

## Chapter 2:

# Dengemarsh Gully, Dungeness to Battery Road (Pilot Pub)

Coastal Access: Camber to Folkestone - Natural England's Proposals

## Part 2.1: Introduction

<b>Start Point:</b>	<b>Dengemarsh Gully, Dungeness</b> (grid reference: TR06481673)
<b>End Point:</b>	<b>Battery Road (Pilot Pub)</b> (grid reference: TR08891857)
<b>Relevant Maps:</b>	<b>2a to 2c</b>

### Understanding the proposals and accompanying maps:

#### The Trail:

- 2.1.1 Generally follows existing walked routes, including public rights of way and alongside a private road, along most of this length.
- 2.1.2 Mainly follows the coastline quite closely and maintains good views of the sea
- 2.1.3 Is aligned on the shingle bund to the seaward side of Dungeness Nuclear Power Station. See part 2.3 for details.
- 2.1.4 This part of the coast includes the following sites, designated for nature conservation or heritage preservation (See map C of the Overview):

- Dungeness Special Area of Conservation (SAC)
- Dungeness, Romney Marsh and Rye Bay potential Special Protection Area (pSPA)
- Dungeness, Romney Marsh and Rye Bay proposed Ramsar site (pRamsar)
- Dungeness, Romney Marsh and Rye Bay Site of Special Scientific Interest (SSSI) for its geological and wildlife interest
- Dungeness National Nature Reserve (NNR)

We have assessed the potential impacts of access along the proposed route (and over the associated spreading room described below) on the features for which the affected land is designated and on any which are protected in their own right.

- 2.1.5 After advice from specialists we have concluded that our proposals would not be likely to have any significant impact on these features. In reaching this conclusion we have identified that it would be necessary to implement a number of access management measures for affected parts of designated sites at Dungeness. This proposal is explained further in parts 5 & 9 of the Overview.
  - In relation to those nature conservation sites listed above, refer to our published Access and Sensitive Features Appraisal for more information.

**See part 5b of the Overview - 'Natural environment' - for more information.**

### **Accessibility:**

- 2.1.6 Generally, there are few artificial barriers to accessibility on the proposed route, which makes use of existing surfaced paths wherever these meet the criteria in the Coastal Access Scheme. However, there are places where it may not be entirely suitable for people with reduced mobility because:
- The trail would follow a shingle bund to the southern side of the Nuclear Power Station at Dungeness for a length of approximately 2.2km.
- 2.1.7 Between the bund to the southern side of the Nuclear Power Station and Battery Road to the north, access infrastructure, including waymarks, signs and interpretation will be added, so as to make the trail easier to follow and to help illustrate where any new access rights apply. We envisage this happening before the new access rights come into force/ as part of the physical establishment work described in part 6 of the Overview.

**See part 5a of the Overview - 'Recreational issues' - for more information.**

### **Where we have proposed exercising our discretion:**

The discretions referred to below are explained in more detail in the Overview.

- 2.1.8 Landward boundary of the coastal margin: We have used our discretion on some sections of the route to map the landward extent of the coastal margin to an adjacent physical boundary such as a fence line, pavement or track to make the extent of the new access rights clearer. See Table 2.2.1 below.

**See also part 3 of the Overview - 'Understanding the proposals and accompanying maps', for an explanation of the default extent of the coastal margin and how we may use our discretion to adjust the margin, either to add land or to provide clarity. See also Annex C of the Overview - 'Excepted land categories'.**

- 2.1.9 Restrictions and/or exclusions: Access rights to the spreading room would be subject to the national restrictions on coastal access rights listed in Annex D of the Overview. These restrictions would not apply to public rights of way.
- 2.1.10 On a precautionary basis, we initially propose to exclude coastal access rights on areas of shingle to the seaward side of route sections CFK-2-S006 to CFK-2-S014 (and into Chapter 3 CFK-3-S006). The exclusion will cover the areas between the trail, the main access tracks to the beach and Mean High Water in order to protect the shingle vegetation and continue to provide direct access to the beach. Monitoring will form the basis of a review after 2 years of the need for this statutory restriction.

