
APP/121

**FELIXSTOWE BRANCH LINE & IPSWICH YARD
IMPROVEMENT ORDER**

PROOF OF EVIDENCE

of

Andrew Cann

**PERMANENT ALTERATIONS
TO PUBLIC RIGHTS OF WAY**



Port of Felixstowe

This Proof of Evidence relates to the implications of the following applications:

**APPLICATION BY HUTCHISON PORTS (UK) LIMITED IN RELATION TO
THE FELIXSTOWE BRANCLINE AND IPSWICH YARD TRANSPORT
AND WORKS ACT ORDER**

Application	Application Ref.	Appeal Ref.
An application under section 1 of the Transport and Works Act 1992 for works to improve Ipswich Yard through provision of new sidings and other associated works between London Road Bridge and Ipswich railway station and to construct a second railway line in alignment with and to the southern side of the existing Felixstowe Branch Line from a point west of Mile Post 78.5 on the Branch Line to a point east of the railway platforms at Trimley station, to include works to level crossings along the Branch Line, made on 13 December 2005 and including the revisions and amendments submitted to the Secretary of State for Transport on 5 May 2006.	TWA 05/APP/04	

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1 QUALIFICATIONS AND RELEVANT EXPERIENCE

- 1.1 I am Andrew Cann, a Project Manager in the Port Development Team of Hutchison Ports UK Limited (HPUK). I hold a Bachelor of Arts Honours degree in Geography (with special reference to Asia and Africa), from the University of London, School of Oriental and African Studies. I have worked for the Company since 1995 during which time I have held a number of management positions. Prior to my current position I was HPUK Procurement Manager for 4 years. In November 2005 I was appointed to my current role.
- 1.2 In my present position I have responsibility for the proposed Felixstowe Branch Line and Ipswich Yard Transport and Works Act Order scheme.
- 1.3 I am a Suffolk County Councillor for the St Margarets and Westgate Division of Ipswich. I am Chairman of the County Councils Strategic Risk Panel, Vice-Chairman of the Audit Committee and serve on the Resources, Finance and Performance Scrutiny Committee.
- 1.4 I have lived in Suffolk all of my life.

2 OBJECTIVES OF PROOF OF EVIDENCE

- 2.1 The purpose of my Proof of Evidence is to consider the reasons for the proposed permanent diversion of rights of way detailed in the TWAO application. In doing so I shall be specifically addressing point 6(c) in the Secretary of States Statement of Matters. My evidence demonstrates that the proposed alterations to public rights of way are practicable and consequent upon the branchline scheme. I shall also address specifically the points raised by objectors to the proposed permanent rights of way changes. In addition this proof of evidence addresses the provision of footbridges and underpasses. Footbridges and underpasses have been suggested by objectors as alternatives to closure of railway crossings.
- 2.2 The Proof of Evidence of Richard Spoor of Mott Macdonald addresses:
- 2.2.1 Evidence relating to sections 6 (a) and 6 (b) of the Secretary of State's Statement of Matters, namely the impacts of construction activities on pedestrian and road traffic in the area by temporary closures of footpaths and crossings and the operational effects of the scheme on road traffic;
 - 2.2.2 Positioning of signals and the effect of standing trains due to perturbations;
 - 2.2.3 Temporary alterations to public rights of way; and,
 - 2.2.4 The effect of road and rail safety considerations upon the design of the Branch Line scheme.
- 2.3 The effect of whistleboards on the noise environment is considered in the Proof of Evidence of Bernard Postlethwaite of Bureau Veritas Acoustic Technologies Limited.
- 2.4 It is helpful when reading this Proof of Evidence to refer to core documents 92, 'Extracts from the Suffolk County Council definitive map', and core document 93, 'Ordnance Survey Map Explorer 197'.

