

Coastal Access Modification Report IOS-MR1

Proposed changes to the submitted King Charles III England Coast Path proposals for IOS 3: Oak Lane, Minster to Hens Brook, Eastchurch

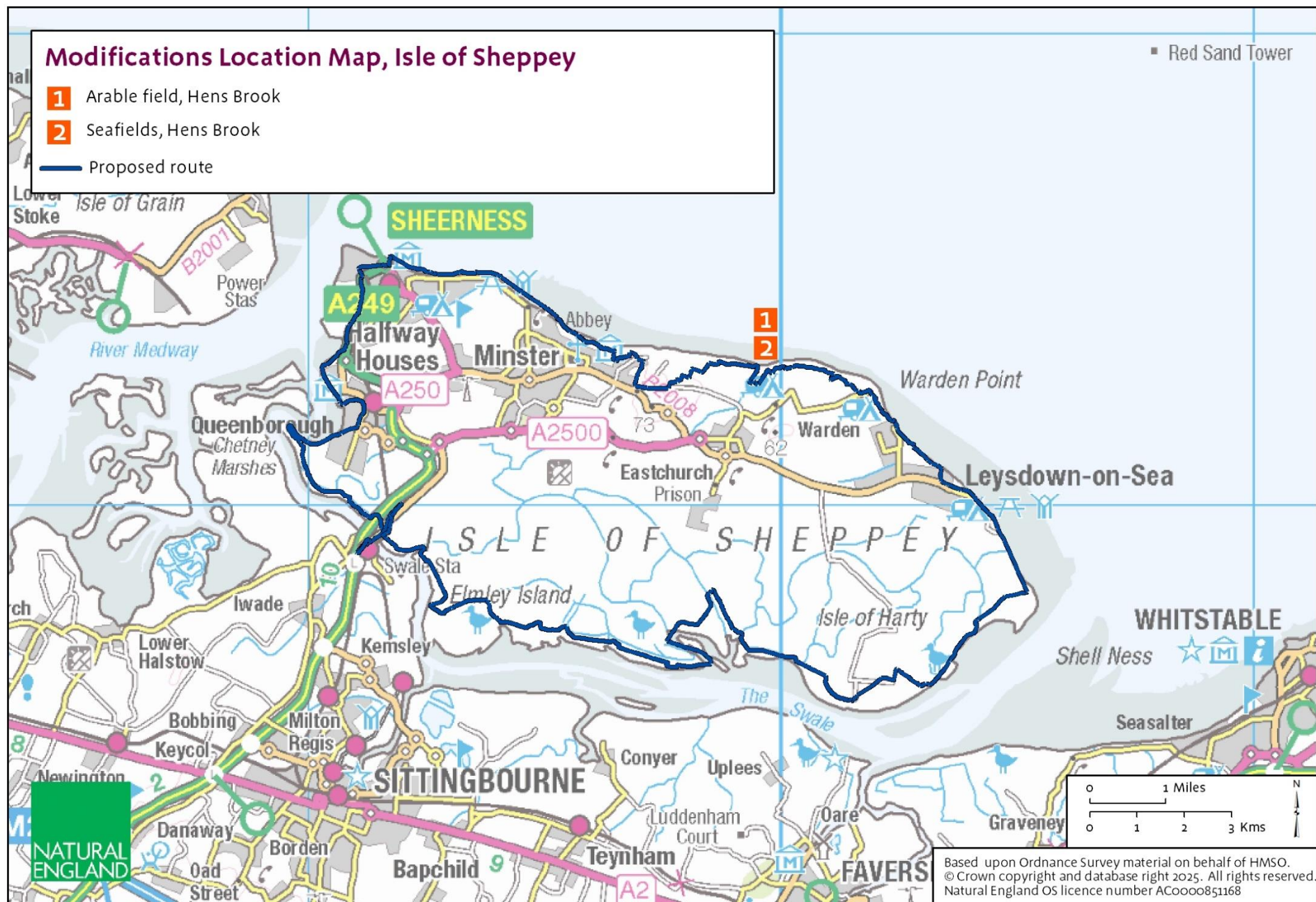
Location affected: Hens Brook, Eastchurch, Isle of Sheppey

