

# Coastal Access Report – Whitehaven to Silecroft, Cumbria



## Full representations with Natural England's comments

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### 1. Introduction

This document records the representations Natural England has received on this report from persons or bodies whose representations must be sent in full to the Secretary of State. It also sets out any Natural England comments on these representations.

### 2. Background

Natural England's report setting out its proposals for improved access to the coast between Whitehaven and Silecroft was submitted to the Secretary of State on 15<sup>th</sup> October 2014. This began an eight week period during which formal representations and objections about the report could be made. A representation about the report could be made during this period by any person on any grounds and could include arguments either in support of or against Natural England's proposals.

In total Natural England received 21 representations, of which 9 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 submitted in their entirety here together with Natural England's comments where relevant. A summary of the 12 representations made by other individuals or organisations, referred to as 'other' representations, has been submitted separately.

Before making a determination in respect of a coastal access report, the Secretary of State must consider both documents relating to 'full' and 'other' representations.

### 3. Representation and comment record

<b>Organisation/ person making representation</b>	<i>The Ramblers/Ian Brodie</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silcroft\RV6\WHS0013</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 1: WHS-1-S005 to WHS-1-S011, WHS-1-S033 and WHS-1-S036 to WHS-1-S042</i>
<b>Representation in full</b>	
<p>a) We support fully the proposed route for the ECP</p> <p>b) We have the following comments and questions to ask:            Sections SO05 to 11: Coastal margin landward of the trail.            We understand the land is currently registered in the ownership of Rhodia, the former operator of the now demolished works. We also understand that the land is due for transfer to the National Trust who plan to re-naturalise this area in such a way to make it coastal in character and meet the requirements for spreading room.            With the National Trust.            We are disappointed that the landward spreading room does not extend from the ECP route to the first landward boundary on this stretch and would request that after works are under taken by the National Trust that this area be reassessed.            Section 033:            We would ask that wooden steps, with anti-slip coatings be installed rather than the rock steps be re-cut. Reason: to protect the unusual and rare flora.            Sections 036 - 042:            We would ask that NE ensure that the walking route is provided on a more sustainable surface that currently exists. The worn, muddy surface on the steeper slopes is, at present, too slippery in wet conditions.</p>	
<b>Natural England's comments</b>	
<p>a) We are grateful for the support of the Ramblers</p> <p>b) Having discussed the comments relating to the margin with the National Trust Ranger, Chris Gommershall (who represents both the National Trust and the Land Restoration Trust, from the point of view of land management), we would support modification of our proposals to the following effect:</p> <ul style="list-style-type: none"> <li>Landward of section WHS-1-S006, the margin boundary should coincide with the existing field boundary fences and walls.</li> </ul> <p>The effect of this would be to include an additional area of land within the coastal margin. The Land Restoration Trust and the National Trust, who lease and manage the land respectively, are content for this modification to our original proposal to be made. Similarly, the land owners are content with the proposal to include this land within the coastal margin. The recommended modifications are shown more clearly in the Appendices as map B1.</p> <p>In relation to sections 033 and 036 to 042, we will liaise with Cumbria County Council to ensure that the route is established and maintained to the appropriate standard, and without detriment to any rare flora.</p>	

<b>Organisation/ person making representation</b>	<i>The Ramblers/Ian Brodie</i>
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<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R17\WHS0013</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 2: WHS-2-S038, WHS-2-S062 and WHS-2-S066 to WHS-2-S070</i>

**Representation in full**

a) We support fully the proposed route for the ECP  
b) We have the following comments and questions to ask:  
Section SO38: Excluded Land  
We have no objection to the proposed permanent exclusion of the land at Netherton from access rights. The Ramblers would, however, expect this and the route of the ECP on this short stretch to be reconsidered should the land use change or the race circuit be abandoned.  
Section SO62: Excluded Land  
We have no objection, in principle, to most of this land being excluded as it forms part of the Sellafield/NDA operational land. We would ask that you consider access to the landward spit adjacent to the River Ehen with the site owners. This land is an important geomorphological feature and should be of significant interest to botanist and natural historians.  
Section SO66 -SO70: Alternative Route  
We ask that you consider adding an alternative route to the east of the railway line along an existing used path. This would safeguard walkers on this stretch which may be the subject of Spring-tide inundation. This principle is accepted in the Ravenglass area.