3 PROPOSED STOPPING UP OF RIGHT OF WAY (FP8 TRIMLEY ST MARTIN AND FP2 STRATTONHALL).

- 3.1 Subject to the Order being made it is proposed to stop up of right of way FP8 Trimley St. Martin, FP2 Strattonhall and Croft footcrossing. The route will be permanently stopped up from point C to point D [shown on Planning General Arrangement' – Sheet No.s 4 and 5, appendix 7] at the existing junction of FP8 with Strattonhall Drift. The Croft footcrossing is located at railway Chainage 80m 25ch on a public footpath that runs between the unclassified Old Felixstowe Road and Strattonhall Drift. The footpath crosses fields on either side of the railway that have recently been in arable use.
- 3.2 The section of right of way FP8 to be stopped up is part of the route from Kirton to the river. This route is along narrow B roads, without a footpath until it reaches the A14. At the A14 the walker must negotiate four lanes of very busy dual carriageway traffic with no aids to the traversing pedestrian. Crossing the busy A14 is a hazard not taken lightly. Once across the A14 the walker must then descend a steep incline before crossing another road (the U3124) within a cutting and then ascend another steep bank by use of steep steps. This is point C on the diagram Planning General Arrangement - Sheet 5. At the top of the bank the pedestrian must negotiate a stile before walking across a field to the footcrossing. There is no surfaced or made up path within the existing railway boundary and there is no built up footcrossing across the track. After the crossing the walker must then walk across another field before turning along a dyke for a short distance. At that point the pedestrian then makes their way along the edge of a field again until reaching Strattonhall Drift. This is point D on the diagram Planning General Arrangement - Sheet 4. The route from Kirton to the Coastal Path as described is one characterised by walking along the edge of B roads without footpaths. The short middle section of the route across the A14, into and out of the cutting to cross the U3124 and then across two ploughed fields bisected by the level crossing contains the only 'footpath' element of the route but without the ambience, safety (the A14) and ease of use normally associated with 'footpath' routes.

- 3.3 As a consequence of the scheme to dual the Branch Line, a new signalling scheme would need to be implemented. Network Rail has undertaken considerable work to examine how the Branch Line would operate. Under normal operations it is not expected that trains would need to stand i.e. wait for a signal on the Branch Line as dualled. However, it is not feasible to eliminate the possibility of trains having to stand at all. The preliminary signalling design has placed signals as far as possible from residential properties. This is so that, when normal operations are interrupted (a “perturbation”) and are trains required to stop at signals, the impact on residents and homes would be minimised.
- 3.4 As a result of these considerations new signals would be placed in the vicinity of Croft footcrossing [as shown in appendix 5]. With the development of longer trains, such as the scheme anticipates, if a train is required to stand at either signal, the last few wagons would be likely to block Croft footcrossing, (see appendix 5). In such circumstances a pedestrian may be tempted to walk behind a stationary train and, as the line would be dualled, there is a real risk that he or she could step out into the path of a train coming in the other direction. Worse, a pedestrian may be tempted to try to pass beneath a stationary train. Therefore, the closure of this crossing is proposed as a matter of public safety.
- 3.5 Whilst it is recognised in the Environmental Statement (4.8.35) that the closure of Croft footcrossing would cause a significant adverse impact to pedestrians due to the longer route required for pedestrians, there is evidence that the footcrossing is not well used and therefore the diversion would inconvenience few users. A census conducted on the weekend of the 25th and 26th November 2006 found no movement across the level crossing whatsoever (see appendix 1 for a copy of the record of this census).
- 3.6 Her Majesty’s Railway Inspectorate (HMRI) has stated their views in relation to the closure of Croft footcrossing, (See appendix 2). In fact HMRI state that, “if closure is not achieved, however, measures will need to be taken to ensure the safety of users in the event of trains standing across crossing”, indicating that whatever was proposed some type of resolution would be required.
- 3.7 Notwithstanding the results of the survey, for those walking purely for leisure there are alternative and more attractive circular walks in the area. For instance there is a circular route from Thorpe Common to Levington Marina and back to Thorpe Common via

