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Network Rail
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27 July 2017

Ref: Obj/29/SUFF/R001

Dear Mr Dunn

The Network Rail (Suffolk Level Crossing Reduction) Order

The Department for Transport has passed to us the letter of objection to the proposed Order dated 3 May 2017, on behalf of Suffolk County Council, which has been allocated the reference OBJ/29, and which is also the council's Statement of Case as confirmed on 4 July 2017. We also note that the council intends to send a formal response following its council meeting on 20 July, which response Network Rail has not yet seen.

Network Rail would like to thank the council officers for their contribution to the consultation to date and to express our willingness to continue to engage with you. Network Rail would have also welcomed joint inspections with the council officers but unfortunately the timing of this offer by the council was after the routes had been walked by our consultants, however we hope that we can work together to address your remaining concerns.

We note that you raise some general concerns and we will address these first.

General concerns

The Order provides that all diversions must be completed to the reasonable satisfaction of the highway authority. Network Rail has sought (wherever possible) to provide low maintenance routes such that the burden on the council as highway authority is minimised and is willing to discuss reasonable commuted sums in recognition of the maintenance cost of the new or altered highways. We note that the council is preparing a schedule of works it requires for the new routes and we would welcome sight of this to open up discussions. If at all possible it would be useful to see this before our next scheduled meeting on Tuesday 1st August 2017.

You state that the Order Schedules do not refer to the relevant Definitive Statements, which together with the Definitive Map constitute the legal record of public rights of way. You further point out that this constrains the council's requirements to integrate the resultant changes in a modified or a new Statement. We note that you seek a modification of the Order by the Secretary of State to include Ordnance Survey grid references.

The provisions in the draft Order to alter or create new highways (public rights of way) largely follow the Transport and Works (Model Clauses for Railways and Tramways) Order 2006 or are preceded in recent Transport and Works Act Orders including the recent Chiltern Railways (Bicester to Oxford Improvements) Order 2012 (SI 2010/1721) and the Network Rail (Seaham Level Crossing) Order 2013. The Secretary of State has not required the modifications you suggest in relation to the Definitive Map to be included in these Transport and Works Act Orders.

Level crossings that the council does not object to

We would like to thank you for confirming that the council does not object to Network Rail's proposals at the following 15 level crossings:

S03 Buxton Wood, S04 Bentley, S07 Broomfield, S08 Stacpool, S11 Leggetts, S12 Gooderhams, S13 Fords Green, S16 Gislingham, S17 Paynes, S18 Cow Pasture Lane, S21 Abbots, S24 Higham Ground Frame, S28 Grove Farm, S29 Hawk End Lane, S30 Lords No 29.

In terms of specific comments you make on the above crossings:

S07 Broomfield

We note the council's request to the Secretary of State to modify the Order to effect a 'correction' to the definitive map, as described. The extinguishment of the 'anomalous' section to which you refer is not part of our proposals or relevant to the powers sought under the Order. The Definitive Map is of course the matter for the council.

S08 Stacpool

NR's digital mapping shows the parish boundary at this site to run down the middle of the B1113, with Barking CP on the west and Needham Market CP on the east. Accordingly, we believe we have referenced FP33 Needham Market correctly in Schedule 2 of the Order.



S12 Gooderhams

We understand your reference to Wassicks level crossing to be Cow Creek level crossing as this is where FP18 crosses the railway.

We could not justify the additional link footpath to the west of the railway as we felt that the temptation to still cross at Gooderhams level crossing would be too great (as that level crossing was being left available for agricultural use). We saw this link as a duplication of the existing footpath 18.

Network Rail will keep the issue of stiles at the Cow Creek level crossing under review. However, we do not feel that the usage in the area justifies a change at this time.

S24 Higham Ground Frame

Network Rail would be willing to discuss further mitigation measures, noting that any hedge clearance on the outside of the bend would need to be undertaken with the council's authority as it is outside the order limit plans.

Specific objections by level crossing

We note that you object to our proposals at 9 level crossings and we are grateful for your breakdown of specific concerns, which we seek to address in the following paragraphs. In your objection letter you refer to a number of points that seem to refer to annotated plans but these were not included with your objection letter.

Please could you provide a copy of the plans you used in preparing your objection in advance of our meeting on 1st August 2017 so that we can consider these and discuss them when we meet.

S01 Brantham Sea Wall

Our engineers have walked the proposed diversionary route and they are confident that it can be as accessible as the current route.

As we have discussed with the council previously, the section being extinguished is at the request of the RSPB as it directly affects important ground nesting birds. It would of course be possible for the landowner to allow permissive access from time to time if this were suitable.

S02 Brantham High Bridge

Network Rail believes the route is viable. The diversionary route must be installed to the reasonable satisfaction of the highway authority and will be maintained by Network Rail for 12 months after opening, so this should provide a reasonable 'guarantee' that works will be resilient.

S05 Pannington Hall

Network Rail is seeking powers to close a public footpath level crossing, and so it is proposing to create off-road public footpaths as part of its diversionary route. Upgrading a portion of the roadside footpath to bridleway (or creating it at an otherwise unjustified width of 3m) would not be an appropriate use of powers in this location, as it would be of no additional utility for users diverted away from the footpath level crossing.