**Natural England's comments**

a) We are grateful for the support of the Ramblers.  
b) All long term exclusions or restrictions must be periodically reviewed - and would not be renewed unless still proven to be necessary.  
If our proposals are confirmed, land seawards of section 062 will generally be accessible as part of the coastal margin. However, at times and as explained in our proposals, an exclusion may sometimes be required in order to ensure the safety of certain operations in connection with the nearby facilities.  
In relation to sections 066 to 070, whilst we understand that the proposed route south of Sellafield may be very occasionally affected by storm events, we do not think that there is sufficient requirement to propose an optional alternative route. The public footpath will be available, should any walkers wish to make use of it.

<b>Organisation/ person making representation</b>	<i>The Ramblers/Ian Brodie</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R18\WHS0013</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 3: WHS-3-S001 to WHS-3-S042</i>

**Representation in full**

a) Proposed route WHS-3-SO01, SO02, SO03 and SO04:  
The Ramblers object to the use of the beach and foreshore between these points as we do not believe the route to be safe and convenient.  
Whilst accepting that Spring tides may only affect the route between 15 - 20 days per annum we have found the top part of the beach to be difficult underfoot with the only convenient suitable walking conditions on the lower beach. However a lower beach route is unsatisfactory due to tides making it unusable for around 150 days per year.  
The Ramblers would prefer a route along The Crescent, Drigg pad and Rueberry Drive as such a route is more sustainable and fully open at all times with the beach open as spreading room

for times when tides allow.

**B) Proposed Route WHS-3-SO05 to SO12**

We fully support this line for the proposed ECP.

**C) Proposed Route section WHS-3-SO13 to SO20**

The Ramblers believe this route to have a number of problems which make it unstable.

i) Until the bridge at SO15 is constructed the proposed route is incomplete. The ford at the same location is only useable in limited conditions and we suspect people will either trespass over the nearby railway bridge or try to cross the River Irt lower down it's tidal reaches, at low tide.

However this would involve using land which is currently proposed to be exempted from public access.

li) The route from SO17 to SO20 takes you away from the coast and is not of coastal or estuarial quality.

lii) We see no reasons to permanently exclude access from the salt marsh (NE proposal 3) at Saltcoates/Hall Carelton. This land is needed for access for those interested in natural history and who may safely wish to cross the River Irt in the absence of the bridge for SO15.

Until such time as the bridge at SO15 is constructed we recommend that an alternative route roughly following the present route of the be Cumbria Coastal way be used. We also recommend you change to route from the River Esk to the end of SO20 to follow the coastline and withdraw the proposal to permanently exclude access from Saltcoats and Hall Carelton saltmarsh.

**D) Proposed Route WHS-3-SO21 to SO40**

We fully support this route and the use of WHS-3-A001 to AO10 as an alternative route.

**E) WHS-3-SO41 & 42 River Esk Crossing**

We object to this route being proposed as there is no public access on a bridge over the river.

The nearby ford is sometimes useable, but not always advisable. We suggest that issues of trespass over the railway viaduct may occur. We suggest that until such a pedestrian bridge can be constructed an alternative route form part of your firm proposals. This route would follow, roughly, the existing Cumbria Coastal Way

**Specialist input**

*HM Coastguard – Daniel Jamson  
Cumbria County Council – David Gibson*

HM Coastguard is content that there is no significant risk to walkers arising from the proposed route on the foreshore, just south of Seascale, given that the distance is relatively short, visibility over the affected section is good and escape would not be difficult. We intend to take their further advice that warning signs should be erected at either end of the affected part of the route.