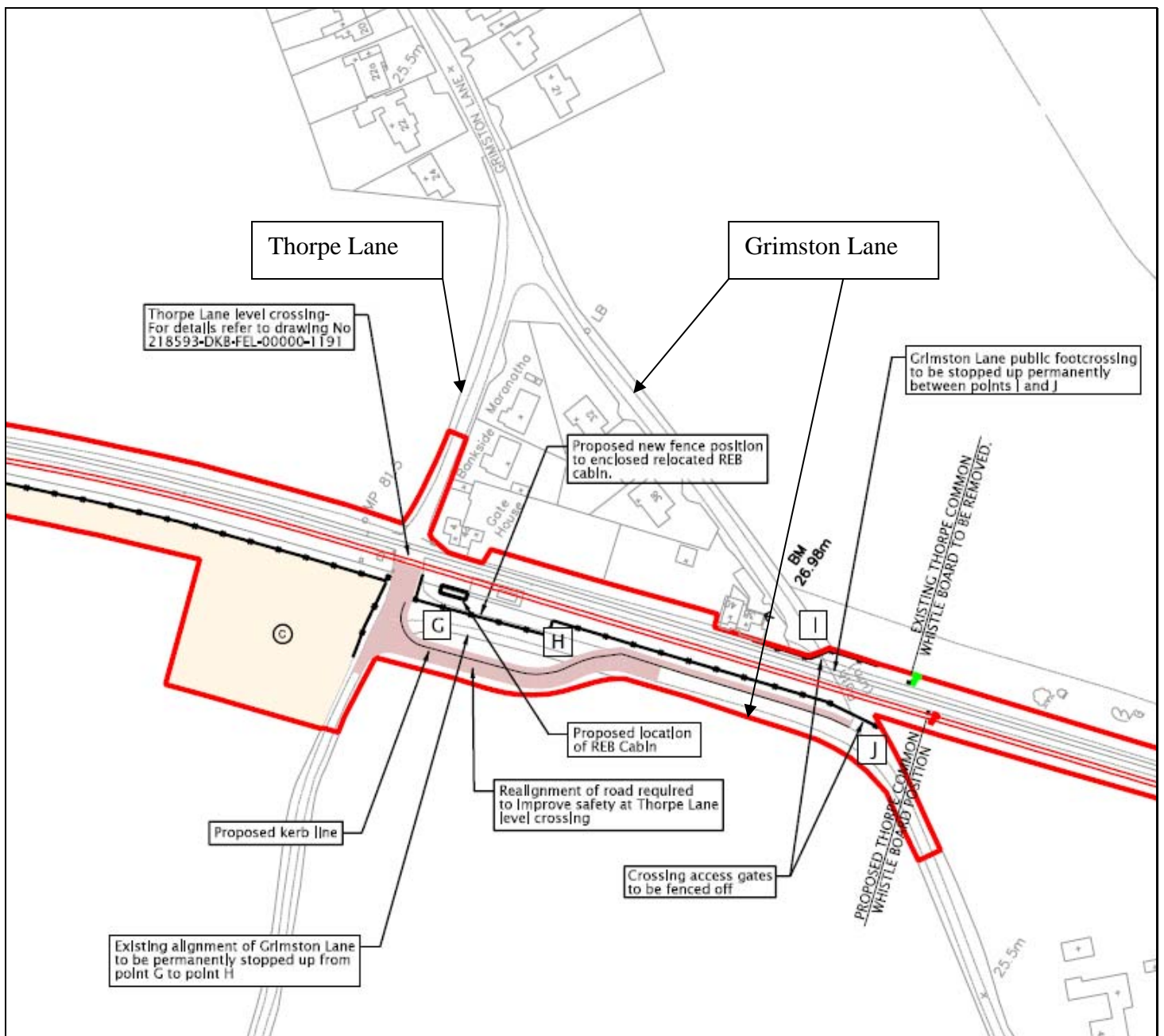
Loompit Lake, Stratton Cliff, Stratton Hall Wood, Strattonhall Drift, Morston Hall and Woodruff Grove that does not require a pedestrian to cross the A14, is mostly within or near to the Area of Outstanding Natural Beauty, (AONB), and requires far less walking on roads than other routes using the Croft footcrossing. See core document 93 'Ordnance Survey Map Explorer 197' grid reference TM265375. The section of route from the A14 to Strattonhall Drift is not within the AONB or in character with the AONB.

- 3.8 Neither Suffolk Coastal District Council, Suffolk County Council, nor relevant Parish Councils (Trimley St Martin and Levington Parish Councils) are objecting to the proposed permanent stopping up of Croft footcrossing.

4 **PROPOSED STOPPING UP OF RIGHT OF WAY – GRIMSTON LANE BETWEEN POINTS G AND H.**

4.1 It is proposed that Grimston Lane is permanently closed between points G and H and diverted to a new alignment via a realignment of the road see excerpt from Planning General Arrangement, Sheet 7, below. See appendix 7 for original drawing.

Excerpt from Planning General Arrangement – Sheet 7 – Proposed Grimston Lane realignment



4.2 The proposal to close and divert Grimston Lane between these points is in order to improve safety at the Thorpe Lane level crossing. The diversion will improve sight lines between road vehicles and between road vehicles and other users of the Thorpe Lane level crossing and Grimston Lane/Thorpe Lane junction. This is dealt with further in the Proof of Evidence of Richard Spors of Mott MacDonald.