**See parts 5b and 9 of the Overview - 'Restrictions and exclusions' - for details.**

- 2.1.11 Other factors affecting access: From time to time and particularly during winter weekdays, along Dungeness beach and along the beach and shingle bunds to the south and west sides of the Nuclear Power station, public access may be physically interrupted for short periods to allow works associated with flood defence. This arrangement is most likely to continue without the need for any restrictions on the new access rights to give effect to it formally, although it will be possible to impose temporary restrictions if this proves necessary for this reason in the future. See part 5d of the Overview for details.
- 2.1.12 Establishment: Some physical establishment of the trail would be necessary, in accordance with the general approach described in part 6 the Overview.
- 2.1.13 Ongoing management: Ongoing management and maintenance would be necessary in accordance with the general approach described in part 7 of the Overview.

**See parts 6 - 'Physical establishment of the trail' and 7 - 'Maintenance of the trail' of the Overview for more information.**

## **Future Change:**

2.1.14 Part of the route of the trail on this length of coast would be able to change without further approval from the Secretary of State in response to coastal erosion or other geomorphological processes, or encroachment by the sea. This would happen in accordance with the criteria and procedures for 'roll back' set out in part 8 of the Overview. See table 2.2.3 below for details of the sections likely to be affected in the foreseeable future.

**See parts 5e - 'Coastal processes' and 8 - 'Future changes' of the Overview for more information.**

## Part 2.2: Commentary on Maps

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

### 2.2.1 Section Details – Maps 2a to 2c: Dengemarsh Gully, Dungeness to Battery Road (Pilot Pub)

Notes on table:

Column 2 – an asterisk (\*) against the route section number means see also table 2.2.2: Other options considered.

Column 5 – ‘Yes – normal’ means roll-back approach is likely to follow the current feature (e.g. cliff edge/beach) for the foreseeable future.

Column 5 – ‘Yes – see table 2.2.3’ means refer to that table below about our likely approach to roll-back on this part of the route.

1	2	3	4	5	6a	6b	7
Map(s)	Route section number(s)	Current status of this section	Current surface of this section	Roll-back proposed? (See Part 8 of Overview)	Landward boundary of margin (See maps)	Reason for landward boundary discretion	Exclusions or restrictions (see Part 9 of Overview)
2a	CFK-2-S001* to CFK-2-S003*	Other existing walked route	Shingle	Yes – see table 2.2.3	Landward edge of trail	Discretion not used	None
2b	CFK-2-S004* & CFK-2-S005*	Other existing walked route	Shingle	Yes – see table 2.2.3	Landward edge of the top of the shingle bund	Clarity and cohesion	None
	CFK-2-S006*	Public Footpath	Tarmac	Yes – see table 2.2.3	Landward edge of road	Clarity and cohesion	Margin
2c	CFK-2-S007* to CFK-2-S009*	Public Footpath	Tarmac	No	Landward edge of road	Clarity and cohesion	Margin
	CFK-2-S010*	Other existing walked route	Grass	No	Landward edge of trail	Discretion not used	Margin
	CFK-2-S011*	Other existing walked route	Tarmac	No	Landward edge of trail	Discretion not used	Margin
	CFK-2-S012* to CFK-2-S014*	Other existing walked route	Shingle	No	Landward edge of road	Clarity and cohesion	Margin
	CFK-2-S015*	Other existing walked route	Grass	No	Road	Clarity and cohesion	Margin