The Access Authority, Cumbria County Council, is content that the proposed route on the foreshore can be maintained to the appropriate standard. However, it does not agree that the A595 road bridge is suitable for pedestrians, as part of a National Trail (despite the fact that this was used as a crossing point over the Esk for the Cumbria Coastal Way).

**Natural England's comments**

a) We believe that the proposed beach-top route south of Seascale does provide a satisfactory walking surface for a short distance. We explored options for creating a route on land above the foreshore but were not able to readily identify a better option than that proposed.

b) We are grateful for the support of the Ramblers

c) We believe that the proposed route between Saltcoates and the river Irt offers the best compromise, having taken into account all relevant factors. In our opinion, the saltmarsh in this area is not suitable for public access, either to support the route itself, as accessible margin or

to allow for a short-term diversion in the absence of a bridge at the proposed crossing point over the river Irt - hence the proposal to exclude access from this area under section 25A. We will work with others to pursue all opportunities to secure a new pedestrian bridge across the Irt, in the location identified in our report. As stated in our report, we do not believe the alternative (involving a significant inland diversion to the first available crossing point) fits with the criteria within the approved Coastal Access Scheme, as the normal route of the trail. We agree with the Ramblers that the existing ford on the unclassified county road does not provide a safe pedestrian crossing.

d) We are grateful for the support of the Ramblers

e) We will erect notices at the points where the route is impassable in the short term, due to the lack of bridges over the rivers Irt and Esk, advising walkers of the options for continuing their journey. We will continue to liaise closely with Cumbria County Council and the Lake District National Park Authority to identify any possible improvements in the local paths network that would help to ensure a continuous walking route in the short to medium term.

<b>Organisation/ person making representation</b>	<i>The Ramblers/Ian Brodie</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\RI9\WHS0013</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 4: WHS-4-S001 to WHS-4-S059</i>
<b>Representation in full</b>	
<p>a) WHS-4-SO01: We have serious concerns about this section of the route which due to the speed of vehicles this is not safe and convenient, it is also rather boring road walking with little coastal character If an off-road path could be located on land to the west which is covered by MoD Byelaws for the site operated by QintetiQ using the former railway lines we believe this would be a much better route and would constitute no danger to the public and have very little, if any, impact on the site operator.</p> <p>b) WHS-4-SO02 to SO59 We fully support this proposed route for the ECP</p> <p>c) We note a proposal by the landowner along section SO21 to seek to have a pond(s) fenced to protect a breeding natterjack toad population. This is common land with existing access and the proposed route of the ECP follows that used by the Cumbria Coastal Way. Such a proposal would, we understand, need the permission of the SoS, Defra. This would be a costly process and we are advised, by the local OSS consultant, that such a proposal would lead to objections being raised. In the interests of costs and expediency we believe this proposal should be dropped. We see no cause to expect any interference with the natterjacks toads (most other pools for this rare species in Cumbria and no fenced even on open access land and being nearer to larger populations); and we would argue that the fence would be an intrusion into the landscape of this delightful and unusual landscape.</p> <p>D) Section WHS-4-SO23 We are disappointed, given the coastal character and interesting geomorphology and natural history interest in this section of land crossed by the proposed ECP that there is no landward coastal margin proposed between the path and the River Annas. We recommend that this be included in the Scheme</p>	
<b>Specialist input</b>	<i>Cumbria County Council – Kevin Cosgrove</i>

The highways authority for Cumbria regards the minor road in the vicinity of Eskmeals range as safe for pedestrians; there are verges on both sides, allowing pedestrians to step away from any passing traffic if necessary.

**Natural England's comments**

a) We fully explored options for the route in the vicinity of Eskmeals range, in discussion with the MoD. This process did not identify any other obvious routes in the area that would be suitable and would not conflict with range operations. The Highways Authority is content that the route may be proposed on the minor road.

b) We are grateful for the support of the Ramblers

c) The proposed fencing in the vicinity of Hyton Marsh arose from the Access and Sensitive Features Appraisal process and has been agreed as necessary to protect a toad spawning pool. The pool in question is not on common land, but on land to the south.

d) We were not able to secure the agreement of owners/occupiers to add further land, landward of the trail, to the coastal margin in the vicinity of Annaside. This is consistent with the approach detailed at 7.8.11 of the approved Scheme.