5 PROPOSED STOPPING UP OF RIGHT OF WAY – GRIMSTON LANE FOOTCROSSING BETWEEN POINTS I AND J.

- 5.1 Subject to the order being made to authorise the scheme it is proposed that Grimston Lane footcrossing be permanently closed between points I and J as shown on Planning General Arrangement Sheet 7, appendix 7, excerpt on page 6 in this proof of evidence. There is an existing legal requirement under current operation that whistleboards are placed on the approach to Grimston Lane footcrossing, so that an approaching train sounds its horn to warn users of its approach. Whistleboards should, in accordance with regulations, be placed 300 yards from the crossing to which they relate. The whistleboards are in fact not yet in place, but if the crossing were to remain open then it would have to be provided in accordance with current rail standards and regulations. However, one is in place for Thorpe Lane level crossing.
- 5.2 During the consultation on the project concerns were raised about the noise disturbance resulting from locomotives sounding their horns at whistleboards, particularly during the night. As a result of the dualling of the Branch Line the number of trains would increase, which would lead to a rise in the number of times when horns would be sounded at approach to Grimston Lane. The closure of Grimston Lane footcrossing would negate the need for the associated whistleboards and thereby reduce the disturbance to local residents.
- 5.3 A safe and commodious alternative to Grimston Lane footcrossing already exists at Thorpe Lane level crossing. This would also be improved to include adequate footways on the approach to and at the level crossing in order to improve the safety of pedestrians using this route. See appendix 8 for a diagram of the proposed footways.
- 5.4 Her Majesty's Railway Inspectorate has not objected on safety grounds to the diversion of Grimston Lane footcrossing and to the improvements at Thorpe Lane Level Crossing (See appendix 2).

6 PROPOSED ALTERATION TO RIGHTS OF WAY – GUN LANE –

- 6.1 Gun Lane, (Restricted Byway No. 28¹), currently crosses the railway between points R and T, as shown on [Planning General Arrangement Sheet No. 8, appendix 7]. It is proposed to divert Gun Lane Crossing permanently from between points R and T via points Q, S and T (shown on Planning General Arrangement Sheet No. 8, appendix 7). Users of Gun Lane will from then cross the railway via Footcrossing No. 24, (shown on Planning General Arrangement Sheet No. 8, appendix 7). Following closure of Gun Lane, the whole of Gun Lane (from points U to Z shown on [Planning General Arrangement Sheet No. 8, appendix 7) would be reclassified as a Bridleway, including the route of the proposed diversion via Footcrossing No. 24. Therefore, the ability of horse riders, cyclists and pedestrians to use Gun Lane would not be interrupted. It is proposed that the diversion on the northern side of the railway uses the footpath that connects Gun Lane to footway No. 24. This will avoid creating a new and unnecessary right of way.
- 6.2 As a result of the scheme to dual the Branch Line, a new signalling scheme would need to be implemented. Network Rail has undertaken considerable work to examine how the Branch Line would operate. It is not expected that trains would need to stand (i.e. wait) for a signal on the Branch Line as dualled. However, it is not feasible to eliminate the possibility of trains having to stand at all. The preliminary signalling design has placed signals as far as possible from residential properties. This is so that when normal operations are interrupted and trains are required to stand at signals, during a “perturbation”, the impact on residents and homes would be minimised.
- 6.3 As a result of these considerations, new signals would be placed in the vicinity of Gun Lane crossing, as shown in appendix 5. With the development of longer trains such as the scheme anticipates, if a train is required to stand at one of the signals, the last few wagons would be likely to block Gun Lane crossing, (see appendix 5). In such circumstances a pedestrian may be tempted to walk behind a stationary train and, as the line would be dualled, there is a real risk that he or she could step out into the path of a train coming in the other direction. Worse a pedestrian may be tempted to try to pass beneath a stationary train. Therefore, the closure of this crossing proposed is a matter of public safety.
- 6.4 In this location the proposals provide for a diversion via Footcrossing No. 24, which is to be relocated under the proposals. This is to allow for a better layout at the level crossing to improve

the manoeuvring space for horses and riders approaching the footcrossing from the both sides of the railway.

- 6.5 It is proposed that the diversion on the southern side of the railway uses the footpath that connects Gun Lane to Footcrossing No. 24 south of the railway (Footpath 33 Trimley St Martin). This will avoid creating a new path that, given the availability of a suitable existing right of way, would be unnecessary.
- 6.6 Her Majesty's Railway Inspectorate has not objected to the diversion of Gun Lane crossing. (See appendix 2).
- 6.7 The proposed reclassification of the whole length of Gun Lane as a bridleway would be a change from its current classification as a Restricted Byway that can theoretically be used for wheeled vehicles. However, anecdotal evidence suggests that the public use of this way is confined to pedestrian, and horses and riders. It should be noted that the landowner does not use Gun Lane crossing for vehicles as he considers the drop on the south side of the crossing as too steep for his farm vehicles. The reclassification will not affect the use of the path save that it benefits all users excepting users of motorised vehicles.