### 2.2.2 Other options considered: Maps 2a to 2c: Dengemarsh Gully, Dungeness to Battery Road (Pilot Pub)

Map(s)	Section numbers(s)	Option(s) considered	Reasons for not proposing this option as the route
1h, 1i, 2a, 2b and 2c	CFK-1-S067 (see maps 1h & 1i) to CFK-2-S007	We considered aligning the trail across the shingle on the landward side of both the National Grid switching station and Dungeness A and B nuclear power stations.	We opted for the proposed route because: <ul style="list-style-type: none"> <li>■ A route on this area might compromise the nature conservation interest for which the Special Area of Conservation is designated.</li> <li>■ Additionally, the proposed route is closer to the sea and maintains views of the sea</li> </ul>
2a and 2b	CFK-2-S003 to CFK-2-S006	We considered aligning the trail along the concrete service road that runs to the seaward side of both Dungeness A and B nuclear power stations	We opted for the proposed route because: <ul style="list-style-type: none"> <li>■ Issues relating to site security and flood defence were raised by the bodies responsible for Dungeness Power Station.</li> <li>■ Additionally, the proposed route is closer to the sea and maintains views of the sea</li> </ul>
2a and 2b	CFK-2-S005 to CFK-2-S012 (see map 3a)	We considered aligning the trail along the beach between the eastern end of the nuclear power stations and the boardwalk off Dungeness Road	We opted for the proposed route because: <ul style="list-style-type: none"> <li>■ A route along the beach at Dungeness might compromise the nature conservation interest for which the Special Area of Conservation is designated.</li> <li>■ Additionally, the proposed position of the trail at sections CFK-2-S010 and CFK-2-S011 and the direction to exclude coastal access rights from the coastal margin in this area respects the privacy issues raised by residents.</li> <li>■ It has existing access and 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</li> </ul>
2c and 3a	CFK-2-S010 to CFK-3-S002 (see map 3a)	We considered aligning the trail along the existing public footpath that runs between Dungeness Road and The Pilot Pub	We opted for the proposed route because: <ul style="list-style-type: none"> <li>■ A route across the shingle closer to MHW, at Dungeness might compromise the nature conservation interest for which the Special Area of Conservation is designated.</li> </ul>

### 2.2.3 Roll-back implementation – more complex situations: Map(s) 2.a to 2c: Dengemarsh Gully, Dungeness to Battery Road (Pilot Pub)

Map(s)	Section numbers(s)	Feature or site potentially affected	How we will manage roll-back in relation to this feature or site
2a and 2b	CFK-2-S001 to CFK-2-S006	Shingle flood defence bund and concrete access road along eastern side of the nuclear power stations	<p>If it is no longer possible to find a viable route seaward of the nuclear power stations and along the existing concrete road, possibly along the line of new defences in future, we will choose a new route after detailed discussions with all relevant interests to pass somewhere on the landward side of them.</p> <p>In reaching this judgement we will have full regard to the nature conservation interests in the area and the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.</p>
2a and 2b	CFK-2-S001 to CFK-S003	Area between Lydd military range and the nuclear power stations' flood defence bund	<p>If it is no longer possible to maintain a viable route along the flood defence bund here, there is potential for a route to be re-aligned along existing footpaths further inland.</p> <p>In reaching this judgement we will have full regard to the nature conservation interests in the area and the need to seek a fair balance between the interests of potentially affected owners and occupiers and those of the public.</p>

## Part 2.3: Chapter 2 - Formal Proposals

- Below are our formal proposals to the Secretary of State for the length of coast shown on maps 2a to 2c.
- They should be read in conjunction with the relevant maps.
- The commentary above explains the practical effect of these proposals.

### Formal Proposals – Dengemarsh Gully, Dungeness to Battery Road (Pilot Pub)

#### Proposed route of the trail

- 2.3.1 In relation to route sections CFK-2-S001 to CFK-2-S006, the initial proposed route, as determined at the time the report was prepared, is to be at the centre of the line shown on map 2a and 2b as the proposed route of the trail.
- 2.3.2 If at any time any part of the route described in the previous paragraph needs to change in order to remain viable, as a result of coastal erosion or other geomorphological processes or encroachment by the sea, the new route will be determined by Natural England in accordance with the criteria and procedures described under the title 'Roll-back' in part 8 of the Overview and section 4.10 of the 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.
- 2.3.3 In relation to route sections CFK-2-007 to CFK-2-S012, the route is to be at the centre of the line shown on map 2c as the proposed route of the trail.

