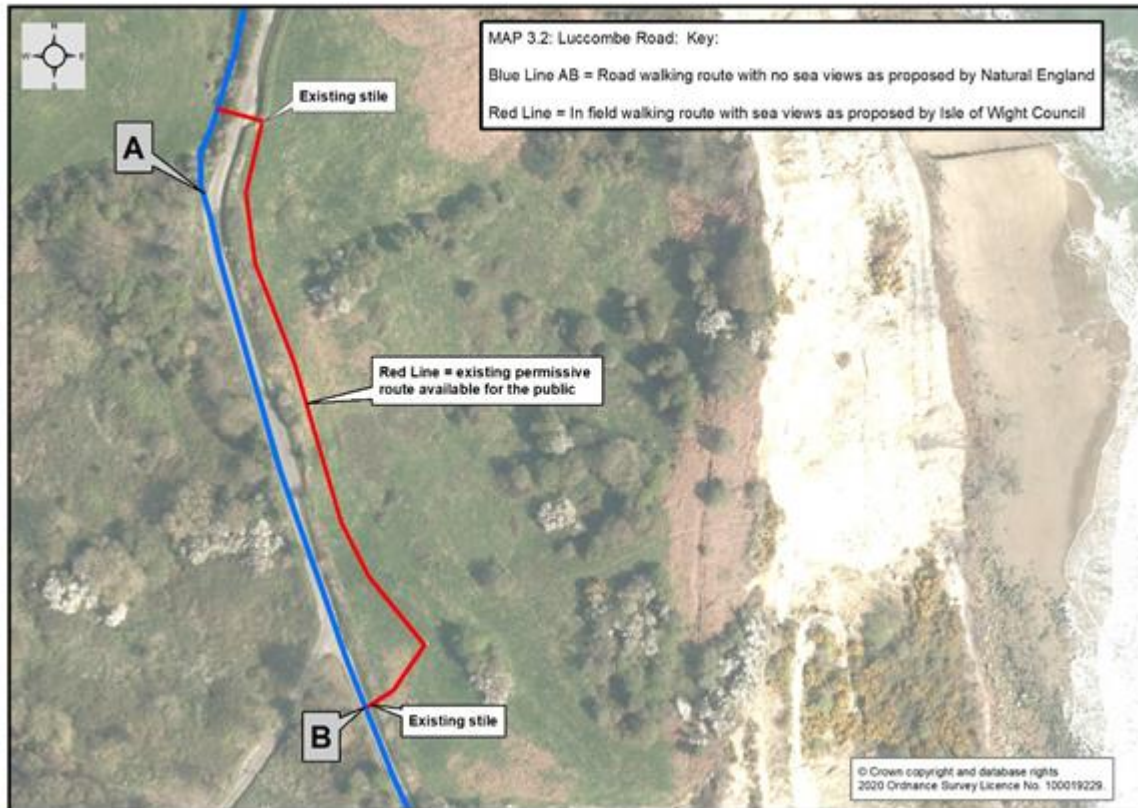






Annex 5: MCA/IOW3/R/3/IOW0145

Supporting map and photographs supplied by the Isle of Wight Council





**Photo 3.2 (1)** View of narrow road with no footway and high hedges obscuring sea views



**Photo 3.2 (2)** Existing (northern entrance) to field route





Photo 3.2 (3): Field route (red line shown on map)



Photo 3.2 (4) Sea view from field route (red line on map)





Coastal Path Route Risk Assessments (for Lucombe Road), November 2020 update

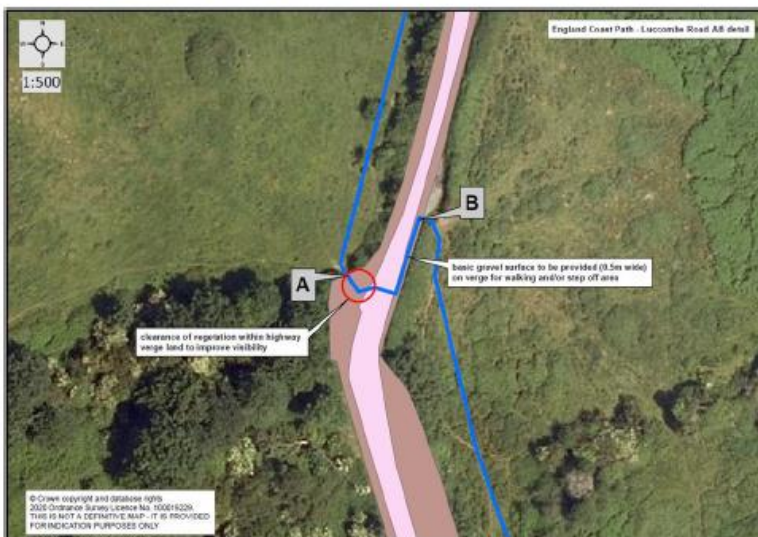
## 5 November 2020 Update

### 5.1 Lucombe Road

The section below considers the alternative route proposed for Lucombe Road (assessed in section 3.14 above). The proposed route is indicated in the maps provided below.

The proposal would result in a narrow strip of roadside verge being upgraded to provide a firm and level surface for pedestrians.

Pedestrians would be required to cross at point A on the plan below and then walk along the upgraded verge to point B. The proposed crossing point is near a street light which will help pedestrians to use the crossing safely at night.



Visibility for pedestrians crossing from the western side is good, although vegetation adjacent to the access point will need regular maintenance.

Image 55 shows the visibility pedestrians have when crossing from the eastern side of the road. This is already below the recommended level for a 30mph speed limit and without removal of some vegetation, it will be worse in the spring and summer months.

*Image 56 – proposed eastern crossing point looking south*



*Image 57 – looking north towards proposed crossing point*



The bank on the eastern side of the carriageway slopes away quite steeply so some form of retaining feature will probably be required to provide the 0.5m strip proposed. There is also a risk that the introduction of a gravel path may encourage verge overrun as the carriageway width and 0.5m gravel surface may allow some vehicle to pass on this section. The strip would need to be capable of withstanding occasional overrun so that frequent maintenance is not required.