Natural England's Modification Report to the Secretary of State

March 2025

Purpose of this report

1. Natural England has a statutory duty under the Marine and Coastal Access Act 2009 to improve access to the English coast. The duty is in two parts: one relating to securing a long-distance walking route around the coast; the other to creating an associated "margin" of land for the public to enjoy, either in conjunction with their access along the route line, or otherwise.
2. On 22 January 2020, Natural England submitted a report to the Secretary of State for the Environment, Food and Rural Affairs, setting out proposals for improved access to the coast from Oak Lane, Minster to Hens Brook. The Secretary of State is considering the related objections and representations before determining Natural England's report. Public rights of access to this stretch therefore have yet to commence.
3. Since submission of its report, it has become clear to Natural England that because of altered circumstances some changes are necessary to the route it proposed for the King Charles III England Coast Path on this stretch.
4. Two changes are now considered necessary at Hens Brook, Eastchurch and need to be proposed now through a separate Modification Report (MR), so that they can be considered alongside the rest of Natural England's original proposals. The locations are shown on the Ordnance Survey base map below headed Modifications Location Map:
 - Arable field, Hens Brook
 - Seafields, Hens Brook
5. These changed proposals are set out below and are subject to a fresh objections and representations process; to advice by a person appointed by the Secretary of State about any objections that are received to the proposals; and then to determination by the Secretary of State alongside Natural England's original proposals.
6. It is therefore recommended that for determination purposes, Natural England's original report relating to this stretch, which can be viewed [here](#), should be read as proposed to be amended by this MR. The original stretch [Overview](#) provides vital context to many of the issues discussed within this MR.



Part A: Proposed modifications at Hens Brook, Eastchurch

Start Point:	Grid reference: 599,502.201 172,932.751 Meters
End Point:	Grid reference: 599,411.678 172,631.819 Meters
Relevant Map:	MR1A
Section numbers from original proposals no longer being proposed: IOS-3-S019 to IOS-3-S021	

A.1 Introduction

Reason for and consequences of proposed modification:

A.1.1 Our original alignment of the KCIIIECP in this area, as proposed in Natural England's [original report](#) followed:

1. an arable field edge adjacent to Hens Brook and,
2. an existing grassy track alongside Hens Brook, seaward of a series of horse paddocks.

A.1.2 Following review of aerial photographs, we identified that a landslip had occurred on the edge of an arable field that would have a minor effect on the proposed alignment.

In addition, at a site visit post submission, a landowner highlighted significant new safety concerns regarding the proposed mix of walkers and horses along the grassy track on the western bank of Hens Brook. These concerns were not brought to our attention during the development of our initial proposals.

The narrow space, lack of visibility along the track and temperament of the stable's current horses could pose safety concerns in a shared space. By re-routing the proposed trail, walkers and horses will not be confined together in this space.

A.2 Proposals Narrative

The Trail:

A.2.1 Our proposal (see map MR1A) is, from west to east, to re-route the path shown as sections IOS-3-S019, and sections IOS-3-S020 to IOS-3-S021 in our original report.

- The new section of trail to avoid the landslip is 75 metres in length at a maximum of 7 metres landward of the original route proposed. Our modified route follows the new edge of the arable field beside Hens Brook.
- The new section of trail to avoid the brookside track is 376 metres in length at a maximum of 62 metres westward of the original route proposed. Our modified route follows the eastern boundary of an arable field; through a new gap in a hedgerow; through an open area between horse paddocks (section IOS-MR1-S003); north-east along a short stretch of grassed track, to end by an existing bridge across Hens Brook.