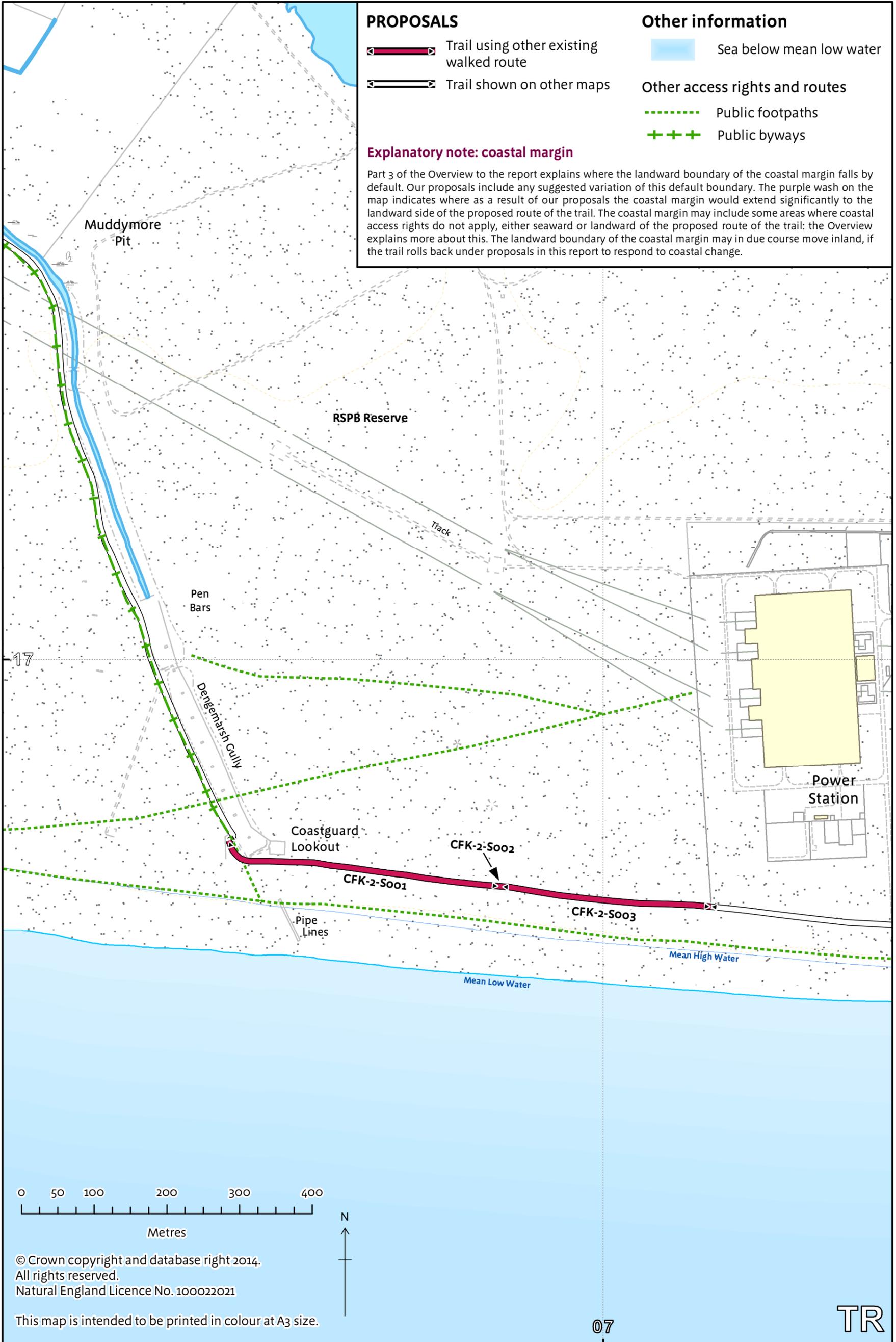
#### Landward boundary of coastal margin