### **Recommendation**

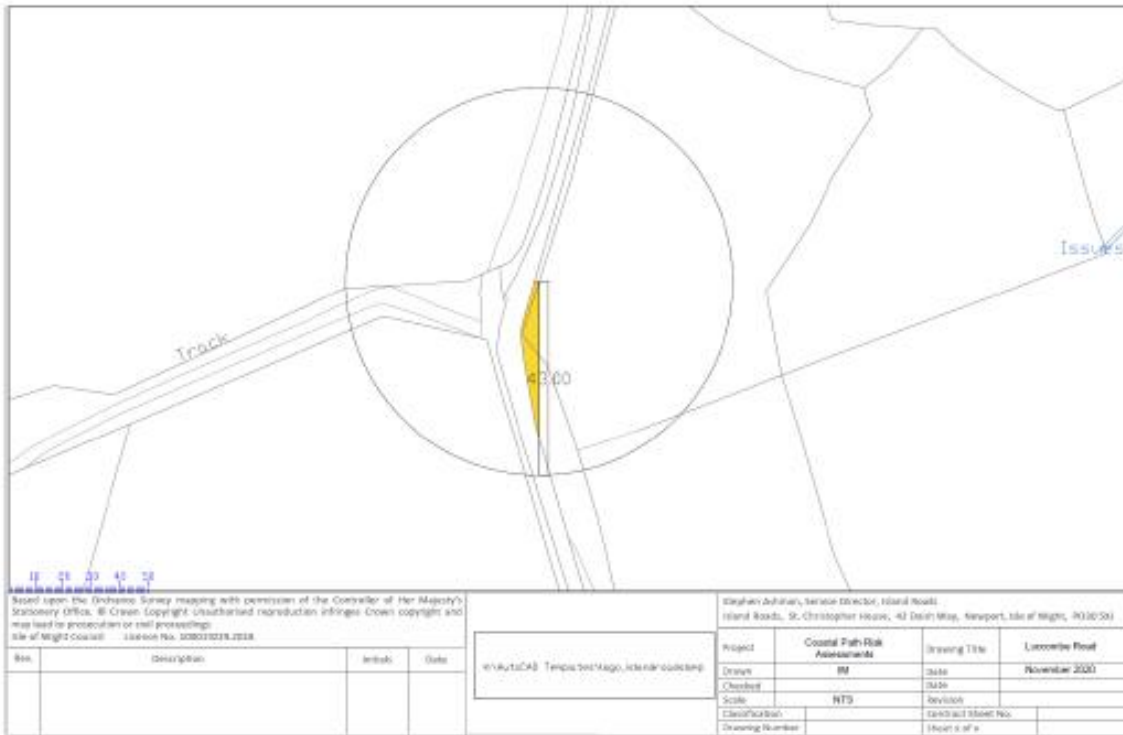
It is recommended that a path is formed on the western side of Luccombe Road to allow pedestrians to safely step out of the way of approaching vehicles.

It is also recommended that the vegetation is cleared in the area highlighted yellow below to ensure that there is suitable visibility at the crossing point.

Image 58 – proposed location of 0.5m roadside strip for pedestrian step off



The plan below indicates the area that should be kept free of any vegetation that restricts visibility between drivers and pedestrians. This will provide a 43m stopping sight distance, which is appropriate for a 30mph speed limit as set out in Manual for Streets.





Annex 7: MCA/IOW3/R/3/IOW0145

Email correspondence with National Trust agreeing to route

[REDACTED]  
Subject: FW: Luccombe Road, Shanklin- England Coast Path proposals  
Date: 11 October 2021 18:30:48  
Attachments: [image001.png](#)

---

[REDACTED]  
All agreed, thank you

[REDACTED]  
From: [REDACTED]  
Sent: 11 October 2021 16:00  
To: [REDACTED]  
Subject: FW: Luccombe Road, Shanklin- England Coast Path proposals

**Caution, this email originates outside of National Trust.**

---

Hi [REDACTED]

Could you send you agreement to these alterations too please?

Regards,

[REDACTED]  
England Coast Path Lead Adviser- Isle of Wight  
Thames Solent Team  
Natural England  
[REDACTED]  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

Thriving Nature  
for people and planet



During the current coronavirus situation, Natural England staff are primarily working remotely to provide our services and support our customers and stakeholders. Please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Hands, Face, Space, Fresh Air.

---

From: [REDACTED]  
Sent: 13 August 2021 12:23

[REDACTED]

[REDACTED]

**Subject:** RE: Luccombe Road, Shanklin- England Coast Path proposals

Hi [REDACTED]

We wouldn't be able to provide a temporary route, alternative route or optional alternative route here as it doesn't fall under any provisions of the coastal access act e.g. tides, nature sensitivities etc...(please see Chapter 6, fig 17 <http://publications.naturalengland.org.uk/file/5125726713937920>). In terms of the trough (picture attached), we have aligned the route slightly away from it to avoid the area and people will naturally walk around this.

Although there may be people using the road at the moment like you say, the highways safety assessment report has stated that there is an absence of areas for pedestrians to step off the carriageway of oncoming vehicles here. We will always take this into account when routing the England Coast Path.

Haddon's Pit was in spreading room before this change, meaning people would have the right to access it. In addition, it is an existing walked route. In your email of 20<sup>th</sup> July you said 'if it's OK for people to encounter cattle and mud on the coast path, then I don't see the field alternative is a big problem'. Therefore we've adjusted the route here to take in the sea views and the safety of walkers so we are looking to go forward with this route. When it comes time to carry out an establishment walk the course, you are welcome to join us to assess the current situation. Should in the future, there are significant issues here we would revisit with you to reassess.

Feel free to contact me if you have any further queries.

Thanks,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 12 August 2021 16:48

[REDACTED]

**Subject:** RE: Luccombe Road, Shanklin- England Coast Path proposals

[REDACTED],  
[REDACTED] told that recently the spring that fills the water trough at IOW-30So42b is seeping under the road as well as being funnelled into our trough, so moving the trough would not remove the wet patch.

Could we not just have Haddons Pits as an optional "loop" and have the road as the fail-safe dry main route? Plenty of people walk along the road now and I don't see it as a massive safety issue.

[REDACTED]

---

From: [REDACTED]  
Sent: 12 August 2021 15:47

[REDACTED]

Subject: RE: Luccombe Road, Shanklin- England Coast Path proposals

**Caution, this email originates outside of National Trust.**

Hi [REDACTED]

Please see attached revised map of the route at Luccombe- IOW-3-S042 now split into IOW-4-S042a, IOW-4-S042b and IOW-4-S042c. Please let me know if you have any queries.

Regards,

[REDACTED]  
England Coast Path Lead Adviser- Isle of Wight  
Thames Solent Team  
Natural England

[REDACTED]  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

Thriving Nature  
for people and planet



During the current coronavirus situation, Natural England staff are primarily working remotely to provide our services and support our customers and stakeholders. Please continue to send any documents by email or contact us by phone to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Hands, Face, Space, Fresh Air.