1) I understand that since the Application was made legislation has come into effect, pursuant to the Countryside and Rights of Way Act 2000, which provides that rights of way previously known as Roads Used as a Public Path are now to be known as Restricted Byways.

7 ALTERNATIVE CROSSINGS (FOOTBRIDGES AND UNDERPASSES)

7.1 FDRC considered the provision of Footbridges within the Branch Line Scheme.

7.1.1 Two of the objectors, Trimley St Martin Parish Council, (Obj 31), and The Ramblers, (Obj 6), have suggested that the proposed Transport and Works Act Order should provide for a footbridge at the Thorpe Common footcrossing where Footpath 1, Trimley St Martin, The Suffolk Coasts and Heaths Path, crosses the Branch Line. The requirement to build a footbridge at Thorpe Common footcrossing is not considered appropriate for the following reasons:

- 7.1.1.1. The proposed works would extend Thorpe Common footcrossing by 3m. The extension of the crossing of the track by such a small distance will not affect the ability of any user to cross safely;
- 7.1.1.2. It is proposed to improve the Thorpe Common footcrossing by installing a proper walkway. This would allow wheelchair users and pedestrians to cross on a flat surface. At present, there is not a purpose built walkway, making travel across the crossing difficult for pedestrians and specifically so for wheelchair users who would have to negotiate the rails and sleepers. This improvement would make it much easier for all to traverse the crossing quickly and safely; and,
- 7.1.1.3. The removal of stiles and their replacement with gates would facilitate easier and safer crossing for wheelchair users. In light of this the crossing does not require improvement beyond the measures outlined above.
- 7.1.1.4. Furthermore, the provision of a footbridge would be unsightly in this area of relatively flat landscape. Footbridges are large structures, typically 6.7m high by 47m in length by 26m in width. A Disability Discrimination Act 1992 compliant structure capable of crossing two rail tracks as originally outlined for construction at Westerfield, is shown at appendix G. In a rural landscape a structure of this size will be out of character and may be controversial in an area bordering the AONB, from which it would be visible.

7.1.2 In relation to the three crossings proposed to be closed (Croft footcrossing, Grimston Lane footcrossing and Gun Lane crossing) it is also not considered appropriate to build footbridges at these locations, for the following reasons:

7.1.2.1. All three crossings have acceptable diversions nearby;

7.1.2.2. In the case of Croft footcrossing this is not well used. A census conducted on the weekend of the 25th and 26th November 2006 found no movement across the level crossing at all. It should also be noted that neither Suffolk Coastal District Council, Suffolk County Council, nor the relevant Parish Councils (Trimley St Martin and Levington Parish Councils) are objecting to the proposed permanent closure of Croft Footcrossing;

7.1.2.3. The same considerations as to the visual impact of footbridges apply equally to these three crossings as they do to the Thorpe Common crossing, as outlined above

7.2 FDRC also considered the provision of Underpasses within the Branch Line Scheme. One objector, Suffolk Coastal District Council, requested that FRDC assess the appropriateness of underpasses within the scheme. FDRC has done this and does not consider that underpasses would be appropriate for the following reasons:

7.2.1 Three locations were identified where alternative crossings or crossing closure might have been required (Table 1 below).

Name	Existing Crossing Type	Location	Current Proposal
Croft	Footcrossing	80 M 39 Ch	Closure
Grimston Lane	Footcrossing	81 M 47 Ch	Closure and diversion
Gun Lane	User Gated Level (Occupation) Crossing	82 M 01 Ch	Closure and diversion

Table 1: Footcrossing Locations

7.2.2 Croft footcrossing and Gun Lane level crossing would close on the grounds of safety. The Branch Line project includes a revised signalling scheme. Trains are only likely to be required to stand at signals as a result of a perturbation. In the case of both crossings a train standing at one (Gun Lane level crossing) or both (Croft footcrossing) of the signal(s)

nearby would block the crossing. The risk in either case is that a pedestrian may be tempted to walk behind a stationary train and as the line would be dualled, there is a real risk that he or she could step out into the path of a train coming in the other direction. Therefore, the closure of these crossings is a matter of public safety.