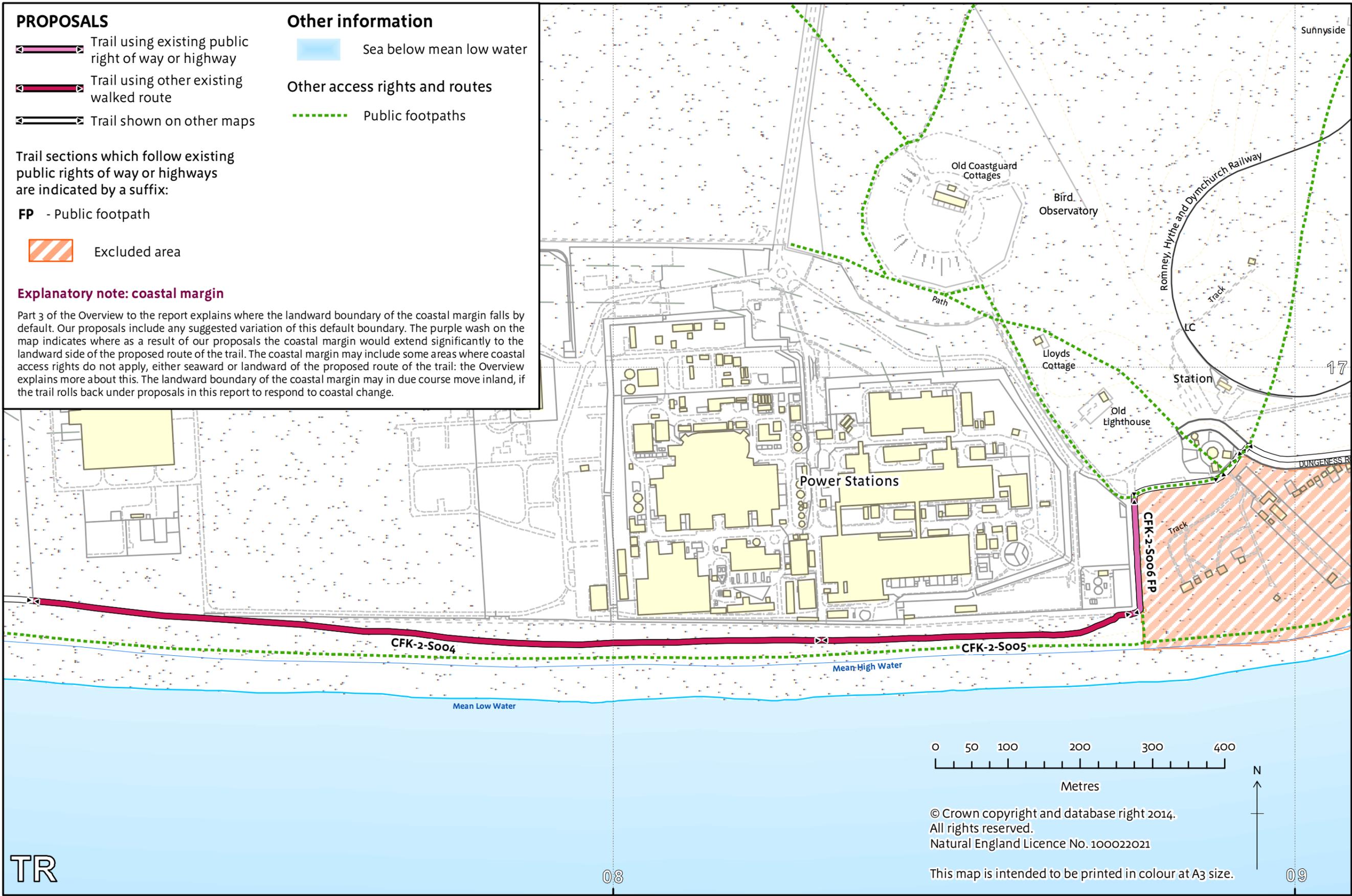
- 2.3.4 Adjacent to route sections CFK-2-S003 to CFK-2-S006 the landward edge of the coastal margin is to coincide with the landward edge of the top of the shingle bund which, at the time of writing, is landward of the trail shown on map 2b.
- 2.3.5 Adjacent to route section CFK-2-S010, the landward boundary of the coastal margin is to coincide with the landward edge of the Dungeness Road which, at the time of writing this report, is landward of the trail shown on map 2c.