---

From: [REDACTED]  
Sent: 23 July 2021 18:08

[REDACTED]

Subject: RE: Luccombe Road, Shanklin- England Coast Path proposals

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Hi [REDACTED]

Thank you for your responses and your cooperation.

With regards to the road safety [REDACTED] it's not so much the speed of the traffic that's the issue, it's the absence of areas for pedestrians to step off the carriageway of oncoming vehicles. In terms of infrastructure, we normally only resurface a path if the current route isn't safe, inadequate or it's severely poached...we can deal with a bit of mud. We do align paths through land grazed by cattle if it is the most convenient route along the coast.

If everyone is happy, am I ok to go ahead and propose these new changes?

In the meantime, I will ask [REDACTED] from the IoW council to come on site (I live on the mainland) to GPS the path and to see what kind of infrastructure may be needed.

Let me know if you need anything clarifying.

Regards,

[REDACTED]  
England Coast Path Lead Adviser- Isle of Wight  
Thames Solent Team  
Natural England

[REDACTED]  
[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

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Hands, Face, Space, Fresh Air.

---

From: [REDACTED]

Sent: 20 July 2021 11:34

[REDACTED]

Subject: RE: Luccombe Road, Shanklin- England Coast Path proposals

I can see it would be nicer for people to have a route off the road as much as possible. However I

wouldn't have thought it's a serious safety issue as it's not a fast road.  
It would be much more straightforward for us if we don't have to cater for a perfect surface, but if it's OK for people to encounter cattle and mud on the coast path, then I don't see the field alternative is a big problem.

[REDACTED]

---

From: [REDACTED]

Sent: 16 July 2021 17:21

[REDACTED]

Subject: RE: Luccombe Road, Shanklin- England Coast Path proposals

Hi [REDACTED]

Apologies for slow reply but only just spotted this in my junk folder!

Our current grazing regime is with cattle & as you have stated the trough position is the biggest issue, a recent development is a small spring beneath the rainwater pipe feeding the trough, this is leading to a permanent wet patch below the trough. (This is a spring fed trough not mains water).

We may in the longer term alter the trough position to the east of the footpath but that won't alleviate the spring issue.

We have attempted to graze with sheep in the past but had several fatal dog attacks on sheep.

Going forward we are likely to continue with cattle only.

It could be an option to fence out the footpath from the grazing when we next replace the fence but that isn't imminent. This would also lead to a requirement to hand cut that footpath regularly as it wouldn't be grazed, so not ideal.

I've cc'ed [REDACTED] for their thoughts.

Have a great weekend.

Kindest regards

[REDACTED]

Ranger, South Wight  
National Trust

[REDACTED]

---

From: [REDACTED]

Sent: 02 July 2021 17:47

To: [REDACTED]

Subject: Luccombe Road, Shanklin- England Coast Path proposals

**Caution, this email originates outside of National Trust.**



Dear [REDACTED]

Hope you are well?

As you are probably aware I'm currently writing up my responses to the objections and representations which we received last year. I'm looking at the alterations which are required at Luccombe due to the highways safety assessment report (see maps below). Apart from the access for the cows to the water trough between points B & C, were there any other concerns with this new route in question?



I look forward to hearing from you, have a great weekend.

Regards,

[REDACTED]  
England Coast Path Lead Adviser- Isle of Wight  
Thames Solent Team  
Natural England  
[REDACTED]

Email correspondence with the Isle of Wight Council regarding verge improvement works

From: [REDACTED]  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: England Coast Path Highways  
Date: 12 January 2021 12:46:52  
Attachments: [image001.png](#)

---

Hi [REDACTED]

No, the hedge will not be removed entirely, just a very hard cut back to reveal the full extent of the highway verge. The hedge is many metres wide.

I don't believe hedgerow consent will be necessary as there is an overriding power to keep highways (and their verges) clear of vegetation.

Having looked I don't think putting a hole in the hedge will be that practicable as there is a steep drop from the field down to the road which will require steps. Also, I believe that much more would be needed than a simple hole in the hedge i.e. a huge amount of hedging would need to be removed in order to create sight lines.

Please feel free to email or telephone [REDACTED] if you feel anything needs to be clarified.

Kind regards

[REDACTED]

[REDACTED] Rights of Way Manager | Directorate of Neighbourhoods | Public Rights of Way |  
Isle of Wight Council | County Hall | Newport | Isle of Wight | PO30 1UD

[REDACTED]

---

From: [REDACTED]  
Sent: 12 January 2021 11:43  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: England Coast Path Highways

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe. Further information can be found [here](#).

Thanks for this [REDACTED]

Just a quick note about Luccombe Road – will the hedgerow removal works that you propose completely remove the hedgerow? We need to think about whether you can obtain a consent under the Hedgerow Regs and also whether there are dormice using the hedgerow, in addition to the preferences of the landowner.

It might be worth asking Island Roads as well what they think about your other proposal for putting a new hole in hedgerow slightly to the north? If we can get both options signed off by Island Roads, then [REDACTED] can liaise with the landowner to ask their preference?

Thanks for doing all this – looks like we are getting there.

Cheers

[REDACTED]  
England Coast Path Senior Adviser  
Thames Solent Area Team

[REDACTED]

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)



During the current coronavirus situation, Natural England staff are working remotely to provide our services and support our customers and stakeholders. All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>. Stay alert, control the virus, save lives

---

From [REDACTED]  
Sent: 12 January 2021 10:21

[REDACTED]

Subject: England Coast Path Highways

Hi [REDACTED]

Following your recent updated Highways Report, myself and officers (copied in) at Natural England have been discussing further the sites at Luccombe Road, Undercliff Drive and Locks Green Road. I have also been out to look again at all three sites.

We would be grateful for your further advice on the following matters:

Luccombe Road

Our main concern here was your reference to a path requiring a retaining feature and reference to motor vehicles using the strip as overrun. I have inspected and can see that the land slopes away quite considerably and we are therefore concerned about the specification for a retaining structure (to withstand possible vehicle weight) and the cost. In view of this, could you please confirm whether the creation of a gravel verge on the opposite side of the road would be an acceptable solution in highway safety terms? I refer you to the attached map. The area shaded light brown confirms the extent of the highway verge (which is 1.5m at its narrowest point). With a very hard cut back of vegetation I believe the full extent of the highway verge could be cleared enabling a strip to walk along far enough to be able to cross opposite the stile into the field. Please see attached photo.