7.2.3 It is proposed to be close Grimston Lane footcrossing to remove the need to install two whistleboards here.

7.2.4 In engineering terms the provision of underpasses is theoretically possible in each of these locations. However this is not considered viable or proportionate in the context of the project, for the reasons set out below:

- a) The construction of underpasses is not necessary as the changes to the rights of way network are not material. Safer and equally commodious routes exist nearby that are preferable to those that will be removed;
- b) The Croft footcrossing route is neither attractive nor well used.
- c) The Grimston and Gun Lane crossings are very close to existing crossings that will be improved in each case;
- d) The construction of an underpass would require land outside that for which the current application provides. If the provision of underpasses was required this would delay the Branch Line scheme and the Felixstowe South Reconfiguration;
- e) The construction of such works would have the potential to cause substantial disruption to the operation of the existing branch line. As such the risks associated with their provision outweigh the benefit of their provision or the alteration of the existing rights of way; and,
- f) The costs associated with providing underpasses are estimated to being up to £5.25m at 2006 prices, not including:
 - i. Land acquisition;
 - ii. Protection of buildings;
 - iii. Diversion of any services;
 - iv. Track possessions; and,

- v. Further maintenance. These costs would be for the benefit of a very small group and disproportionate to the benefits secured.

7.2.5 In conclusion the requirement to provide underpasses at these three sites is not considered necessary, appropriate or proportionate within the context of the proposed project.

8 OBJECTIONS

8.1 Objection 6 Mr John Andrews, The Ramblers Association Suffolk Area.

Footpath No. 8 Croft footcrossing.

- 8.1.1 Mr Andrews objects to the closure of this footpath. He states that Footpath No. 8 is part of an essential footpath route. However, Footpath No. 8 is not an integral or essential part of a 'footpath route' leading from Kirton village to the Coastal Path as he suggests. I have dealt with the nature of the footpath route and how it is not part of an essential route. See para. 3.2.
- 8.1.2 Mr Andrews describes Footpath No.8 as 'part of an attractive and interesting circular walk'. For those walking for leisure there are alternative and more attractive circular walks in the area. For instance, there is an alternative circular route via Morston Hall that does not require a pedestrian to cross the A14, it lies mostly within or near to the AONB and requires far less walking on roads than other routes using the Croft footcrossing. The section of route from the A14 to Strattonhall Drift is not attractive, within the AONB or in character with the AONB.
- 8.1.3 Mr Andrews questions the need for the stopping up of Footpath No. 8 based upon the positioning of signals. The technical aspects of this are addressed in the Proof of Evidence of Mr Richard Spoons of Mott MacDonald.
- 8.1.4 Mr Andrews suggests that in the event the stopping up of Footpath No. 8 is justified the footpath should be re-aligned to the southeast. The evidence of Richard Spoons will address the relative positions of the signals, trains and crossings / footpaths.
- 8.1.5 The diversion proposed along the U3124, the Old Felixstowe Road and down Stratton hall Drift is a satisfactory alternative in character with other parts of the route. This diversion would avoid the unnecessary creation of a new path.
- 8.1.6 It should be noted that Footpath No. 8 is not well used recording nil usage on the weekend of 25th and 26th November 2006. (see census, appendix 1), and therefore this diversion represents a minimal impact due to the minimal numbers using this route.

Restricted byway No. 28 Trimley St Martin – Gun Lane crossing.

- 8.1.7 Mr Andrews also objects to the closure of Gun Lane crossing. I refer to the Proof of Evidence of Richard Spoons of Mott Macdonald with regard to signal positioning and the justification the proposed stopping up of the Gun Lane crossing on safety grounds. That evidence will address the relative positions of the signals, trains and crossings / footpaths.
- 8.1.8 The diversion proposed is to the nearest available crossing and would avoid the unnecessary creation of a new path (section 6.4 of this Proof of Evidence). Footcrossing No. 24 is to be re-located in order to improve safety for all and specifically amenity for horse riders (section 6.3 of this Proof of Evidence). This new crossing would provide a better, safer crossing point for horse riders, pedestrians and cyclists.
- 8.1.9 HMRI have not objected to the closure of Gun Lane footcrossing on safety grounds, (See appendix 2), in fact HMRI state the safety case, “if closure is not achieved, however, measures will need to be taken to ensure the safety of users in the event of trains standing across crossing”.
- 8.1.10 Neither the Felixstowe and District Riding Tracks Association nor the Cycling Tourists Club are objecting to the closure of Gun Lane crossing.

