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# Seaside homeowners outraged by threat of public coastal walkways

**Plans are afoot to open the whole of Britain's coastline to the public. Walkers are delighted, but seaside property owners fear losing their privacy – and money**

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Generations of John Gerrard's family have lived in the same farmhouse on the Lancashire coast since it was built in 1676. His parents, John Sr, 81, a retired farmer, and Maureen, 71, raised their three children there, and they now have six grandchildren – one of whom was born three weeks ago – who come to visit. John Jr, 48, lives next door with his wife and two children in a house built in the early 1990s.

The Gerrards' 200-acre dairy farm sits on half a mile of coastline at the mouth of the River Lune, south of Morecambe Bay. The front of the Grade II-listed farmhouse looks directly out to sea, with a small garden, 12ft wide, where the family gathers for barbecues in the summer. The lawn leads to the sea wall; clamber down there and you're on the beach.

It's an idyllic, if remote, spot and a haven for wildlife. "We have ringed plovers nesting on the beach, and lapwings, grey partridges and brown hares breeding where there is no access to the public," John Jr says. Three years ago, he signed up for the Higher Level Stewardship scheme run by the Department for Environment, Food and Rural Affairs (Defra), which even paid to put up a sign on the beach: "Nesting shore birds – please keep off."

Now the same government department is threatening to disrupt this peaceful environment, take away the Gerrards' right to privacy and, they fear, knock a considerable amount off the value of their property. Provisions in the Marine Bill, which is about to be published in draft form, are expected to call for the creation over the next 10 years of a (2,800-mile) corridor giving the public free access to the entire English coast, parts of which have until now been off limits – including the Gerrards' land. (Scotland and Wales have their own separate rules)

It's a fabulous promise – we are an island nation, and access to the coast is our birthright, or so the argument goes. But what about the Gerrards, and the tens of thousands like them who own seaside properties?

Ironically, they share their predicament with Hilary Benn, the environment secretary, who announced the government's intention at the party conference last autumn. It emerged last month that Stansgate Abbey Farm, the country home of his father, Tony, on the Blackwater estuary, in Essex, is one of only a few sites between the Thames and the Wash with no coastal footpath. If the proposal becomes law, Benn Sr could be required to open a path along the section of coastline that runs past the property.

Natural England, the agency within Defra that is behind the bill, is unwilling to be drawn on how the measure, expected to cost between £2m and £5m a year to implement, will work. The Ramblers Association, which has been advising it during the consultation process, insists that local needs will be taken into consideration.

"The government will be looking at the coast section by section," says Justin Cooke, head of the association's freedom-to-roam team. "Implementation must be done locally, to see what will work. Where there is an enclosed garden, obviously, you shouldn't go there, but where there are large estates that wouldn't be affected if right of way were granted, we feel these should be opened up."

At present, 70% of the coast is accessible to the public, but Cooke maintains that this is inadequate. "That figure covers the whole coastline, but it is broken up into small pockets by private land, so walkers can't get very far," he says.

The inspiration is clearly the Countryside and Rights of Way Act 2000 (CRoW), which gave the public the right to roam. It is far more difficult, however, to map the coast. Land levels often do not join up, going from cliff-top to beach, for example. There are also different types of land, such as sand, salt marsh, mud flats and quicksand.

Then there is the matter of ownership – some coastal land is owned by the Crown and Duchies, the National Trust, the Ministry of Defence, the Church and the Royal Society for the Protection of Birds, as well as farmers and private landowners. Estuaries present a particular problem, largely because much of the land around them is developed.

The government seems clear on one point: there will be no right of appeal or claim for compensation. Defra clearly does not want a repeat of the appeals lodged in response to the 2000 act.

The Country Land & Business Association, the members of which include hundreds of coastal landowners and businesses, is nevertheless lobbying hard against what it considers a gross injustice. In Cornwall alone, it claims, there are dozens of residences and businesses for whom the bill could spell catastrophe.