Protection of the environment:

A.2.2 The proposals lie just landward of Sheppey Cliffs Site of Special Scientific Interest (SSSI), however no internationally or nationally designated sites will be affected by these modifications, and

therefore there is no need to consider the consequences of it for the Habitats Regulation Assessment (HRA) or Nature Conservation Assessment (NCA) of coastal access proposals for the Isle of Sheppey. Natural England is satisfied that the proposed modifications, such as creating a new gap in a hedgerow (between sections IOS-MR1-S002 and S003) is in accordance with relevant environmental protection legislation.

Accessibility:

A.2.3 The proposed trail will be made up of compacted earth along the edge of an arable field and a length of compacted earth and grass surface. Like the original proposed route, the modified one is likely to be unsuitable for some people with reduced mobility because of the nature of the uneven surfaces and tracks.

We will seek to facilitate access for people with reduced mobility, for example in choosing accessible designs for a new bridge between sections IOS-MR1-S002 and S003.

Restrictions and/or exclusions:

A.2.4 Access rights to the seaward margin would be subject to the excepted land rules and the national restrictions on coastal access rights.

A.2.5 Coastal Margin: Access to the coastal margin will be excluded all year round to the horse paddocks and brook-side track adjacent to Brookside Park, seaward of route sections IOS-MR1-S003 and IOS-MR1-S004. This is proposed under Section 25(1)(b) of the Countryside and Rights of Way Act (2000) for the purpose of public safety. This exclusion will not affect the route itself.

See map MR1B for further detail.

The temperament of the horses in the paddocks adjacent to Brookside Park is unpredictable, and the individual paddocks where the horses are kept are quite confined with limited points of access onto the brook-side track. It is unlikely that horses and access users can avoid each other on the track or within these small compartments. To protect access users from possible conflict with the horses we are proposing to exclude coastal access rights all year.

A.2.6 Trail: Access to the King Charles III England Coast path route will be restricted for walkers with dogs - to keep dogs on leads at all times along route sections IOS-MR1-S001 to IOS-MR1-S004.

This is proposed under Section 24 of the Countryside and Rights of Way Act (2000) for the purpose of land management.

See map MR1B for further detail.

This reflects the original proposals for the trail along this part of the north coast of Sheppey. The trail along this part of the coast passes through multiple small fields and landholdings, with a variety of uses. We consider it necessary to establish a single approach to access management throughout these areas to allow the continuation of the current land management and provide walkers with a clear and consistent message about dog control.

Coastal erosion:

A.2.7 Part 7 of the Overview to the original stretch report explains that Natural England can propose that the route of the trail should be able to change in the future, without further approval from the Secretary of State, in response to coastal change, and the proposals in this respect are then set out in that report.

A.2.8 Column 4 of table A.3.1 indicates where roll-back has been proposed in relation to a modified route section. Where this is the case, the route, as initially determined at the time the MR was prepared, is to be at the centre of the line shown on map MR1A as the proposed modified route of the trail.

A.2.9 If at any time in the future any part of a modified route section upon which roll-back has been specified needs, in Natural England's view, to change in order for the overall route to remain viable, the new route for the part in question will be determined by Natural England without further reference to the Secretary of State. This will be done in accordance with the criteria and procedures described under the title 'Roll-back' in part 7 of the Overview and section 4.10 of the Coastal Access Scheme. If this happens, the new route will become the approved route for that section for the purposes of the Order which determines where coastal access rights apply.

Establishment of the trail:

A.2.10 Below we summarise how our proposed route for the repositioned part of the trail would be physically established to make it ready for public use before any new rights come into force along it.

A.2.11 Our estimate of the capital costs for these works is £3779. This is an increase of around £2984 compared to the original route set out in our report to the Secretary of State in 2020. This is mainly due to the fact that an extra sleeper bridge is required on this route, and that there has been significant increases in labour and material costs over the past 5 years.

A.2.12 Summary of cost implications:

- Original cost estimate for establishment of submitted route (sections IOS-3-S019 to S021) = £795
- Cost estimate for establishment of proposed modified route = £3779
- Likely increase = £2984

A.2.13 These estimates are informed by information from the access authority.

A.2.14 There are three main elements to the overall capital costs:

- Remove a section of hedge and install a gate.
- A new sleeper bridge over a field ditch.
- Directional signage and advisory information.

