

ENGLISH COASTAL PATH CONSULTATION RESPONSE

1. INTRODUCTION

- 1.1 The purpose of this report is to seek approval to submit a consultation response to Natural England as part of their current consultation on the Coastal Access Report: Highcliffe to Calshot which is part of the English Coastal path. As part of developing the route Natural England have met with all landowners where the proposal crosses, which includes this Council.

2. BACKGROUND

- 2.1 On Wednesday 14th March 2018 Natural England submitted its report the Secretary of State for Environment, Food and Rural affairs setting out their proposals for improved access to the coast from Highcliffe to Calshot (a 57km stretch).

- 2.2 A key feature of the coastal path is that it will be able to ‘roll back’ as the cliffs erode or slip, solving long-standing difficulties with maintaining a continuous route on this stretch of coast.

- 2.3 The full report can be found on line at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690377/highcliffe-calshot-overview.PDF. The maps in the report show the path and the coastal margin (which is a single, continuous corridor of land which includes the path itself). The margin also includes all land seaward of the path. Land which forms part of the coastal margin would be subject to access rights, other than:

- any excepted land, such as land covered by buildings or their gardens or curtilage; or
- any land where coastal access rights would be excluded under statutory powers.

- 2.4 In the report the term Spreading room is used to describe any land, other than trail land, which would form part of the coastal margin and would have public rights of access. It does not, therefore, include any excepted land within the margin, or any existing access land on the landward side of the trail that is omitted from the margin.

3. PROPOSALS

- 3.1 The proposals form part of a Natural England programme to establish a continuous walking route around England’s coastline with 62 stretches to be completed over five years.

- 3.2 A plan showing the route can be seen at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/469653/highcliffe-calshot-stretch-map.pdf but is also attached at Appendix 2 of this report.

4. CONSULTATION RESPONSE

- 4.1 The Council have worked closely with Natural England on the proposals for the route that directly affect its land ownership. As a landowner the Council does not have any objections to the proposals.
- 4.2 As a District Council, the Council is keen to encourage the walk so long as it does not have an adverse impact on any of its residents. The Council's recreational mitigation strategy was adopted in 2014 in order to comply with the Conservation of Habitats and Species Regulations 2010 and provide a means for developers to mitigate against the impact of recreational activity from new residential on the special European sites. Any proposals for the path must not provide a conflict with this strategy and the Council will work closely with Natural England to ensure this is the case.
- 4.3 Once adopted the path will be shown on ordnance survey maps and this will show both the path and the spreading room, the latter being a magenta wash, however, currently no excepted land is proposed to be shown on the maps. This is a concern as any user of the path carrying an Ordnance Survey map may be under the impression that they are free/encouraged to walk on protected areas which can be extremely dangerous. It is therefore proposed to recommend to Natural England to depict the spreading room accurately or not include the path at all.

5. NEXT STEPS

- 5.1 Objections are forwarded for consideration by an independent planning inspector appointed by the Secretary of State. The inspector will make recommendations to the Secretary of State in respect of each one.
- 5.2 Natural England may not make any further changes to the report as a result of the representations and objections, but will make comments about them for consideration by the Secretary of State and, in the case of objections, the appointed person (an inspector from the Planning Inspectorate).
- 5.3 The Secretary of State will consider all the representations and objections before making a decision about Natural England's report.
- 5.4 Once the Secretary of State has approved the report, Natural England will start work with Hampshire County Council and the New Forest National Park Authority on preparing the route for public use.
- 5.5 The first step will be to contact owners and occupiers of the affected land to discuss the design and location of any new infrastructure which is required such as signs and gates.
- 5.6 When preparations are complete, new access rights will be brought into force along the route and adjoining spreading room. This is expected to happen in 2020.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications to this Council as part of this project. Any maintenance issues will fall to Hampshire County Council as the authority responsible for maintaining public rights of way.

7. ENVIRONMENTAL IMPLICATIONS

- 7.1 Once completed the aim is to provide a continuous walking route around England's coastline. The Council will work closely with Natural England to ensure that the aims of this path do not conflict with those of the Council's Recreational Mitigation Strategy which looks to mitigate against any adverse effects of recreation on the special European designations within the District.

8. CRIME & DISORDER IMPLICATIONS

- 8.1 None

9. EQUALITY & DIVERSITY IMPLICATIONS

- 9.1 None

10. RECOMMENDATIONS

- 10.1 It is recommended that the response attached at Appendix 1 of this report is approved to be submitted to Natural England.

11. PORTFOLIO HOLDER DECISION

I agree the recommendations contained within paragraph 10.1 of this report.

Signed: CLLR E J HERON **Date:** 9 MAY 2018

Date notice of decision given..... 9 May 2018

Last date for call-in 16 May 2018

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Background Papers:

England Coast Path Highcliffe to Calshot. Natural England's Report to the Secretary of State: Overview:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690377/highcliff-calshot-overview.PDF

Appendix 1: Proposed response to Natural England

New Forest District Council thank you for your inclusive approach to engaging with us during the development of a route for the ECP. As you are aware this Council has both an interest in the route as landowner for some areas and as planning authority with some of the route for the ECP also being covered by our recreational mitigation strategy.

We hope that the ECP team have benefitted from our local knowledge and expertise and understand that this input has formed part of the evidence to define a route which does not lead to additional recreational impacts both the New Forest and Solent and Southampton Water Special Protection Area (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 in the same way that as a planning authority we can allow development to proceed in satisfaction of those same regulations.

As a landowner, the District Council does not have any objections to the proposed route. However, the Council does have concerns that the ECP will lead to a rise in the number of visitors to sensitive parts of the coast, thus causing increased disturbance to the SPAs. We would therefore like to be assured that the proposed route will be designed in such a way as to ensure that it is not a detriment to the residents of the New Forest District and that appropriate mitigation measures are put in place to mitigate any increased visits to the area.

The Council understands 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 Forest District 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.

Appendix 2: Map of ECP stretch being consulted on.

Coastal Access in the South: Highcliffe to Calshot

Natural England is working on proposals to improve public access to the coast between Highcliffe and Calshot.