Footpath No. 1 Trimley St Martin – Thorpe Common footcrossing

- 8.1.11 Mr Andrews objects on the basis that FDRC is not proposing to replace the Thorpe Common footcrossing with a footbridge. FDRC is proposing to improve this crossing in order to upgrade the safety of the crossing and the amenity by improving the walking surface and installing gates rather than stiles (see Proof of Evidence of Richard Spoons of Mott Macdonald).
- 8.1.12 A footbridge would constitute an overprovision, as it is not necessary to mitigate any impact of the scheme at this point. In section 7.1 of this Proof of Evidence the reasons FDRC is not proposing to build footbridges is outlined.

8.2 Objections 7 and 10 Mr and Mrs Moss.

8.2.1 Mr and Mrs Moss object to the permanent closure of the Croft, Grimston Lane and Gun Lane crossings. The essential reasons for these closures are dealt with in sections 3, 5 and 6 of this Proof of Evidence respectively and in the Proof of Evidence of Richard Spoor of Mott Macdonald.

8.2.2 Mr and Mrs Moss object to the closure of Grimston Lane crossing on the grounds of removing whistleboards as they do not consider the noise of train horns to be a nuisance. I have dealt with this issue at paragraph 5.1 of my proof. The Proof of Evidence of Bernard Postlethwaite also specifically addresses whistleboards and their effect on the noise environment.

8.2.3 The Proof of Evidence of Steve Purnell of ERM addresses the means of selection from the options for the scheme and the Proof of Evidence of Richard Spoor of Mott Macdonald addresses the position of signals – specifically designed to be distant from residential property.

8.2.4 Further correspondence and meetings with Mr and Mrs Moss have identified the train timetable at the weekend as being of concern. This was addressed in a letter of 25th September 2006 from myself to Mr and Mrs Moss and is included as appendix 3. The matter of the use of Grimston Lane for construction traffic was also raised and addressed in a letter, again from myself, of 9th November 2006 (see appendix 3) where it is confirmed that there are no plans to use Grimston Lane for construction traffic.

8.3 Objection No. 8 Mrs Rosemary Gitsham.

8.3.1 Mrs Gitsham does not object to the closure of Gun Lane level crossing but the current position of Footcrossing No. 24. I refer to the Proof of Evidence of Richard Spoor of Mott Macdonald for with regard to rail crossing design and safety concerns.

8.3.2 Mrs Gitsham objects to the closure of Grimston Lane footcrossing stating that ‘No good reason has ever been given for the closure’. She also objects on the grounds of access to Grimston Lane for the emergency services. I refer to section 5 of this Proof of Evidence for reasons for the closure as well as the Proof of Evidence of Bernard Postlethwaite who

specifically addresses whistle boards and the noise environment. Appendix E contains correspondence with the emergency services, who do not object to the proposed closure of Grimston Lane footcrossing or any aspect of the proposed works.

8.3.3 The Proof of Evidence of Richard Spoons of Mott Macdonald addresses the concerns Mrs Gitsham has over the use of Thorpe Lane and Thorpe Lane crossing as a diversion and outlines the improvements for walkers along the route.

8.4 Objection No. 11 Mrs H S Unwin.

8.4.1 Mrs Unwin objects to all of the proposed closures of the footpaths. As no specific grounds of objection are made I refer to sections 3, 4, 5 and 6 of this proof, which outline the reasons for the proposed closure of public rights of way and to the Proof of Evidence of Richard Spoons which deals with the temporary effects of the scheme on public rights of way.

8.5 Objection No. 14. Mrs Cowan.

8.5.1 Mrs Cowan objects to the closure of Grimston Lane footcrossing stating that ‘no reason has ever been given for the closure’. She also objects on the grounds of access to Grimston Lane for the emergency services. I refer to section 5 of this Proof of Evidence for reasons for the closure of Grimston Lane as well as the Proof of Evidence of Bernard Postlethwaite, who specifically addresses whistle boards and the noise environment. Appendix E contains correspondence with the emergency services, who do not object to the proposed closure of Grimston Lane footcrossing or any aspect of the proposed works.

8.5.2 Mrs Cowan believes that the monitoring of traffic undertaken at Thorpe Lane level crossing and published in the Environmental Statement may not be representative of the true picture. This echoes criticisms made by Trimley St Martin Parish Council. HPUK commissioned Suffolk County Council to conduct a further study in June 2006 which verified the results of the first study – see appendix 9 for a copy of correspondence with Trimley St Martin Parish Council addressing this matter.

8.6 Objection No. 15 Mr Cowan.

8.6.1 Mr Cowan objects to the permanent closure of ‘certain public footpaths and railway foot crossings’. The reasons for the permanent closure and / or diversion of footpaths and footcrossings is the subject of this Proof of Evidence (specifically sections 3, 4, 5 and 6 above) which addresses the general concern of Mr Cowan.