Map of the proposed modified route at Luccombe and revised attribute table 3.3.1



Coastal Access - Isle of Wight - Natural England's Proposals

Report IOW 3: Culver Down to Binnel Bay

Map IOW 3f: The Priory to Nansen Hill

Map IOW 3f: The Priory to Nansen Hill



1	2	3	4	5a	5b	5c	6
<b>Map(s)</b>	<b>Route section number(s)</b>	<b>Current status of route section(s)</b>	<b>Roll-back proposed? (See Part 7 of Overview)</b>	<b>Landward margin contains coastal land type?</b>	<b>Proposal to specify landward boundary of margin (See maps)</b>	<b>Reason for landward boundary proposal</b>	<b>Explanatory notes</b>
IOW 3f	IOW-3-S042a*	Public highway	No	No			
IOW 3f	IOW-3-S042b*	Other existing walked route	No	No	Hedgerow	Clarity and cohesion	
IOW 3f	IOW-3-S042c*	Public footpath	No	No			



Disabled Ramblers Ltd  
Company registered in England Number 05030316  
Registered Office: 7 Drury Lane, Hunsdon, Ware, Herts SG12 8NU  
<https://disabledramblers.co.uk>

Registered Charity Number 1103508

## Man-made Barriers & Least Restrictive Access

There are a significant and steadily increasing number of people with reduced mobility who like to get off tarmac onto natural surfaces and out to wilder areas to enjoy great views and get in touch with nature whenever they are able to. There are many ways they achieve this, depending on how rough and steep the terrain is. A determined pusher of a manual wheelchair can enable access to a disabled person across grass and up steep hills. An off-road mobility scooter rider can manage rough terrain, significant slopes, cross water up to 8" deep, and depending on their battery type and the terrain they are on, they can easily run 8 miles or more on one charge. Modern batteries are now available that allow a range of up to 60 miles on one charge!

Many more people too are now using mobility vehicles in urban areas, both manual and electric. 'Pavement' scooters and powerchairs often have very low ground clearance, and some disabilities mean that users are unable to withstand jolts, so well placed dropped kerbs and safe places to cross roads are needed.

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access.

Users of mobility vehicles have the same rights of access that walkers do. Man-made structures along walking routes should not be a barrier to access for users of mobility vehicles. New structures should allow convenient access to mobility vehicle riders as standard, and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. Suitability of structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

When it is impossible to avoid man-made structures which are a barrier to mobility vehicles, wherever feasible a nearby alternative should be provided. For example, a slope adjacent to steps or a signed short diversion.

Whilst BS5709:2018 does not automatically apply retrospectively to most existing structures, Disabled Ramblers would like to see existing structures removed and replaced if they prevent access to users of mobility vehicles. Some structures can have a 'life' of 15 years – it would be a crying shame if those with limited mobility have to wait this long before they can be afforded the same access that walkers have to those areas where the terrain is suitable for mobility vehicles.

Disabled Ramblers campaign for:

- Installation of new structures that are suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- Review of existing man-made structures that are a barrier to those who use mobility vehicles, and where possible removal and replacement with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set out below.

## Useful figures

- **Mobility Vehicles**
  - **Legal Maximum Width of Category 3 mobility vehicles: 85cm.** The same width is needed all the way up to pass through any kind of barrier to allow for handlebars, armrests and other bodywork.
    - **Length:** Mobility vehicles vary in length, but **173cm is a guide minimum length.**
- **Gaps** should be 1.1 minimum width on a footpath (BS5709:2018)
- **Pedestrian gates** The minimum clear width should be 1.1m (BS5709:2018)
- **Manoeuvring space** One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space
- **The ground** before, through and after any gap or barrier must be flat otherwise the resulting tilt effectively reduces the width

## Gaps

A Gap is always the preferred solution for access, and the least restrictive option (BS 5709:2018). The minimum clear width of gaps on footpaths should be 1.1metres (BS 5709:2018).

## Bollards

On a footpath, these should be placed to allow a minimum gap of 1.1metres through which large mobility vehicles can pass.

## Pedestrian gates

A two-way, self-closing gate closing gate with trombone handle and Centrewire EASY LATCH is the easiest to use – if well maintained, and if a simple gap is unacceptable. Yellow handles and EASY LATCH allow greater visibility and assist those with impaired sight too:

<https://centrewire.com/products/easy-latch-for-2-way-gate/> <https://centrewire.com/products/easy-latch-for-2-way-gate/> One-way opening gates need more manoeuvring space than two-way and some mobility vehicles may need a three metre diameter space to manoeuvre around a one-way gate. The minimum clear width of pedestrian gates should be 1.1metres (BS 5709:2018).

## Field gates

Field gates (sometimes used across access roads) are too large and heavy for those with limited mobility to use, so should always be paired with an alternative such as a gap or pedestrian gate. However if this is not possible, a York 2 in 1 Gate:



<https://centrewire.com/products/york-2-in-1/> could be an alternative, with a self-closing, two-way opening, yellow handles and EASY LATCH.

## **Bristol gates**

(Step-over metal gate within a larger gate: <https://centrewire.com/?s=bristol> ) These are a barrier to mobility vehicles as well as to pushchairs and so should be replaced with an appropriate structure. If space is limited, and a pedestrian gate not possible, a York 2 in 1 Gate: <https://centrewire.com/products/york-2><https://centrewire.com/products/york-2-in-1/in-1/> could be an alternative, with a self-closing, two-way opening, yellow handle and EASY LATCH for the public access part of the gate.

## **Kissing gates**

A two-way, self-closing gate is hugely preferable to a kissing gate, but in certain situations a kissing gate might be needed. Some kissing gates can be used by smaller pushchairs and small wheelchairs, but are impassable by mobility scooters and other mobility vehicles. Unless an existing kissing gate has been specifically designed for access by large mobility vehicles, it should be replaced, if possible with a suitable gate (see above). If a kissing gate really must be used, Disabled Ramblers only recommend the [Centrewire Woodstock Large Mobility](#) kissing gate. This is fitted with a RADAR lock which can be used by some users of mobility vehicles. NB this is the only type of kissing gate that is large enough to be used by all-terrain and large mobility vehicles.

### Note about RADAR locks on Kissing gates

Often mobility vehicle riders find RADAR locks difficult to use, so they should only be used if there is not a suitable alternative arrangement. Here are some of the reasons why:

- Rider cannot get off mobility vehicle to reach the lock
- Rider cannot reach lock from mobility vehicle (poor balance, lack of core strength etc.)
- Position of lock is in a corner so mobility vehicle cannot come alongside lock to reach it, even at an angle
- RADAR lock has not been well maintained and no longer works properly
- Not all disabled people realise that a RADAR key will open the lock, and don't know how these kissing gates work. There must be an appropriate, informative, label beside the lock.

