



TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS (INQUIRIES
PROCEDURE) RULES 2004**

**THE NETWORK RAIL
(SUFFOLK
LEVEL CROSSING REDUCTION)
ORDER**

SUSAN TILBROOK

**REBUTTAL
PROOF OF EVIDENCE**

-FOR-

S01 SEA WALL

Document Reference	NR/32/4/3
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1 Introduction

- 1.1 This Rebuttal Proof of Evidence has been prepared on behalf of Network Rail to respond to particular matters raised in the Proofs of Evidence submitted on behalf of the following parties which were received by Network Rail on 18 January 2018. These include the Proofs of Evidence of:
 - 1.1.1 Suffolk County Council (OBJ/29)
 - a) Annette Robinson
 - 1.1.2 The Ramblers (OBJ/36)
 - a) Geoff Knight
 - 1.1.3 The Suffolk Local Access Forum (OBJ/23)
 - a) Barry Hall
- 1.2 It is not intended that this rebuttal proof should address matters that have already been addressed in my Proof of Evidence (NR32/1) or of other witnesses for the Promoter; however, cross references to relevant parts of that evidence are given below, where appropriate. The fact that I have not expressly rebutted a point does not mean that it is accepted.
- 1.3 I believe the facts and opinions stated to be true and that my evidence conforms to the standards and requirements of my professional body.

2 S01 Sea Wall

2.1 Specification of Proposed Footpath

- 2.1.1 *At paragraph 8 of her Proof of Evidence (Obj 29/W3/S01), Annette Robinson states that “it is unacceptable to provide an alternative route that will be flooded or saturated in wet weather with trip hazards such as the drainage channels cutting across the proposed path. The path will not be suitable, safe or fit for walkers to use, with the specification as currently proposed by NR”*
- 2.1.2 *A paragraph 12 of his Proof of Evidence (Obj 36), Geoff Knight states that “parts of the alternative route are low-lying and may be boggy or subject to flood in time of wet weather. That, for a start, makes it unsuitable as an alternative.”*
- 2.1.3 In response, I have noted at paragraph 2.1.27 of my proof **NR32/1** that the proposed footpaths will be subject to further detailed design to overcome ground issues, and at paragraph 1.7.1 of my proof **NR32/1** I refer to the Design Guide **NR12** which sets out that the specifications are illustrative and that the final works will be subject to detailed design and agreement with the relevant adopting authority.
- 2.1.4 Detailed design in this instance would be expected to include such measures as further assessments of the sources of flooding, consideration of permanent drainage measures that would not impact on use of the proposed footpath, appropriate subbase depths and materials and final design levels of the proposed footpath. I am satisfied that a solution can be engineered to address the concerns raised.
- 2.1.5 *At paragraph 10 of her Proof of Evidence (Obj 29/W3/S01), Annette Robinson states that the proposed footpath along the railway “will be slippery, sloping and hazardous and what sparse vegetation has grown, will easily be eroded by footfall. The path will not be suitable or convenient to use with the specification as currently described by NR as an unsurfaced path.”*
- 2.1.6 With respect to the surfacing, the Design Guide **NR12** shows that the typical field edge footpath will be seeded to provide a grass surface, which is a commonly used surface type for rural footpaths and therefore considered suitable. It is considered that the footpath will be similar to existing footpaths in the area. The works must be designed and implemented on site to the approval of the local highway authority prior to closing the existing route and therefore will not be ‘hazardous’.
- 2.1.7 I have covered the gradients of the proposed route in context with gradients of existing footpaths in the area in paragraph 2.1.20 of my Proof of Evidence.

2.2 Extinguishment of FP13

- 2.2.1 *At paragraph 10 of her Proof of Evidence (Obj 29/W3/S01), Annette Robinson states that “SCC object to the proposed extinguishment of the part of FP 13 on the sea wall that will become a cul de sac path if the level crossing closes” and that “there is no increased access proposed” for the footpath.*
- 2.2.2 *In section titled S01 – Brantham Sea Wall of his Proof of Evidence (Obj 23), Barry Hall on behalf of the Suffolk Local Access Forum (SLAF) states they “would like to see the river path remain open as it well used by local birdwatchers”*
- 2.2.3 In response, at paragraph 2.1.24 of my Proof I have explained that Natural England wished to ensure that footfall to the ecologically sensitive areas through which the footpath passes was

manage, having regard in particular to proposed developments in the area likely to lead to an increased footfall using the footpath (These are 320 houses associated with planning application B/15/00263/FUL/SMC and the Greater Anglia Rail Depot – application B/17/00441).

- 2.2.4 This removal of the footpath will reduce footfall in a Special Protection Area which specifically notes that wild birdlife is worthy of this protected status.
- 2.2.5 The environmental constraints in this area are shown more clearly on the plans at Appendix A of this rebuttal.

