

## **The Network Rail (Cambridgeshire Level Crossing Reduction) Order**

**Statement of Case on behalf of Objector 32 – Mr Anthony Leonard Lee trading as A L Lee Farming Company**

**Represented by Christopher Purllant BSc (Hons) MRICS FAAV, Brown & Co Alexanders, Acre House, 70c, High Street, Huntingdon, Cambridgeshire**

### **Level Crossing C24 – Cross Keys – Proof of Objection Evidence**

**Proposal to Close the Public Footpath Crossing and create a new replacement footpath to link the existing underbridge and Adelaide level crossing**

- 1) Having been provided with 34 notices with differing plots, plans and rights required under the various notices with limited details as to the exact proposals my client considers the consultation process has been extremely limited in detail and that individual meetings onsite should have been provided as part of the order process during the final stages
- 2) The order proposes to affect my client by the closure of the pedestrian crossing over the railway line and thereafter the diversion of Footpaths 50 & 15 onto agricultural land to the west, crossing the drainage ditch with a new footbridge and thereafter passing underneath the railway line and re-joining Footpath 15 on the river bank.
- 3) Having inspected the site we note that the visibility splays available at Plot 40 are extensive being approximately 2.75 miles to the North and 0.62 miles to the South where slow rail speeds would be expected at the curve point of the track and shortly after leaving the Ely station as shown below.





- 4) The closure of this crossing is therefore considered excessive if we consider the proposal is to divert pedestrians off the picturesque river bank to a low lying area of agricultural land for a length of over 850m. The route of the proposed diverted footpath on my clients land is stated within the order to be field margin which is incorrect the land being arable agricultural land entered into an Environmental Stewardship Agreement as evidenced below with all cross-hatched red areas being land entered into a mid-tier environmental stewardship agreement.





- 5) The land is arable land which has been entered into environmental stewardship for the past 12 years providing a diverse habitat which we consider will be lost as part of the proposals.
- 6) The existing route of Footpath 15 along the adjacent river bank ensures pedestrians are maintained away from the intensive cultivation, fertilisation and spraying operations associated with arable crop production and the agrochemicals associated therewith. The continued use of Footpaths 50 & 15 with the existing pedestrian rail crossing is therefore considered the most appropriate route to enable crop production and pedestrian use of land to remain distinctly segregated.
- 7) The order proposes under Ely Civil Parish Plot 12 to acquire rights of access over a private farm track for a distance of circa 980m. The notice and the book of reference does not state whether such rights are proposed to be pedestrian or vehicular and therefore my client wishes to raise an objection to any such additional rights being created without the full details of such rights being made available and clarification that such rights will be of a temporary nature only.
- 8) The order proposes to create additional rights of access over arable fields shown as Ely Civil Parish Plots 9 & 10. Again these field margins are arable land which has been entered into environmental stewardship for the past 12 years and such rights are considered to be detrimental to then environmental benefits that have been created over this period. The order also fails to state whether such rights are pedestrian or vehicular in nature and our clients therefore object to the creation of this right as a result of the lack of information provided.
- 9) The Statement of Case by Network Rail states that a 9 day camera survey was carried out between the 18<sup>th</sup> & 26<sup>th</sup> June 2016 and a total of 32 pedestrians were noted using this

crossing. We consider the length of the survey to be too short to adequately consider the level of use of this crossing and the importance to the local community. The photograph below taken on 11 April 2016 clearly indicates a high level of usage given the die back of the footpath vegetation between the crossing stile and track area.



10) In summary it is considered that the wide visibility splay available at this crossing, the evidence of the level of usage and the high level of amenity value provided by the existing crossing and footpath route justifies retention of the crossing greater than the proposed crossing closure order.

**31<sup>st</sup> October 2017**

**Christopher Purllant**

**Brown & Co Alexanders on behalf of A L Lee Farming Company (Objector 32)**