## **Board walks, Footbridges, Quad bike bridges**

All of these structures should be designed to be appropriate for use by large mobility vehicles, be sufficiently wide and strong, and have toe-boards (a deck level edge rail) as edge protection. On longer board walks there may also be a need to provide periodic passing places.

## **Sleeper bridges**

Sleeper bridges are very often 3 sleepers wide, but they need to be at least 4 sleepers wide to allow for use by mobility vehicles.

## **Steps**

Whenever possible, step free routes should be available to users of mobility vehicles. Existing steps could be replaced, or supplemented at the side, by a slope or ramp. Where this is not

possible, an alternative route should be provided. Sometimes this might necessitate a short diversion, regaining the main route a little further on, and this diversion should be signed.

### **Cycle chicanes and staggered barriers**

Cycle chicanes are, in most instances, impassable by mobility vehicles, in which case they should be replaced with an appropriate structure. Other forms of staggered barriers, such as those used to slow people down before a road, are very often equally impassable, especially for large mobility vehicles.

### **Undefined barriers, Motorcycle barriers, A frames, K barriers etc.**

Motorcycle barriers are to be avoided. Often they form an intimidating, narrow gap. Frequently put in place to restrict the illegal access of motorcycle users, they should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered. In some areas existing motorcycle barriers are no longer necessary as there is no longer a motorcycle problem: in these cases the barriers should be removed.

If no alternative is possible, the gap in the barrier should be adjusted to allow riders of large mobility vehicles to pass through. Mobility vehicles can legally be up to 85 cm wide so the gap should be at least this; and the same width should be allowed all the way up from the ground to enable room for handle bars, arm rests and other bodywork. The ground beneath should be level otherwise a greater width is needed. K barriers are often less intimidating and allow for various options to be chosen, such a shallow squeeze plate which is positioned higher off the ground: <http://www.kbarriers.co.uk/>

### **Stepping stones**

Stepping stones are a barrier to users of mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative such as a footbridge (which, if not flush with the ground should have appropriate slopes at either end, not steps). If there are good reasons to retain the stepping stones, such as being listed by Historic England, a suitable alternative should be provided nearby, in addition to the stepping stones.

### **Stiles**

Stiles are a barrier to mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative structure. If there are good reasons to retain the stile, such as it being listed by Historic England, then an alternative to the stile, such as a pedestrian gate, should be provided nearby in addition to the stile.

### **Urban areas and Kerbs**

In urban areas people with reduced mobility may well be using pavement scooters which have low ground clearance. Where the path follows a footway (e.g. pavement) it should be sufficiently wide for large mobility vehicles, and free of obstructions. The provision and correct positioning of dropped kerbs at suitable places along the footway is essential. Every time the path passes over a kerb, a dropped kerb should be provided.

# Coastal Access – Isle of Wight – Wootton Bridge to the Medina



## Representations on MR1 Luccombe and Natural England's comments

November 2023

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### 1. Introduction

This document details representations we have received on the stated coastal access modification report. These fall into one category:

- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State ('other' representations, summarised below).

It also sets out any comments that Natural England choose to make in response to these representations.

### 2. Background

Natural England submitted a [modification report](#) to the Secretary of State setting out revised proposals for the route of the England Coast Path on the Isle of Wight at Luccombe (MR1) on Wednesday 9<sup>th</sup> August 2023. This change affects a section of the proposed stretch [IOW 3: Culver Down to Binnel Bay](#). A part of the original route was lost due to a significant landslip. It proposes realigning this section landward of the original route and the proposed changes are detailed in the report. The period for making representations and objections about the reports closed at midnight on Wednesday 4 October 2023.

In relation to the report for MR1, Natural England received four (4) representations. As required by the legislation this document also summarises and, where relevant, comments on the four (4) representations submitted by other individuals or organisations, referred to here as ‘other’ representations. Of those four (4) ‘other’ representations, three (3), contain similar or identical points. Natural England’s comments on ‘other’ representations are set out in two parts:

1. The recurring themes in the three (3) ‘other’ representations have been summarised in section 4 as one (1) point, each with our comments on them.
2. Any of the same ‘other’ representations that make other, non-common points are then commented on separately in section 4 alongside any remaining ‘other’ representations.

Before making a determination in respect of a coastal access report, the Secretary of State must consider our summary of ‘other’ representations, together with Natural England’s comments on each.

### 3. Summary of any similar or identical points within ‘other’ representations, and Natural England’s comments on them

<b>Representations containing similar or identical points</b>	
<b>Representation ID</b>	<b>Organisation/ person making representation:</b>
MCA/MR1/R/3/IOW4251	[redacted] and [redacted]
MCA/MR1/R/4/IOW4252	[redacted]
MCA/MR1/R/5/IOW4253	[redacted]
<b>Name of site:</b>	Ash Grove and Bracken Dell, Luccombe Village
<b>Report map reference:</b>	Map MR1
<b>Route sections on or adjacent to the land:</b>	IOW-MR1-S001 to IOW-MR1-S012 (specifically IOW-MR1-S002)
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of point:</b>	
<p>The residents of Ash Grove object to the impact that the new route is already having on Ash Grove and Bracken Dell. They mention that since the existing coastal path has been diverted onto IOW-MR1-S001 to IOW-MR1-S002 more people are accessing Ash Grove (an unadopted private road which residents pay the cost to maintain), subsequently increasing dog fouling and littering. They requested improved signage to be installed to indicate that walkers do not have access through the middle of the village (Ash Grove). This signage has been installed by the Isle of Wight Council.</p> <p>[redacted] and [redacted] comment about Southern Water causing the landslip due to a failure to repair a water leak.</p> <p>[redacted] comments that walkers may be in danger by vehicles backing out of driveways and that there had been ‘near misses’.</p>	

[redacted] further comments that the Isle of Wight Council have not followed up on their commitment to reassess the realignment of the Isle of Wight Coast Path. The reassessment/review is due at the end of 2023.