A.2.15 If the Secretary of State approves our report, Kent County Council will liaise with the affected land owners and occupiers about relevant aspects of the establishment works and installation of new signs that are needed on their land. Prior to works being carried out on the ground, all necessary permissions, authorisations and consents will be obtained. All such works would conform to the published standards for National Trails and the other criteria described in our Coastal Access Scheme.

Maintenance of the trail:

A.2.16 As for the previously proposed route, ongoing maintenance of the trail would be necessary from time to time. This modification would make no significant change to our overall estimate for the originally submitted route, as set out in our report to the Secretary of State in 2020.

Part A.3: Proposals Tables

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

Table A.3.1: Map MR1A – Modifications, Hens Brook, Eastchurch

Key notes on table:

1. Column 4 – ‘No’ means no roll-back is proposed for this route section. ‘Yes – normal’ means roll-back is proposed and is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future as any coastal change occurs.
2. Column 4 – ‘Yes – see table A.3.3’ means roll-back is proposed, but refer to that table below about our likely approach to implementing it for this route section. This is because a more complex situation exists in this case and consideration must be given to how roll-back may happen in relation to excepted land, a protected site etc.
3. Column 5a - Certain coastal land types are included automatically in the coastal margin where they fall landward of the trail if they touch it at some point. The relevant land type (foreshore, cliff, bank, barrier, dune, beach, flat or section 15 land – see Glossary in Annex B to the 2017 Overview) is shown in this column where appropriate. “No” means none present on this route section.
4. Columns 5b and 5c – Any entry in these columns means we are proposing to align the landward boundary of the coastal margin on this route section with the physical feature(s) shown in 5b, for the reason in 5c. No text here means that for this route section the landward edge of the margin would be that of the trail itself - or if any default coastal land type is shown in 5a, that would be its landward boundary instead.

1	2	3	4	5a	5b	5c	6
Map(s)	New route section number(s)	Current status of route section(s)	Roll-back proposed? (See part 8 of 2017 report Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin	Reason for landward boundary proposal	Explanatory notes
MR1A	IOS-MR1-S001	Not an existing walked route	Yes - normal	No			
MR1A	IOS-MR1-S002	Not an existing walked route	Yes - normal	No			
MR1A	IOS-MR1-S003	Not an existing walked route	Yes – see table 2.3.3	No	Fenceline	Clarity & cohesion	
MR1A	IOS-MR1-S004	Not an existing walked route	Yes – see table 2.3.3	Yes - bank			Landward coastal margin to include bank of Hens Brook

