TRANSPORT AND WORKS ACT 1992

APPLICATION FOR THE PROPOSED NETWORK RAIL (SUFFOLK LEVEL CROSSING REDUCTION) ORDER

WRITTEN STATEMENT OF CASE

REFERENCE – TWA/17/APP/04/OBJ/40

PREPARED BY

SIMON GOODERHAM MRICS FAAV

(Agent on behalf of C C Gooderham & Son)

12th FEBRUARY 2018

1.0 I represent and act for C C Gooderham and Son who are the freehold owners of the land known as Brickwall Field lying to the west of level crossing S69.

2.0 The objection relates to the closure of public footpath 13 which passes over level crossing S69 Bacton. The objection was first raised in email correspondence dated 4th May 2017 following the service of Notice 413 on the landowners.

3.0 Since the objection was raised there has been no consultation with the stakeholders or landowners in relation to the proposed closure of crossing S69, or the wider proposals regarding the proposed alternative arrangements for the public footpath network in around the village of Bacton.

4.0 A copy of the letter from Network Rail dated 20 December 2017 has been received in response to the objection, which outlines the proposed alternative route and works to provide pedestrian access to Bacton Football Club in the event that S69 Bacton is closed.

5.0 The proposed alternative route is over 3.5 times longer in length (945m rather than 265m) than the existing pedestrian access, and 270m of the proposed new route is along the B1113 which has no street lighting or footways. A significant section of the new route is also in the 40 mph zone.

6.0 The proposed new access route along the B1113 would require pedestrians to either walk on the highway or along uneven and narrow grass verges which are totally inadequate for pedestrian use. The proposed works along this section of highway indicate that a new footway will be considered as part of the detailed design however there has been no firm commitment made to the provision of this.

7.0 There has been no detail provided regarding the dates when the 9-day camera census was actually undertaken and therefore it is not possible to establish whether the results of this census are a representative sample of the use of footpath 13. The physical evidence on the ground would suggest a greater use than 3 people per day as suggested by the camera census.

8.0 It is considered that the submitted proposal does not provide a suitable alternative pedestrian route to Bacton Football Club, due to the significantly increased length of the route and the limited detailed relating to the provision of a footway for the full length of the new route.

9.0 The landowners, C C Gooderham, would be prepared to discuss making land available for an alternative route to utilise the old underpass which passes under the railway the south of S69. This underpass has currently been stopped up and replaced with a large culvert however consideration should be given to re-opening the underpass as an alternative the current proposals.

10.0 Further consultation should be undertaken with stakeholders to discuss the extent of use of the existing footpath 13 and crossing S69 Bacton, and the proposed alternative route.

11.0 Based on the responses received to the objection to date Obj/40/SUFF/R001 is not withdrawn.

TRANSPORT AND WORKS ACT 1992

APPLICATION FOR THE PROPOSED NETWORK RAIL (SUFFOLK LEVEL CROSSING REDUCTION) ORDER

WRITTEN STATEMENT OF CASE (Revision 2)

REFERENCE – TWA/17/APP/04/OBJ/40

PREPARED BY

SIMON GOODERHAM MRICS FAAV

(Agent on behalf of C C Gooderham & Son)

13th MARCH 2018

1.0 I represent and act for C C Gooderham and Son who are the freehold owners of the land known as Brickwall Field lying to the west of level crossing S69.

PROPOSED CLOSURE OF PUBLIC FOOTPATH 13 & LEVEL CROSSING S69 BACTON

2.0 The objection relates to the closure of public footpath 13 which passes over level crossing S69 Bacton. The objection was first raised in email correspondence dated 4th May 2017 following the service of Notice 413 on the landowners.

3.0 Since the objection was raised there has been no consultation with the stakeholders or landowners in relation to the proposed closure of crossing S69, or the wider proposals regarding the proposed alternative arrangements for the public footpath network in around the village of Bacton.

4.0 A copy of the letter from Network Rail dated 20 December 2017 has been received in response to the objection, which outlines the proposed alternative route and works to provide pedestrian access to Bacton Football Club in the event that S69 Bacton is closed.

5.0 The proposed alternative route is over 3.5 times longer in length (945m rather than 265m) than the existing pedestrian access, and 270m of the proposed new route is along the B1113 which has no street lighting or footways. A significant section of the new route is also in the 40 mph zone.