#### **Natural England's comment:**

Following the significant landslide in December/January resulting in a formal path closure (IOW-3-S044 to IOW-3-S048, also Public Right of Way SS2), Natural England (NE) has worked very closely with the Isle of Wight Council Rights of Way team to develop the modified route. Once we received confirmation that the National Trust (the main landowner) and the Isle of Wight Ramblers Association were supportive of the new alignment, we displayed 'Notice to Occupiers' to establish the ownership of Bracken Dell (IOW-MR1-S001 to IOW-MR1-S002)- an unadopted road used for access to the neighbouring properties and an unrecorded footpath. On 09/03/23 one of the Notice to Occupiers signs had been removed. The Council returned the next day and placed some additional maps to show the diverted route as the National Trust agreed to open it on a permissive basis whilst NE's modified proposals are considered by the Secretary of State. This was to help overcome the issues of people getting lost and to deal with members of the public seeking to continue to access the old route, despite the barriers and signage that was in place to prevent this, people were trespassing on the owner of Luccombe Tea Gardens land (IOW-3-S045).

The Council had a meeting as requested by some of the residents of Bracken Dell and Ash Grove on 10/03/23 (of which [redacted] and [redacted] were present). At the meeting:

- The reasons for the realignment of the ECP were explained
- The residents expressed their concerns
- It was explained that the legislation to create the ECP is different to that of Public Rights of Way and that it's possible for the ECP to follow private tracks, roads and pass through fields where there are no existing access rights
- The ECP modification process was explained, and residents were made aware that they will have the opportunity to make either a representation or an objection to NE's proposals
- The Isle of Wight Council were asked by the residents to remove the diverted route maps
- Informed by one of the residents that they owned the land to the middle of the road along Bracken Dell at IOW-MR1-S001

A month passed and the Council started receiving complaints from a few residents of Ash Grove, saying there was an increased volume of walkers through Luccombe Village, resulting in privacy issues and claims of litter and dog waste. As a result of the complaints, the Council issued a statement (annex 1). To alleviate the impact on residents at Luccombe Village, the Council promised to maintain the unrecorded footpath along Bracken Dell and agreed to review the Isle of Wight coast path route in the area at the end of 2023. On 05/05/23 the Council installed additional signage (also promised in the statement) to make the diverted route very clear and to stop members of the public inadvertently using Ash Grove. It was noted that the residents had installed their own 'permissive' signs, as can be found in [redacted]'s supporting pictures in annex 2. [redacted] mentions in his representation that those signs were stolen and reports that a fence has been damaged by a car. NE does not condone acts of theft and damage and we would suggest residents report this to the Police. If the modification is approved, NE would be happy to install 'No Access' type signs at each end of Ash Grove at the time of establishment, to reinforce that there is no KCPIIECP access.

With regards to [redacted] and [redacted]'s comments concerning Southern Water causing the landslide due to a failure to repair a water leak and that Southern Water would fund the repairs to the path, NE are not in a position to comment on this claim. [redacted] states, *"To date there has been no official estimates for any repairs to the original coastal path route"*. NE consider the extent of the landslide is far too great and any works would be temporary. The Rights of Way department of the Council also consider that the damage is likely to be beyond repair and in terms of landslide risk, the slipped area is very likely to continue to fail and is not safe. The Rights of Way department of the Council would be extremely wary to spend public money on an area that is obviously active and unsafe.

[redacted] mentions, *“From Bracken Dell the footpath follows and crosses fields in which there are cows with calves, and failure to keep dogs on leads again risks injury both to humans and animals. Despite this villagers are met with verbal abuse when they suggest this”*. Under section 8.2.11 of the Coastal Access Scheme, *“the trail may cross land grazed by cattle if it is the most convenient route along the coast”*. The National Trust (the landowner of the fields) do not have any concerns with the alignment of the route in terms of potential danger to the public from cattle or disturbance to cattle from public access, or both. The Scheme mentions, *“Cattle will naturally avoid visitors when calving, especially on large open areas of spreading room, and it is reasonable to expect visitors to avoid cattle provided steps have been taken to alert them to the risks and precautions. Informal management techniques may also be used to prevent cattle and visitors from coming into close proximity”*. NE will be installing advisory signs on both kissing gates on the entrance and exit of the National Trust fields to alert people to the presence of cattle and reminding them they are required to keep dogs on short leads in the vicinity of livestock.

[redacted] further comments that there are no pavements and the roads are single track and a lack of responsibility by some walkers wearing earphones and a failure of some to not supervise dogs and children.

Under Section 4.2.1 of the Coastal Access Scheme, *“Most people already understand that the coast can be a dangerous environment, and are aware of many of the inherent risks. Our key principle is that visitors should take primary responsibility for their own safety when visiting the coast and for the safety of any children or other people in their care, and should be able to decide for themselves the level of personal risk they wish to take”*.

Ash Grove is a private road, landward of the trail therefore coastal access rights do not apply. However, although not promoted as part of the existing coastal path route it has been used by the public for many years and the location is a quiet residential area with low traffic movements. Natural England expects drivers exiting from their driveways to exercise normal due care when doing so to ensure it is safe to exit. Natural England’s key principle is that visitors should take primary responsibility for their own safety and for the safety of any children, other people or dogs in their care. The sections where the KCIIECP is aligned is not a through route and is a gravel track serving very few properties (five according to mapping) with room to move aside to avoid the limited amount of traffic likely to use it.

[redacted] further states that the Isle of Wight council have not followed up on a commitment to reassess the realignment of the Isle of Wight Coast Path. This is a matter that [redacted] should discuss with the Council. The reassessment/review is due at the end of 2023.

**Relevant appended documents (see Section 5):**

- Annex 1: Isle of Wight Council statement for the coastal path at Luccombe
- Annex 2: [redacted]’s supporting pictures

**4. Summary of ‘other’ representations making non-common points, and Natural England’s comments on them**

<b>Representation ID:</b>	MCA/MR1/R/2/IOW1023
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Luccombe
<b>Report map reference:</b>	Map MR1