A.3.2 Other options considered: Map MR1A – Modifications, Hens Brook, Eastchurch

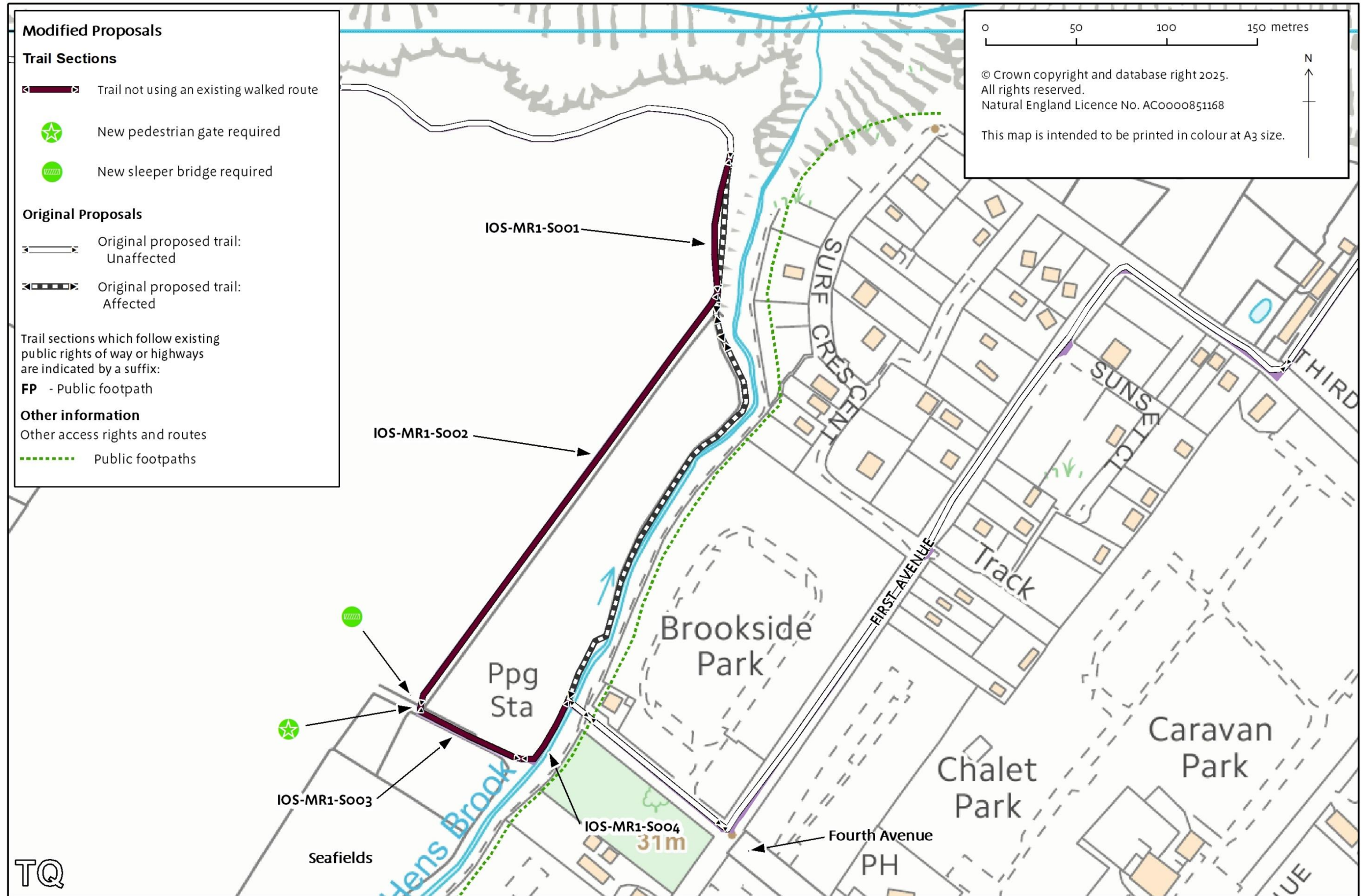
Map(s)	New route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
MR1A	IOS-MR1-S002 to IOS-MR1-S004	We considered aligning the trail along the northern part of the track on the west bank of Hens Brook; crossing the brook at the north end of Brookside Park, and aligning along the eastern bank of the brook / public right of way to meet the approved route (IOS 4) at Fourth Avenue	<p>We opted for the proposed route because:</p> <p>This alignment creates a safe route for walkers, avoiding significant interaction with current equine use on the northern section of the brookside track. it is unaffected by erosion of the public right of way along the east bank of Hens Brook.</p> <p>we concluded that overall the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.</p>
MR1A	IOS-MR1-S002 to IOS-MR1-S004	We considered extending the trail south-west along the edge of the arable field for ~600m to meet Plough Road ; then south-east along the highway for ~240m, and then ~700m north-east along First Avenue to meet the approved trail alignment (IOS 4) at the junction of First and Fourth Avenues.	<p>We opted for the proposed route because:</p> <p>It is closer to the coast and a more direct route.</p> <p>It avoids the creation of significant areas of coastal margin.</p> <ul style="list-style-type: none"> ■ It provides a safe, off-road route and avoids walking on Plough Road, as advised by Kent County Council. <p>we concluded that overall the proposed route struck the best balance in terms of the criteria described in chapter 4 of the Coastal Access Scheme.</p>

Note: Any public rights of way not forming part of the proposed trail would remain available for people to use under their pre-existing rights.