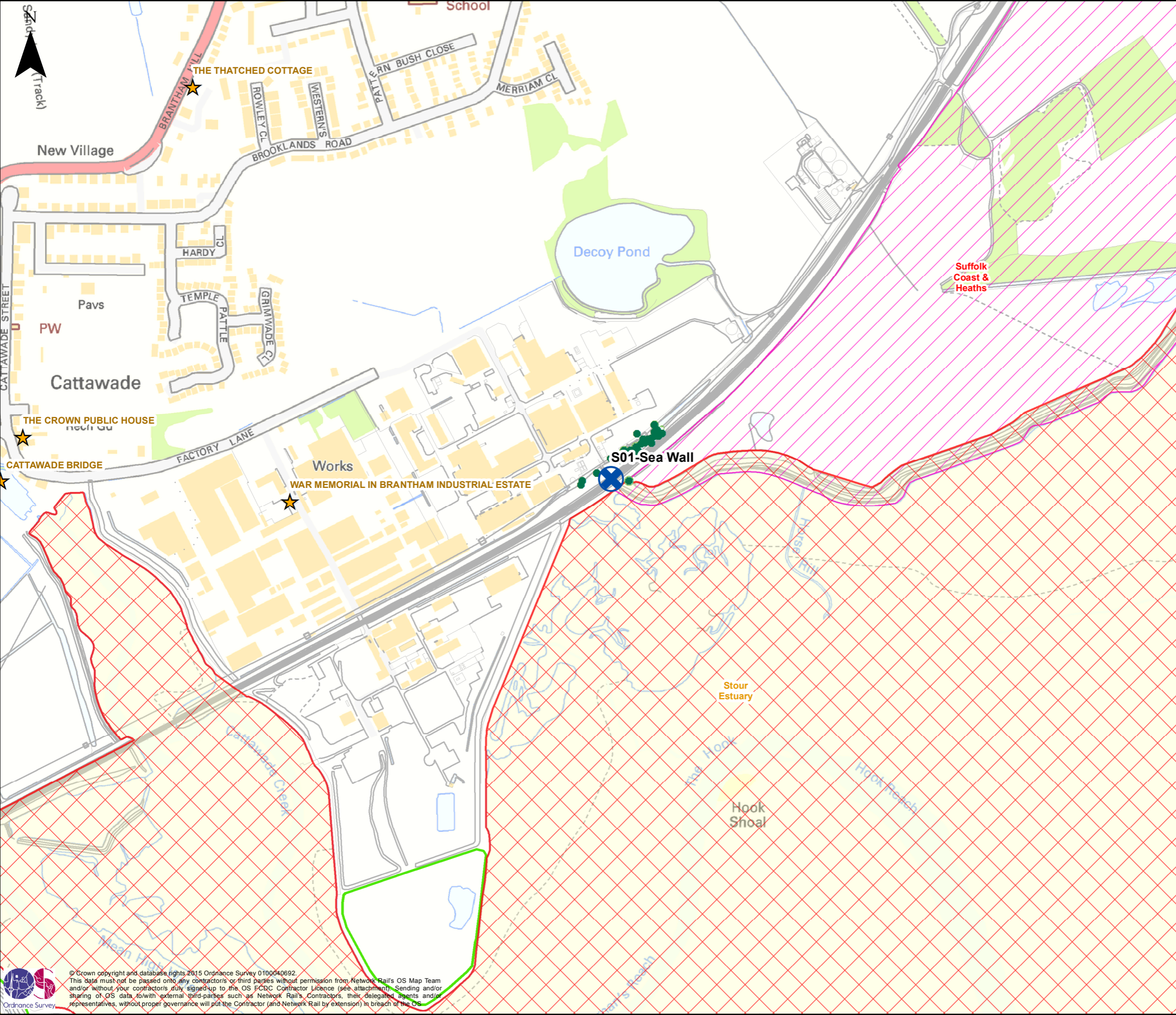
3 Appendices

A. Constraints Plans

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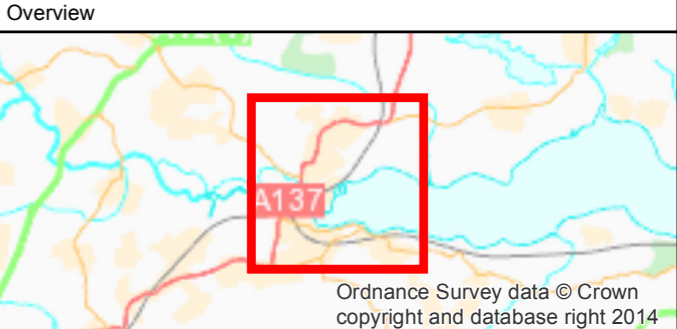
A. Constraints Plans

- A.1 Plan 1
- Plan 2



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- Current Level Crossing
- Grade 2 Listed Building
- National Tree Map - Centre Point
- National Tree Map - Crown
- SSSI
- Ramsar
- Area of Outstanding Natural Beauty
- Historic Landfill
- Flood Zone 2
- Flood Zone 3



Environmental Constraints

S01 - Sea Wall
Suffolk

P1	15/02/2016	For Information	WC	SJP	SJP	JAS
Rev	Date	Description	Dwn	E Chk	Ch'k'd	App'd

Scale at A3
1:5,500

Drawing No.
MMD-354763-S01-GEN-001