<b>Route sections on or adjacent to the land:</b>	IOW-MR1-S003 to IOW-MR1-S008
<b>Other reports within stretch to which this representation also relates</b>	N/A
<p><b>Summary of representation:</b></p> <p>Overall support for the modification as it's an important route for residents and visitors. [redacted] has suggested a few infrastructure improvements such as drainage and surfacing to ensure the route remains usable throughout the seasons and a fenced route through the fields (IOW-MR1-S004 to IOW-MR1-S008) to avoid having walkers and cows together.</p>	
<p><b>Natural England's comment:</b></p> <p>Natural England welcomes [redacted] supportive comments. We've addressed [redacted] suggested infrastructure improvements under the following headings.</p> <p><u>Surfacing and drainage improvements due to waterlogging along IOW-MR1-S003 and start of IOW-MR1-S004</u></p> <p>Natural England are aware of the current waterlogging issues along IOW-MR1-S003 and at the gate at the start of IOW-MR1-S004. We will improve the surfacing by installing aggregates along IOW-MR1-S003 and at the kissing gate. We were informed on the 05/05/23 by the Isle of Wight Council that the leak has been fixed by Southern Water, therefore, at this time we won't be installing any drainage infrastructure as we don't feel this is required.</p> <p><u>Vegetation clearance and surfacing due to uneven ground along IOW-MR1-S004</u></p> <p>Natural England has chosen to align along IOW-MR1-S004 as it follows the desire line created by walkers that follow the slope up the field from the field gate. The terrain can be uneven, but it is what you would expect if walking through a field that has cattle present. It would not be advisable to input any surfacing as cows would churn this up. We believe the trail surface is satisfactory and meets National Trail Standards guidance, as found below:</p> <ul style="list-style-type: none"> <li>• <i>“Artificial surfacing is minimised outside urban areas, and where used should: <ul style="list-style-type: none"> <li>○ be well-managed, sustainable and sympathetic to the landscape;</li> <li>○ use natural materials, locally and sustainably sourced.</li> </ul> </i></li> <li>• <i>The trail is readily passable, unobstructed &amp; free from undergrowth and overgrowth.</i></li> <li>• <i>Where it passes along roads, verges are managed to give walkers adequate refuge.</i></li> <li>• <i>Where the trail has shared use, it has a width that is sufficient to accommodate that use.”</i></li> </ul> <p>We won't be cutting back the vegetation along the path as we don't feel this is necessary as there are cattle present. The path is in an open field so overhanging branches etc won't significantly impede walkers.</p> <p><u>Fencing through fields IOW-MR1-S004 to IOW-MR1-S008 over concerns arising from the presence of cattle on land with coastal access rights</u></p> <p>Under section 8.2.11 of the Coastal Access Scheme, <i>“the trail may cross land grazed by cattle if it is the most convenient route along the coast”</i>. NE aligned the section IOW-MR1-S004 on a hill on the northern end of the field to avoid the waterlogged fields located in the south. The National Trust (the landowner of the fields) do not have any concerns with the alignment of the route in terms of potential danger to the public from cattle or disturbance to cattle from public access, or both. NE broached the idea of fencing, but they said that it wasn't needed and that it would be more difficult for them to manage the land e.g., hedgerow cutting on the field boundaries. The Scheme mentions, <i>“Cattle will naturally avoid visitors when calving, especially on large open areas of spreading room, and it is reasonable to expect visitors to avoid cattle provided steps have been taken to alert them to the risks and precautions. Informal management techniques may also be used to prevent cattle and visitors from coming into close proximity”</i>. As [redacted] suggests, we will be installing advisory signs on both kissing gates on the</p>	

entrance and exit of the National Trust fields to alert people to the presence of cattle and reminding them they are required to keep dogs on short leads in the vicinity of livestock. Additionally, this is a large field with ample opportunity to avoid cattle.

## 5. Supporting documents

<b>Supporting Document</b>	<b>Description and reference number</b>
Annex 1	MCA/MR1/R/3/IOW4251, MCA/MR1/R/4/IOW4252, MCA/MR1/R/5/IOW4253 Isle of Wight Council statement for the coastal path at Luccombe
Annex 2	MCA/MR1/R/5/IOW4253 [redacted]'s supporting pictures



Isle of Wight Council statement for the coastal path at Luccombe

## ***Coastal Access Rights at Luccombe***

The significant land movement at the property formerly known as Luccombe Tea Gardens has resulted in the closure of a section of public footpath SS2, which formed part of the promoted coastal path route. The affected section is closed on the grounds of health and safety pursuant to a temporary traffic regulation order. This is not uncommon on the coast and, as occurs elsewhere on the Island, an alternative route has been provided which bypasses the damage but remains as close to the coast as is practicable.

Three maps are provided at the foot of this statement:

Map 1: Public rights of way recorded on the definitive map

Map 2: Published/proposed England Coast Path route 2020 (now subject to modification)

Map 3: Proposed modified/alternative route

The alternative route (Map 3) maintains the existing coastal path route as far as possible and then uses a section of public footpath SS88, an unrecorded public footpath connecting to it, Bracken Dell (east) and a path over land held by the National Trust.

The Council acknowledges that the coastal path is popular and that the alternative route will lead to an increase in the use of the public rights of way (on foot) along part of SS88 and Bracken Dell (east). However, this route remains coastal in nature by utilising the full length of Luccombe Road and the remaining section of public footpath SS2, thus avoiding the majority of residences at Luccombe Village i.e. along Ash Grove.

In order to limit the impact on Luccombe Village, and in particular the inadvertent use of Ash Grove as the coastal path route, the Council will:

- install signage making the alternative coastal path route very clear.
- maintain and be responsible for the unrecorded footpath section along Bracken Dell (east) as part of the public footpath network.
- review the alternative coastal path route at the end of 2023.

The closed section of Public Footpath SS2 also affects the published England Coast Path National Trail route which was proposed and made available for full public consultation in 2020 ([Report - Culver Down to Binnel Bay](#)) – please see Map 2 below.

Natural England are the government adviser for the natural environment in England and are the lead organisation for the establishment of a new National Trail coastal path around the full coastline of England including the Isle of Wight. They undertake this work in line with their published Coastal Access Scheme ([Coastal Access - Natural England's Approved Scheme](#)). As the proposed route for the new England Coast Path in the Luccombe area has yet to be approved by the Secretary of State any changes that are required to its route, will require a modification report to be published by Natural England. Owners/occupiers whose property is immediately affected will be contacted with a copy of this report and can object on the grounds that it is contrary to the Coastal Access Scheme requirements particularly, if they believe that the proposal does not strike an appropriate balance between public and their owner/occupier interests. Any other person can provide a representation on the matter during the eight-week consultation period.

Natural England will then collate replies and provide their view on these in a report which will be submitted to the Secretary of State at DEFRA. If there are objections, an appointed person

from the Planning Inspectorate adjudicates on any objections and advises the Secretary of State as to whether proposals can stand as published or require alteration.

The proposed route for the realignment of the England Coast Path at Luccombe for the modification report will include the use of Bracken Dell (east) as a connection between Public Footpaths SS2 and SS88 (see Map 3 below), as Natural England contend that this has met the required appropriate balance required in their Coastal Access Scheme.

