

# South Downs Local Access Forum

## Restoring Intertidal Habitats at Chyngton Brooks (SDNP/25/04080/FUL) - Formal Advice from the South Downs Local Access Forum

The South Downs Local Access Forum (SDLAF) welcomes the opportunity to provide formal advice on the "Restoring Intertidal Habitats at Chyngton Brooks" application. This response also incorporates feedback shared by members of the East Sussex Local Access Forum (ESLAF).

As a body listed under Section 94(4), the National Park Authority is required, in accordance with Section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to advice from this forum in carrying out its functions.

It is also important for all authorities to take account of the strengthened duty within The National Parks and Access to the Countryside Act 1949 (S.11A), which mandates that if there is a conflict between purposes, greater weight must be attached to the purpose of conserving and enhancing the natural beauty, wildlife, and cultural heritage of the area (The Sandford Principle).

Members of both Forums have reviewed the proposals. While we recognise the loss of existing amenity is significant, there is a consensus that the "do nothing" option is the worst outcome. The existing embankments are eroding and unmaintained, leading to an inevitable loss of access regardless of intervention.

Therefore, the SDLAF and ESLAF accept the principle of the scheme to restore priority intertidal habitats. However, to ensure the mitigation measures are successful and the new routes are safe and inclusive, we provide the following advice:

### 1. Access and Inclusion Principles (The New Path)

The provision of a new route on higher ground is accepted as a necessary mitigation for the loss of the embankment path. However, the design must prioritise genuine inclusivity.

- **Surfacing and Usability:** The proposal for a "grassed" path raises concerns regarding accessibility for mobility scooters and use during wet conditions.
  - Members of the ESLAF have specifically queried: *"Will any new path be surfaced and accessible to disabled users?"*
  - The SDLAF strongly recommends that the surface be capable of withstanding year-round use by wheeled mobility aids without becoming waterlogged or muddy. A grass surface is unlikely to meet "Access for All" standards in wet conditions.

- Where the path transitions between fields (specifically near the permissive track), the transition from grass to tarmac (and back) must be smooth to avoid creating barriers for wheelchair users.
- **Gradients:** While the Design and Access Statement suggests gradients are manageable, the Forum emphasises that gradients should ideally be 1:20 or slacker. Where the topography is steeper, the surface grip becomes critical to ensure safety for users with mobility issues.
- **Least Restrictive Access:** In line with standard advice, any new boundaries or gates must adopt a "Least Restrictive" approach (gaps preferred, followed by accessible gates of 1.5m width for adapted cycles/scooters).

## 2. Surfacing Materials

A specific safety concern has been raised regarding the shared use of the route, particularly where it interacts with the Avenue Verte (London-Paris cycle route).

- **Pinch Points:** Diverting all users to the existing west-side path creates a potential pinch-point where walkers and cyclists share limited width.
- **Segregation:** We strongly advise re-examining the width of this shared section. To reduce conflict and intimidation of vulnerable users, opportunities for segregation or significant widening should be explored.
- **Vegetation:** We welcome the proposal to clear foliage to widen the usable path but urge that this be maintained rigorously to prevent the effective width from narrowing over time.

## 3. Cultural Heritage and Loss of Amenity

The Forum acknowledges that the stopping up of Footpath SEA/27/2 represents a loss of cultural heritage (historic coastguard/smugglers paths) and a popular circular route.

- **Curating History:** We recommend that the loss of this route be mitigated not just physically, but culturally. The project should seek to "record" and "curate" the history of the embankment route.
- **Interpretation:** Dead-end stubs of the old path, if retained for viewing, should include high-quality interpretation boards explaining the history of the site and the necessity of the landscape change.

#### **4. Coastal Access Continuity**

The intermittent flooding of the Vanguard Way/King Charles III England Coast Path (up to 49% of high tides) is a significant change.

- **Signage:** It is imperative that clear, dynamic, or tide-table signage is provided at decision points to inform users when the lower route is impassable, directing them clearly to the new high-level route.
- **Future Proofing:** The Forum accepts that the new path provides a necessary "roll-back" option for the England Coast Path as sea levels rise.

#### **5. Biodiversity and Landscape**

We acknowledge the long-term benefits of creating rare saltmarsh habitat and the reduction of disturbance to the SSSI, which aligns with the National Park's purposes. We trust that construction works will be timed to avoid disturbance to protected species.

We hope these comments are helpful in ensuring the best possible access outcomes.

Yours faithfully,  
Ben Marsh

On behalf of  
**Doug Jones**  
**Chair of the South Downs Local Access Forum**

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