<b>Organisation/ person making representation</b>	<i>English Heritage/Andrew Davison</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R\13\WHS0080</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 1: WHS-1-S004</i>
<b>Representation in full</b>	
Confirming that English Heritage is content with the proposed route in this location, and considers that it will have no adverse impact on Haig Colliery or Saltom Coal Pit, which are scheduled as ancient monuments (SM27800 and SM27801 respectively).	
<b>Natural England's comments</b>	
Natural England is grateful for this confirmation.	

<b>Organisation/ person making representation</b>	<i>English Heritage/Andrew Davison</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R\14\WHS0080</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 1: WHS-1-S005</i>
<b>Representation in full</b>	
Confirming that English Heritage is content with the proposed route in this location, and considers that it will have no adverse impact on Saltom Coal Pit, which is scheduled as an ancient monument (SM27801).	
<b>Natural England's comments</b>	
Natural England is grateful for this confirmation.	

<b>Organisation/ person making representation</b>	<i>English Heritage/Andrew Davison</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R\15\WHS0080</i>

<b>Report chapter and route section(s):</b>	<i>Chapter 1: WHS-1-S012</i>
<b>Representation in full</b>	
Confirming that English Heritage is content with the proposed route in this location, and considers that it will have no adverse impact on Barrowmouth gypsum and alabaster mine at Saltom Bay, which is scheduled as an ancient monument (SM35009).	
<b>Natural England's comments</b>	
Natural England is grateful for this confirmation.	

<b>Organisation/ person making representation</b>	<i>English Heritage/Andrew Davison</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R\16\WHS0080</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 3: WHS-3-S037</i>
<b>Representation in full</b>	
Confirming that English Heritage is content with the proposed route in this location, and considers that (subject to detailed design) it have no adverse impact on Ravenglass Roman Fort, which is scheduled as an ancient monument (SM13569).	
<b>Natural England's comments</b>	
Natural England is grateful for this confirmation.	

<b>Organisation/ person making representation</b>	<i>Lake District National Park Local Access Forum/David Rawle</i>
<b>Unique reference number</b>	<i>MCA\Whitehaven Silecroft\R\20\WHS0703</i>
<b>Report chapter and route section(s):</b>	<i>Chapter 3: WHS-3-S013 to WHS-3-S019 and WHS-3-S039 to WHS-3-S043</i>
<b>Representation in full</b>	
The Lake District Local Access Forum wishes to make a representation in support of the delivery of new suitable crossing points of the Rivers Irt and Esk. We entirely agree with the statement in Part 5 a) of Natural England's Report that such crossings would provide 'significant benefit to local communities and visitors alike' and would secure a continuous coastal route.	
<b>Natural England's comments</b>	
Natural England is grateful to the Lake District NP Local Access Forum for the support expressed in the Representation and looks forward to working with the Forum and others to ensure that such a vision becomes reality.	

**Please refer to separate appendices**

**Appendix A: Information provided by those submitting representations**

- Map A1 supplied by National Trust/Land Restoration Trust
- Map A2 supplied by National Trust/Land Restoration Trust
- Map A3 supplied by National Trust/Land Restoration Trust
- Map A4 supplied by David Beaton and Rosemary De Moura
- Letter A5 supplied by David Beaton and Rosemary De Moura
- Letter/maps A6 supplied by National Grid PLC

### **Appendix B: Recommended modifications to our proposals**

- Map B1 of recommended modifications to our proposals (in relation to changes suggested by the Ramblers, and the National Trust/Land Restoration Trust)

### **Appendix C: Access and Sensitive Features Appraisal**

- Record of the completed Access and Sensitive Features Appraisal