"Besides the private homes that will be affected, there are hoteliers, caravan parks and letting agencies that own private beaches or market themselves as exclusive," says John Mortimer, the association's southwest regional director. "If they can no longer guarantee privacy, their properties will be blighted." Estate agents estimate some affected properties could lose as much as 20% of their value if the proposal becomes law. "Even the threat of removing privacy will have a negative effect on asset value," says Philip Eddell, director of the country-house consultancy at Savills.

The Royal Institution of Chartered Surveyors agrees. "Although wider coastal access is a desirable goal, and is welcomed, it will have a negative effect on the value of land that becomes part of any new coastal access corridor," it says. "As a result, those landowners who are affected must be adequately compensated by the government for their financial loss."

Peter Behrens, who owns land in Mount's Bay, on the south coast of Cornwall, is concerned about the potential effects of the bill on his business. "We own four coves, three of which are open to the public," he says. "We run a free car park and have up to 500 visitors a day in summer. We maintain the beaches at no cost to the public purse. Even dogs are allowed there."

It is the fourth cove, however, that could be affected by the legislation. Behrens owns a 10-bedroom property, built in 1910, with a half-acre garden that runs directly onto the beach, which he lets out for private parties and weddings. The South West Coast Path runs round the back of the house at present, only 30yd from the coast, but if coastal access is given, the public could have right of way straight across the garden.

"Imagine if a stranger appears at your wedding and, when you ask 'Bride or groom?' they reply, 'Oh, I was just passing through,'" Behrens says. "And if you introduce security – forgetting the cost for a moment – it is going to spoil the atmosphere. Without privacy, the property is ruined."

"We're not against access as such," he continues. "Everyone should be allowed to go to the seaside. But this law would suburbanise the coast and turn it into an M25, with signs saying where you can and cannot go. It would homogenise our coastal idiosyncrasies and spoil the experience for everybody." Although he has no intention of selling up, he says he has been told by agents that the measure could knock 10% off the value of his property.

The Ramblers Association dismisses such arguments. "Land values will not be affected," Cooke says. "After CRoW was passed, the same argument was made, but none of that has happened."

Natural England, meanwhile, is making no promises. It says that the issue of appeal will be addressed in the draft bill. "In Natural England's view, the locally sensitive alignment of access will avoid situations where compensation is appropriate," it says. "It is not unreasonable for people to be able to access their own

coastline.”

This is cold comfort for the Gerrards, who are concerned about the effect an influx of walkers – and especially dogs – would have on their livestock. Quite apart from that, there is the matter of the family’s own privacy. “When did anyone have the right to tell people they can go through someone’s garden?” John Jr asks.

### **Walk this way**

**Who owns the coast?** The Crown Estate owns 55% of the foreshore (the land between the mean high- and low-water marks). The rest belongs to various groups, including the National Trust (which owns 685 miles), the Duchies of Lancaster and Cornwall, local and port authorities, government bodies, the Ministry of Defence (MoD) and the Church, as well as farmers and other private landowners. Not all the coast is beach – there are also clifftops, harbours and estuaries.

**Where can I roam at the moment?** At present, 70% of the English coast is accessible, but is broken up by pockets of private land. The bill intends to create a corridor all the way round, improving existing pathways and introducing clear signage.

**What does it mean for my property?** Many private landowners already allow the public free access and will be unaffected. If an existing footpath runs on the inland side of your property, however, you may have to let people walk from it across your land to the sea. And, if there is no path at all, one could be carved out of your land. Agents say this could cut as much as 20% off the value of some properties.

**Will the Marine Bill affect the whole of the UK?** No. Scotland and Wales are ahead of England: Scotland has free coastal access under the Land Reform Act 2003, and in 2006 the Welsh Assembly approved a £1.5m plan to link existing trails into an all-Wales coastal path.

**What about erosion?** If coastal paths are eroded, new ones will be built to maintain the access corridor. Local authorities will be responsible for providing safe access.

**How much will all this cost?** The government estimates up to £5m a year for 10 years.

**What happens elsewhere in Europe?** In many continental countries, including France, Denmark, Portugal and Sweden, people have the right to free access to the coast.

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