6.0 The proposed new access route along the B1113 would require pedestrians to either walk on the highway or along uneven and narrow grass verges which are totally inadequate for pedestrian use. The proposed works along this section of highway indicate that a new footway will be considered as part of the detailed design however there has been no firm commitment made to the provision of this.

7.0 There has been no detail provided regarding the dates when the 9-day camera census was actually undertaken and therefore it is not possible to establish whether the results of this census are a representative sample of the use of footpath 13. The physical evidence on the ground would suggest a greater use than 3 people per day as suggested by the camera census.

8.0 It is considered that the submitted proposal does not provide a suitable alternative pedestrian route to Bacton Football Club, due to the significantly increased length of the route and the limited detail relating to the provision of a footway for the full length of the new route.

9.0 The landowners, C C Gooderham, would be prepared to discuss making land available for an alternative route to utilise the old underpass which passes under the railway the south of S69. This underpass (marked X on Plan A) has currently been stopped up and replaced with a large culvert however consideration should be given to re-opening the underpass as an alternative the current proposals. The proposed alternative route is shown marked in a dashed blue line on attached Plan A.

10.0 Further consultation should be undertaken with stakeholders to discuss the extent of use of the existing footpath 13 and crossing S69 Bacton, and the proposed alternative route.

11.0 Based on the responses received to the objection to date Obj/40/SUFF/R001 is not withdrawn and further considering should be given to the alternative route suggested in 9.0.

PROPOSED CREATION OF NEW FOOTPATH BETWEEN POINTS P070, P071, P072 & P073

12.0 The objectors previously supported the creation of a new permanent footpath between points P070, P071, P072 and P073 shown on Sheet 21 of the Order plans and the associated new footbridge.

13.0 Since the original statement of support for this new footpath concerns have now been raised in relation to creation of part of this new footpath between points P072 and P073 and the extent of the proposed new footbridge. The proposed design of the new footbridge would extend significantly into Pulhams Lane and restrict vehicular access along Pulhams Lane to the landowners adjoining agricultural land. This is a particular concern in relation to the use of Pulhams Lane for agricultural vehicles which is the only route of access to farmland to the south.

14.0 It has further come to light that there is already an established footpath providing a pedestrian link from the residential properties at Birch Avenue, Pretyman Avenue, Cedar Close and Ash Close to the allotments and Bacton Primary school. This existing footpath is shown marked with a red dashed line on attached Plan B and is known as 'The Bracknells'. The path is a publicly maintainable highway, at footway status, and is registered in the County Council's List of Streets, edition published on 1 March 2018, and described as *'Church Road Footway Unassociated 0.11km NG25503999'.*

15.0 In view of the existing footway known as The Bracknells, together with concerns over restrictions to vehicular access along Pulhams Lane that will result from the proposed creation of the new footbridge, support for the new footpath between P072 and P073 is withdrawn.

SUMMARY & CONCLUSION

16.0 The objection Obj/40/SUFF/R001 to closure of footpath 13 and crossing S69 is not withdrawn. The alternative route that has been suggested for pedestrian access to Bacton Football Club does not provide a safe solution and will result in a considerably increased length of route along a main carriageway with no detail on the provision of footways. Before a final decision is made on the closure of crossing S69, further consideration and costings should be provided for re-opening the underpass to ensure a continued and safe pedestrian access from the village centre to the football club.

17.0 The original support for creation of a new footpath between P072 and P073 is withdrawn as the existing footpath known as *'The Bracknells'* already provides a well established pedestrian access to the school, allotments and doctors surgery. The proposed is no longer considered to be a necessary new link and the creation of the new footbridge as designed would prevent access for the agricultural vehicles to the adjoining farmland.