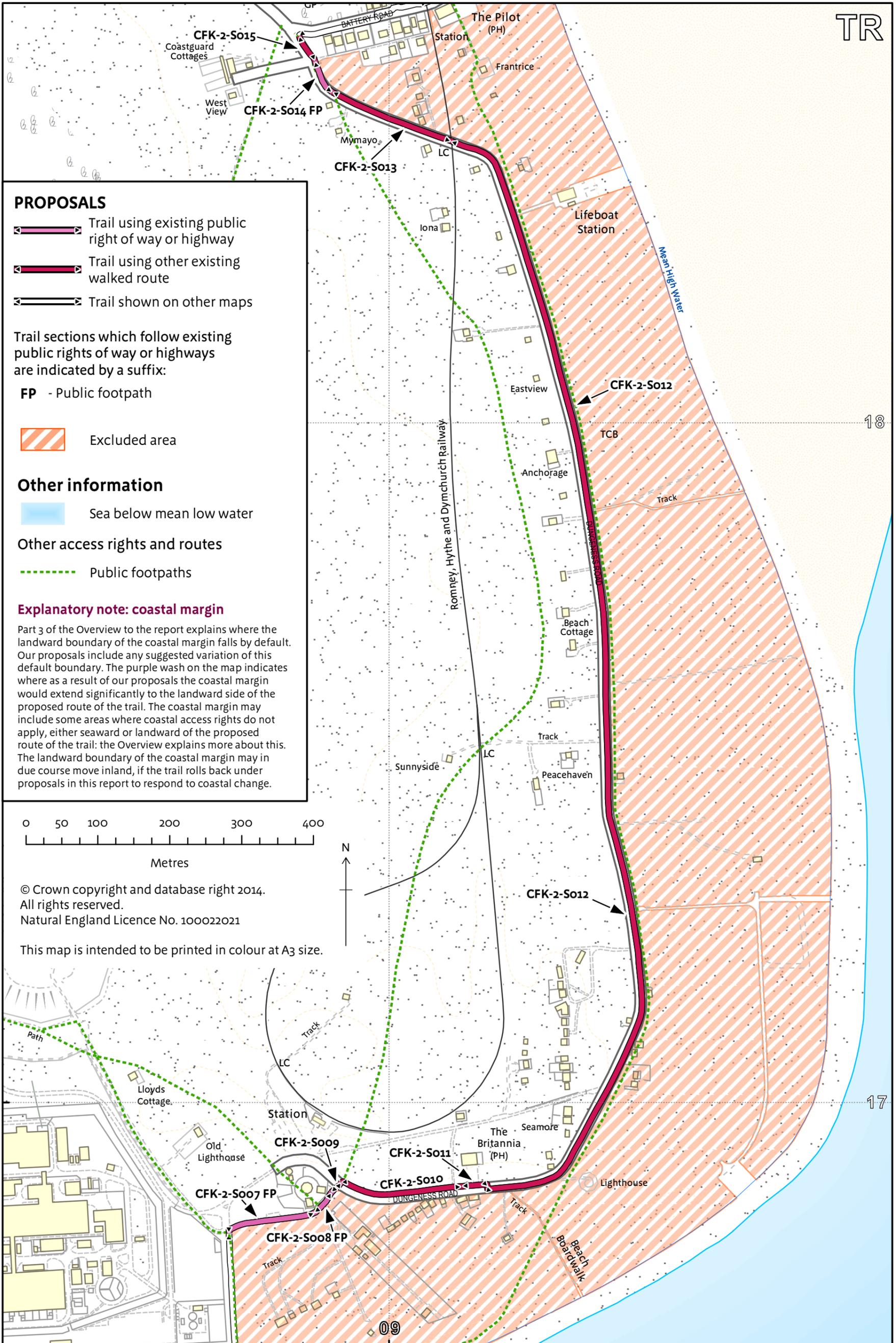
#### Local restrictions and exclusions

- 2.3.6 There are proposals to restrict or exclude access relevant to this length of coast, as follows:
- We initially propose to exclude coastal access rights by direction, to land seaward of route section CFK-2-S006 to CFK-2-S014 (and into Chapter 3 CFK-3-S006) between the trail, the main access tracks to the beach and Mean High Water (MHW), to protect the shingle vegetation. Monitoring will form the basis of a review after 2 years of the need for this statutory restriction.

**Refer to Part 5b and 9 of the Overview for further details.**







TR

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09

**PROPOSALS**

- Trail using existing public right of way or highway
- Trail using other existing walked route
- Trail shown on other maps

Trail sections which follow existing public rights of way or highways are indicated by a suffix:

**FP** - Public footpath

Excluded area

**Other information**

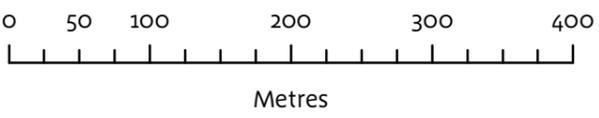
Sea below mean low water

**Other access rights and routes**

Public footpaths

**Explanatory note: coastal margin**

Part 3 of the Overview to the report explains where the landward boundary of the coastal margin falls by default. Our proposals include any suggested variation of this default boundary. The purple wash on the map indicates where as a result of our proposals the coastal margin would extend significantly to the landward side of the proposed route of the trail. The coastal margin may include some areas where coastal access rights do not apply, either seaward or landward of the proposed route of the trail: the Overview explains more about this. The landward boundary of the coastal margin may in due course move inland, if the trail rolls back under proposals in this report to respond to coastal change.



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