A.3.3 Roll-back implementation – more complex situations: Map MR1A – Modifications, Hens Brook, Eastchurch

Map(s)	New route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
MR1A	IOS-MR1-S002 to IOS-MR1-S003	Buildings, horse paddocks	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings) or the horse paddocks, we will choose a new route after detailed discussions with all relevant interests, either (a) to pass through the paddocks, or (b) if this is not practicable, to pass somewhere on the landward side of it. In reaching this judgement we will have full regard to the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.

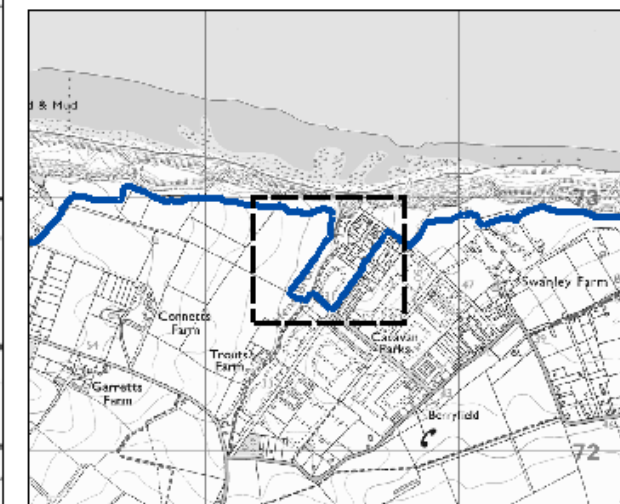
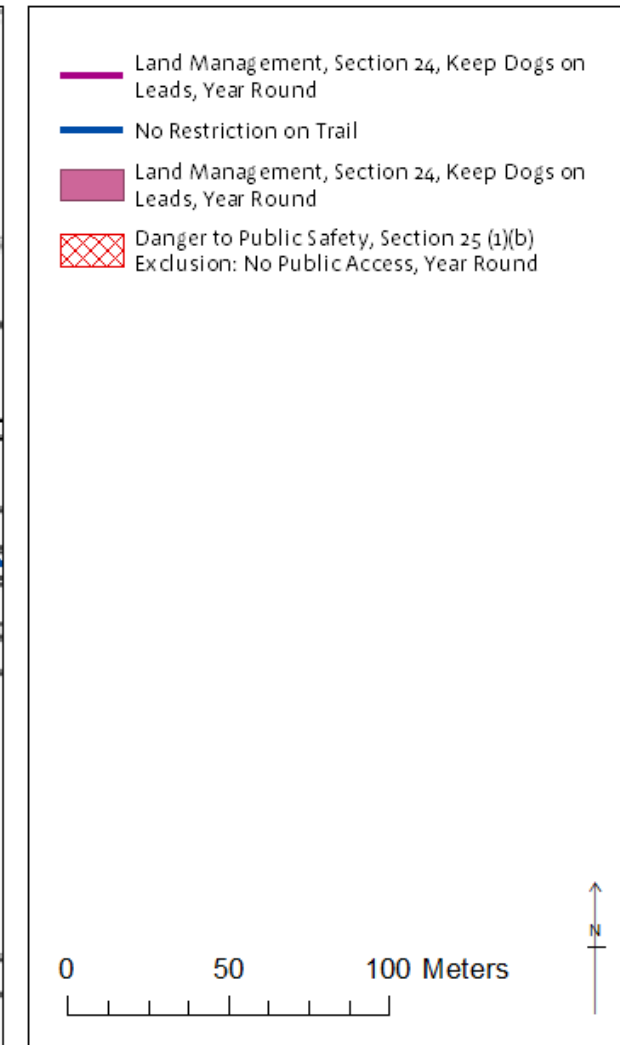
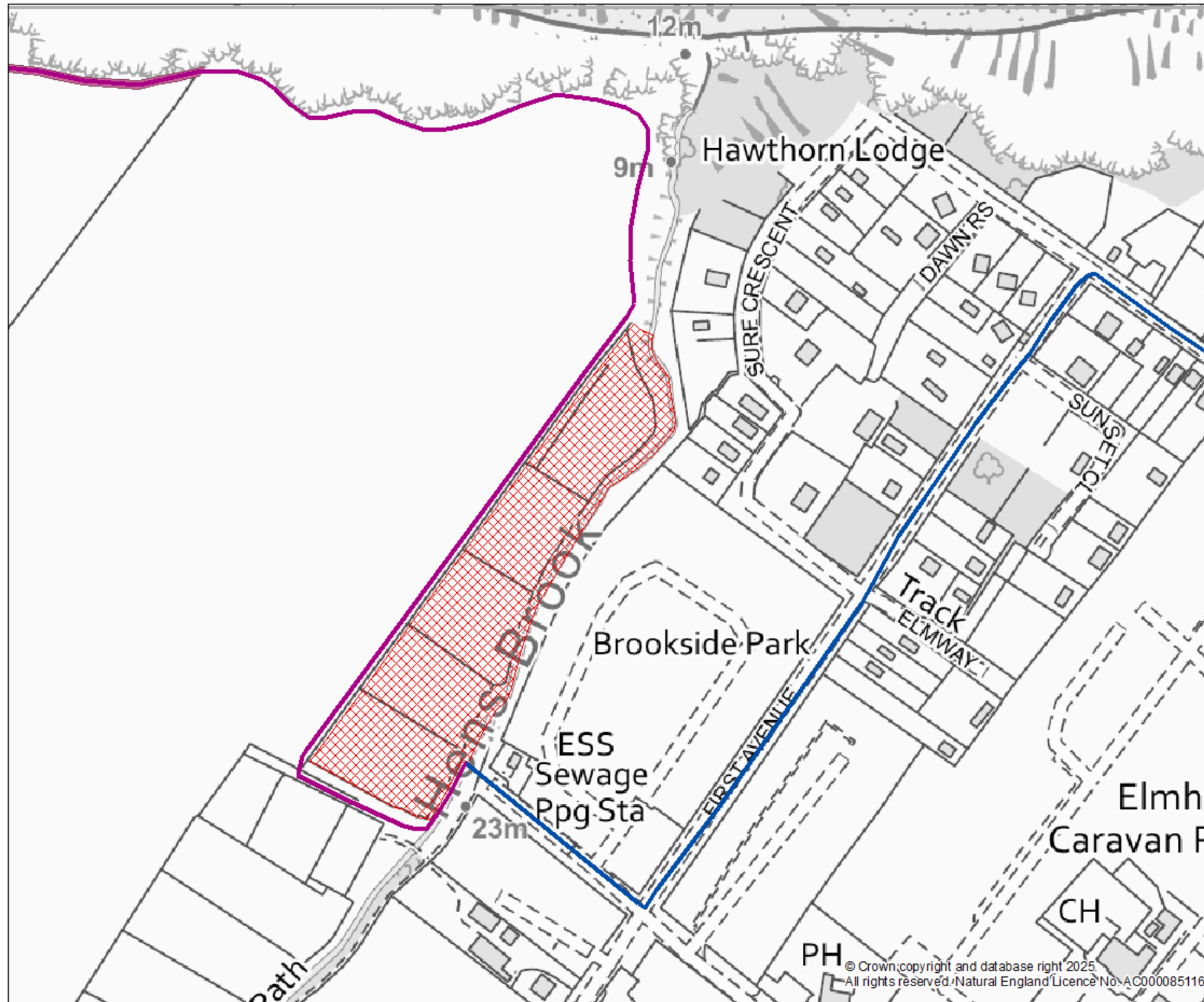
Map MR1A - Modifications - Hens Brook



Map MR1 - Modification 1 - Hens Brook

MR1B - Modifications - Hens Brook - Directions

These directions only affect land where coastal access rights apply and will not affect existing rights of access, such as on public rights of way.



MR1B - Modifications - Hens Brook - Directions