END

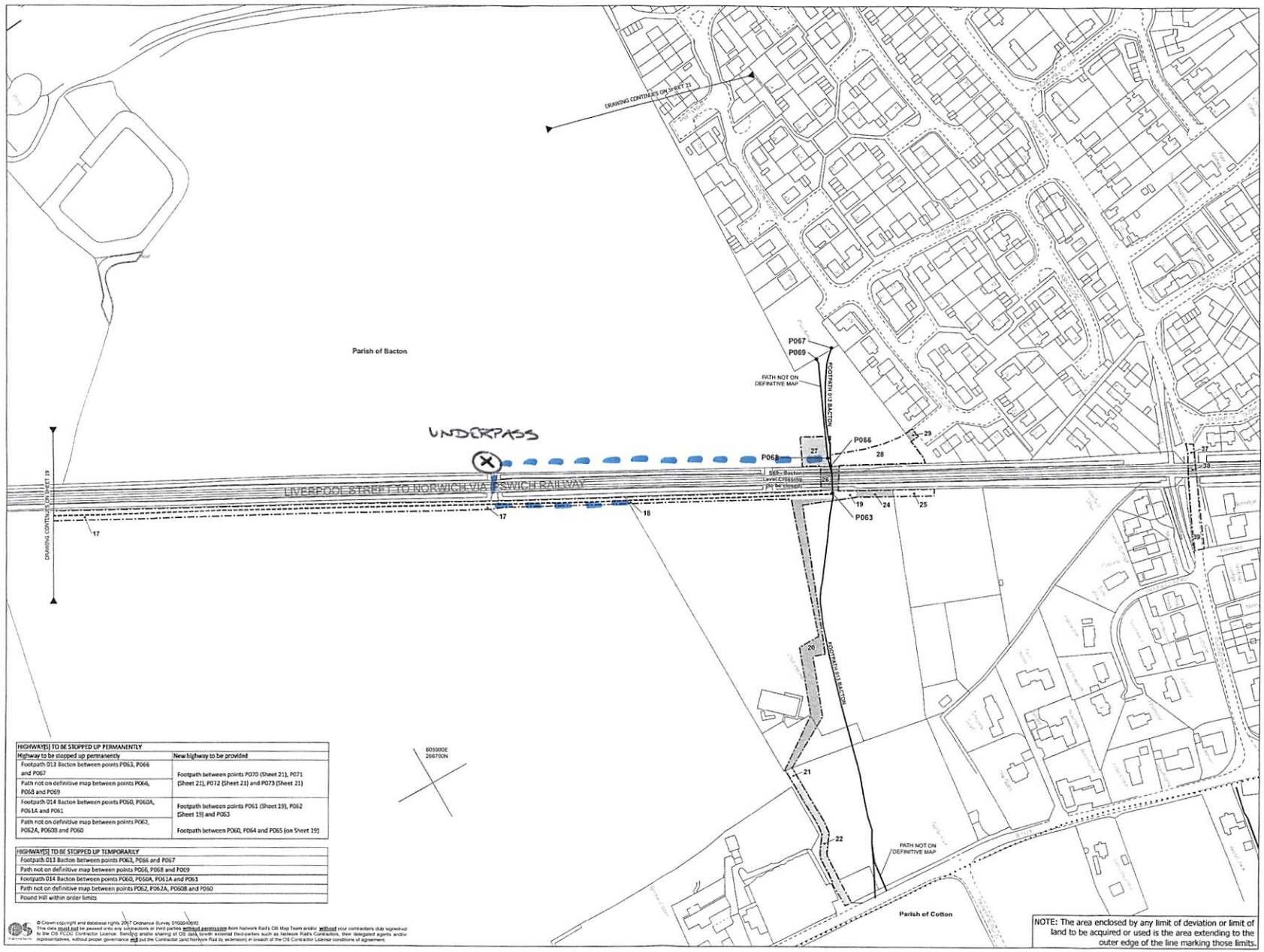
Transport and Works Act 1992

The Network Rail (Suffolk Level Crossing Reduction) Order

COUNTY OF SUFFOLK, DISTRICT OF MID SUFFOLK

PLAN A

Sheet 20
S69 - Bacton
Level Crossing



HIGHWAY[S] TO BE STOPPED UP PERMANENTLY	
Highway to be stopped up permanently	New highway to be provided
Footpath 013 Bacton between points P063, P066 and P067	Footpath between points P070 (Sheet 21), P071 (Sheet 21), P072 (Sheet 21) and P073 (Sheet 21)
Path not on definitive map between points P066, P068 and P069	
Footpath 014 Bacton between points P060, P060A, P061A and P061	Footpath between points P061 (Sheet 19), P062 (Sheet 19) and P063
Path not on definitive map between points P062, P062A, P060B and P060	Footpath between P060, P064 and P065 (on Sheet 19)