S22 Weatherby

As we set out in our Statement of Case, this is a heavily used crossing which has recorded a number of near misses and incidents of misuse in the last few years. It is noted that no public rights are recorded at this level crossing. Network Rail considers that the existing on-road diversion is safe, suitable and convenient for users of the level crossing.

It is accepted that the closure of the crossing will result in longer walking distances for users, however for the majority, this additional distance is not great.

Consideration was given as to whether the diversion route could be shortened by providing an additional diversion route along the south side of the railway but this was discounted due to the impact on third party land (including private gardens) and the unsuitability of the Network Rail land due to the associated railway embankments. Gradients vary over the diversion route, but are within the preferred maximum gradient of 5% and are not considered to be a significant barrier.

A Diversity Impact Assessment (carried out by a team independent of the design team), was undertaken as part of the level crossing closure study, on the effect of the closure on users with protected characteristics, as defined in the Equality Act 2010. In total, 23 users with mobility and sensory impairments were recorded using the level crossing during the nine-day census period, including one wheelchair and five mobility scooter users.

An analysis of local amenities indicates that there are many amenities located in close proximity to the level crossing. These include two primary and nursery schools, five churches, and GP surgeries. It is noted that the majority of these services are to the north of the level crossing.

The use of the road bridge on New Cheverly Road was assessed and it was noted

the Department for Transport (DfT) guidance on inclusive mobility (A guide to best practice on access to pedestrian and transport infrastructure) states that underpasses should be as wide as possible to give sufficient room for disabled users, and ensure a sense of security. The current underpass is approximately 12 metres wide in total, with the footways being 1.56m and 2.30m on the north and south sides respectively (subject to confirmation at detailed design). The existing headroom for vehicles is 4.4 metres (as indicated on the existing signage on-site). The DfT recommends that to achieve inclusive mobility for new or enhanced underpass infrastructure, designers should aspire to a total width of at least 4.8 metres and a headroom of 3 metres, or as close to these parameters as reasonably practicable / deliverable. The underpass is also light and has a clear view from one side to the other. Therefore, it is felt that the road bridge adequately complies with the DfT guidelines. The roads which form the diversion route are existing adopted roads.

As no public rights exist, Network Rail has no obligation to keep the level crossing open for public use, nor to provide an alternative. However under our proposals we have identified potential for additional mitigation, e.g. provision of new dropped kerbs and tactile paving at the junction Cricket Field Road and New Cheveley Road. We would be willing to discuss any further measures the council proposes for the diversion route.

S23 Higham

The necessary temporary closure of this level crossing meant that a camera census of the usage was not possible. Prior to closure, daily usage was estimated at nil (2014) and 2 (2012).

It is noted that the current route of this footpath would naturally entail users walking alongside the westbound slip road to the A14, which has no footway.

Our Stage 1 Road Safety Audit (document reference NR16 in the Network Rail Statement of Case) identified no issues with Higham Road. However, it did identify issues with traffic on Coalpit Lane. As such, and due to limited space to make improvements, the proposal is that those who would currently cross the railway via Coalpit Lane bridge should instead cross by way of the quieter Higham Road bridge.

Someone looking to walk a longer distance, heading from the south (FP8) to the north (FP1) via Coalpit Lane bridge over the A14, would in future head towards Higham Road, cross the railway, then join the A14 slip road where the new footway would be provided.

We are happy to discuss this further at our meeting. You will note that Network Rail is unable to promote modifications to the Order at this stage.

S25 Cattishall

We do not believe that diversion of current users of the level crossing to the underbridge constitutes a significant diversion for the majority of present users. Indeed, we believe it adds convenience and accessibility when compared to the current route. To leave the level crossing open against increasing usage attributable to future developments is not acceptable to Network Rail. If consulted, Network Rail could not support a planning application which would rely on an access route to a proposed development via a level crossing.

The development north of the railway is proposed to be phased from west to east, such that a bridge at the level crossing site will be of limited utility until later phases of the development are built out.

We are continuing to engage with the developer of land north of the railway to deliver a bridge at the Cattishall level crossing site, but at present, the developer does not have planning permission and there is no guarantee that such a structure will be built. We are of the view that the diversion to the underbridge is suitable and convenient for existing lawful users, and cyclists.

You also raise a specific concern on the proposed bridleway between points A and P022. The status of the diversionary route has been discussed with the council and in all the discussion this has not been an issue. Please can you clarify this point further at our meeting.

S27 Barrells

Network Rail is proposing improvements to road markings and verges for the bridge and approaches. The Road Safety Audit did not consider the proposals to be insufficient but we are willing to discuss at our meeting further measures you propose.

S31 Mutton Hall

Network Rail is proposing improvements to road markings and verges for the bridge and approaches. The Road Safety Audit did not consider the issues were significant and the proposed measures in the Order should address the issues. However we are willing to discuss at our meeting any further measures the council proposes.

S69 Bacton

Under Network Rail's proposal we are proposing improvements to Pound Hill, hence its inclusion in the Order limits. This includes new footway, road markings, vegetation clearance and we are investigating drainage works. We would like to discuss your concerns in more detail at our meeting on Tuesday 1st August.

We hope that our response has provided sufficient clarity on a number of the points made in your objection, and we look forward to discussing this further at our next meeting on 1st August 2017.

Yours sincerely



Bridgit Choo-Bennett
Anglia Level Crossing Reduction Team
Network Rail