If the section of the current coastal path between Luccombe Road and its junction with Bracken Dell (east) is not approved as the route for the England Coast Path, Public Footpath SS2 will remain on the definitive map and open and available for use up to the closure at Luccombe Tea Gardens. However, in those circumstances the open section of Public Footpath SS2 would not be promoted or signed as a coastal route by the Council i.e. the England Coast Path route (as approved by DEFRA) would be the only signed and promoted coastal route in the area.

Map 1: Public rights of way recorded on the definitive map:

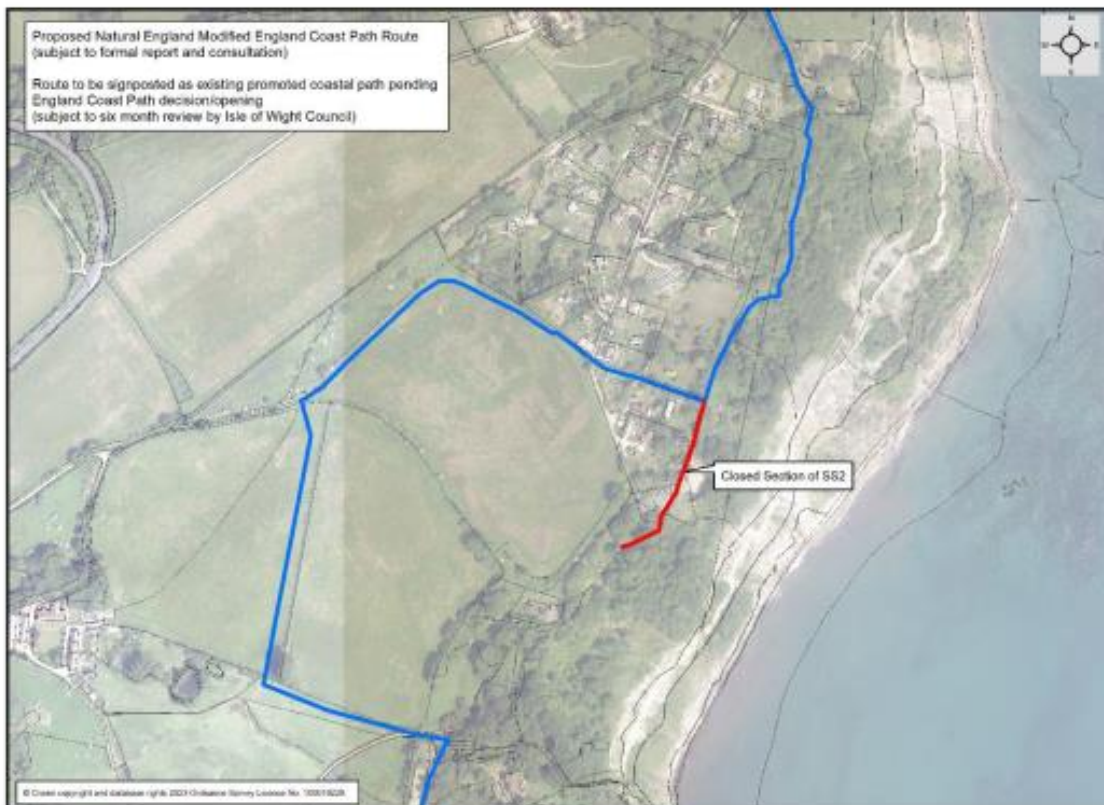




Map 2: Natural England's published England Coast Path route (2020) (indicative)



Map 3: Proposed modified/alternative route (indicative):



[redacted]'s supporting pictures

Please find pictures attached.

The dog poo is just from the last two days;

The post is where one of the signs that were stolen was sited;

The fence damage was caused by a car that had come to pick up walkers that couldn't be bothered to finish the coastal path to Shanklin. It was witnessed but unfortunately the witness did not have a camera;

Pictures of stolen signs:

Picture of coves in NT field in stand-off with walkers, the coves have calfs and are very protective. There have been instances when walkers using the coastal diversion have their dogs off lead when the coves are in the same fields.























## Coastal Access – Isle of Wight – Wootton Bridge to the Medina



## Representations on MR2 Shanklin Chine and Natural England's comments

October 2023

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### 6. Introduction

This document details representations we have received on the stated coastal access modification report. These fall into one category:

- Those which have not come from those persons or bodies whose representations we are required to send in full to the Secretary of State ('other' representations, summarised below).

It also sets out any comments that Natural England choose to make in response to these representations.

## 7. Background

Natural England submitted a [modification report](#) to the Secretary of State setting out revised proposals for the route of the England Coast Path on the Isle of Wight at Shanklin Chine (MR2) on Wednesday 9<sup>th</sup> August 2023. This change affects a section of the proposed stretch [IOW 3: Culver Down to Binnel Bay](#). A part of the original route was lost due to cliff movement. It proposes realigning this section landward of the original route and the proposed changes are detailed in the report. The period for making representations and objections about the reports closed at midnight on Wednesday 4 October 2023.

In relation to the report for MR2, Natural England received one (1) representation. As required by the legislation we have summarised this representation and provided our comments on it below.

## 8. Summary of the representations and Natural England's comment on it

<b>Representation ID:</b>	MCA/MR2/R/1/IOW1023
<b>Organisation/ person making representation:</b>	[redacted]
<b>Name of site:</b>	Shanklin Chine
<b>Report map reference:</b>	Map MR2
<b>Route sections on or adjacent to the land:</b>	IOW-MR2-S004
<b>Other reports within stretch to which this representation also relates</b>	N/A
<b>Summary of representation:</b>	
Overall support for the modification but suggests a handrail is added as minimum and the surface of the steps is improved at Tower Cottage Gardens (IOW-MR2-S004)	

### Natural England's comment:

Natural England (NE) welcomes [redacted] supportive comments. [redacted] mentions that the steps at Tower Garden Cottages "are undulating in places, narrow and without a handrail". NE believes it's unnecessary to modify the stone steps here as they cover a short section of the route and the fencing on the seaward side of the path also acts as a handrail, as can be seen on the pictures attached below.

Under 4.2.1 of the Coastal Access Scheme, it mentions "*Our key principle is that visitors should take primary responsibility for their own safety when visiting the coast and for the safety of any children or other people in their care, and should be able to decide for themselves the level of personal risk they wish to take*". There is a route which would bypass the steps along Everton Lane and a pavement on Chine Avenue which would be accessible to those people who can't manage the steps. It re-joins with the modified route at IOW-MR2-S008.