HIGHWAY[S] TO BE STOPPED UP TEMPORARILY
Footpath 013 Bacton between points P063, P066 and P067
Path not on definitive map between points P066, P068 and P069
Footpath 014 Bacton between points P060, P060A, P061A and P061
Path not on definitive map between points P062, P062A, P060B and P060
Pound Hill within order limits

© Crown copyright and database rights 2017 Ordnance Survey 0100031673
The data must not be passed onto any subcontractors or third parties without permission from Network Rail's OS Map Team and/or without your contractors duly signed up to the OS FCLG Contractor Licence. Sending and/or sharing of OS data to/with external third-parties such as Network Rail's Contractors, their delegated agents and/or representatives, without proper governance and put the Contractor (and Network Rail by extension) in breach of the OS Contractor License conditions of agreement.

Powers Limited to Temporary Use of Land and Acquisition of Rights
No. on plan:

Powers Limited to Temporary Use of Land
No. on plan:
17 22 29
18 24 37
19 25 38
20 27 39
21 28

Powers Limited to Rights
No. on plan:

Powers Limited to Extinguishment of Rights
No. on plan:
26

- Centreline of Work
- Commencement of Work
- Termination of Work
- (A) New / Improved Access
- Limit of Deviation
- Limit of Land to be Acquired or Used

Individual Land Parcels are shaded in contrasting shades of grey

- 01 Land Parcel Number
- Network Rail Property
- Areas of Third Party Land Benefitting from New Access Rights
- Existing or Alleged Public Right of Way
- New Public Right of Way

TRAFFIC REGULATION ORDERS (IF APPLICABLE)

- TR01 Traffic Regulation Order Reference Point
- Administrative Boundaries

NOTE: The area enclosed by any limit of deviation or limit of land to be acquired or used is the area extending to the outer edge of the line marking those limits.

PLAN

25 0 25 50 75 100 125 Metres

HORIZONTAL SCALE FOR PLAN 1:1250

Transport and Works Act 1992

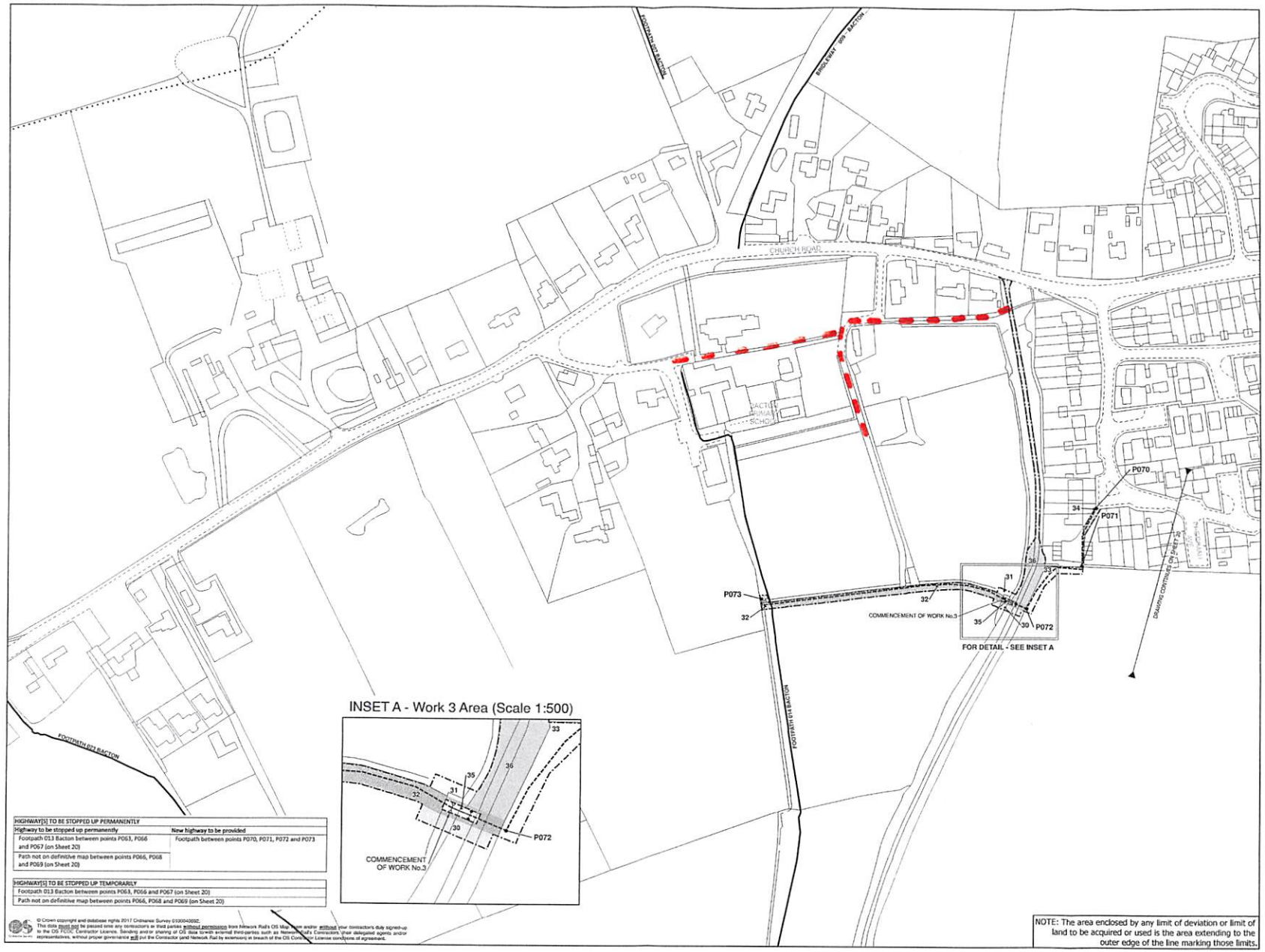
The Network Rail (Suffolk Level Crossing Reduction) Order

PLAN 3.

COUNTY OF SUFFOLK, DISTRICT OF MID SUFFOLK

PARISH OF BACTON

Sheet 21
S69 - Bacton
Level Crossing



WORK 3: FOOTBRIDGE

FOR SECTIONS OF WORK SEE SHEETS 39 AND 40

Powers Limited to Temporary Use of Land and Acquisition of Rights
No. on plan:

Powers Limited to Temporary Use of Land
No. on plan:
30 35
31 36
32
33
34

Powers Limited to Rights
No. on plan:

Powers Limited to Extinguishment of Rights
No. on plan:

- Centreline of Work
- Commencement of Work
- Termination of Work
- (A) New / Improved Access
- Limit of Deviation
- Limit of Land to be Acquired or Used

Individual Land Parcels are shaded in contrasting shades of grey

- 01 Land Parcel Number
- Network Rail Property
- Areas of Third Party Land Benefitting from New Access Rights
- Existing or Alleged Public Right of Way
- New Public Right of Way

TRAFFIC REGULATION ORDERS (IF APPLICABLE)

- TR01 Traffic Regulation Order Reference Point
- Administrative Boundaries

HIGHWAY[S] TO BE STOPPED UP PERMANENTLY	
Highway to be stopped up permanently	New highway to be provided
Footpath 013 Bacton between points P063, P066 and P067 (on Sheet 20)	Footpath between points P070, P071, P072 and P073
Path not on definitive map between points P066, P068 and P069 (on Sheet 20)	

HIGHWAY[S] TO BE STOPPED UP TEMPORARILY
Footpath 013 Bacton between points P063, P066 and P067 (on Sheet 20)
Path not on definitive map between points P066, P068 and P069 (on Sheet 20)

© Crown copyright and database rights 2017 Ordnance Survey 0100040892.
This data must not be passed onto any contractors or third parties without permission from Network Rail's OS Mapping or and/or without your contractors duly signed-up to the OS PSMA Contractor Licence. Sending and/or sharing of OS data to with external third-parties such as Network Rail's Contractors, their delegated agents and/or representatives, without proper governance will put the Contractor (and Network Rail by extension) in breach of the OS Contractor License conditions of agreement.

NOTE: The area enclosed by any limit of deviation or limit of land to be acquired or used is the area extending to the outer edge of the line marking those limits.

PLAN

25 0 25 50 75 100 125 Metres

HORIZONTAL SCALE FOR PLAN 1:1250