8.7 Objection No. 17 Mrs G A Padgham.

8.7.1 Mrs Padgham objects to all of the proposed closures of the footpaths. As no specific grounds of objection are made I refer to sections 3, 4, 5 and 6 of this Proof of Evidence.

8.8 Objection No. 20 Mr & Mrs Nice

8.8.1 Mr & Mrs Nice object to the ‘closure’ of pedestrian rights of way and specifically Gun Lane. Gun Lane is not being closed. The essential reasons for the diversion of Gun Lane and the other permanent alteration to rights of way closures are dealt with in sections 3, 5 and 6 of this Proof of Evidence respectively and in the Proof of Evidence of Richard Spoons of Mott Macdonald.

8.9 Objection No. 28 Mr B Philpot – The Open Spaces Society.

8.9.1 Mr Philpot objects to the proposed Transport and Works Act Order on the grounds that the Order fails to take account of EU and UK guidelines on sport and recreation. The proposed TWAO provides for improved level crossings and gates (rather than stiles). In addition it is proposed to reclassify Gun Lane as a bridleway. These measures will provide direct benefits to those using the public rights of way on foot, cycle or horseback in the area by preventing vehicles from accessing the rights of way and by improving the accessibility of the crossings.

8.9.2 The second issue that is raised by the Open Spaces Society is the alleged failure of HPUK to consider the Suffolk County Council Rights of Way Improvement Plan. I refer to the Proof of Evidence of Ian Gilder, who deals with this point.

8.9.3 The third issue raised by The Open Spaces Society is that HPUK has failed to demonstrate reasons for closure of level crossings and extinguishment of public Rights of Way. I refer to sections 3, 4, 5 and 6 of this Proof of Evidence and the Proofs of Evidence of Richard

Spoors. The stopping up of Croft footcrossing, Grimston Lane foot crossing and Gun Lane level crossing on safety grounds are supported by HMRI – see appendix 2.

8.10 Objection No. 31 - Trimley St Martin Parish Council

Footpath No. 1 Trimley St Martin – Thorpe Common footcrossing.

8.10.1 Trimley St Martin Parish Council objects on the basis that FDRC is not proposing to replace the Thorpe Common footcrossing with a footbridge. FDRC is proposing to improve this crossing in order to improve the safety of the crossing and the amenity by improving the walking surface and installing gates rather than stiles (see Proof of Evidence of Richard Spoors of Mott Macdonald) as set out in section 7 of this proof.

8.10.2 A footbridge would constitute an overprovision, as it is not necessary to mitigate for any impact of the scheme at this point. In section 7.1 of this Proof of Evidence the reasons FDRC is not proposing to build footbridges are discussed further.

Grimston Lane footcrossing.

8.10.3 Trimley St Martin Parish Council objects to the closure of Grimston Lane footcrossing. I refer to section 5 of this Proof of Evidence and the Proof of Evidence of Richard Spoors of Mott Macdonald for reasons for the closure as well as the Proof of Evidence of Bernard Postlethwaite who specifically addresses whistleboards and the noise environment.

8.11 Objection No. 43 - Mr D King

8.11.1 Mr King makes a general objection against ‘closure of footpaths’ and ‘Level Crossing’. As no specific grounds of objection are made I refer to sections 3, 5 and 6 of this Proof of Evidence.

8.12 Objection No. 45 - Mr M Barker

8.12.1 Mr King makes a general objection against the diversion of Grimston Lane and Gun Lane footcrossings. These objections are addressed in sections 5 and 6 of this Proof of Evidence.

8.13 Objection No. 48 – Mr F Bell

8.13.1 Mr Bell objects to the closure of Grimston Lane footcrossing. This issue is addressed in section 5 of This Proof of Evidence and the Proofs of Evidence of Bernard Postelthwaite, (Bureau Veritas), and Richard Spoons, (Mott MacDonald).

8.14 Objection No.s 57, 58 and 59 – Messrs Hart, Ling and Leverett.

8.14.1 The objectors above all object to the closure of Croft Footcrossing. The reasons for this closure are addressed in section 3 of this Proof of Evidence, in the section dealing with the Objection of Mr J Andrews of the Ramblers, (Objection No. 6) and in the Proof of Evidence of Mr Richard Spoons of Mott MacDonald.

9 CONCLUSION

- 9.1 At Croft footcrossing HPUK has safety concerns that require the closure of the footcrossing and section of the footpaths FP8 Trimley St Martin and FP2 Strattonhall.
- 9.1.1 This section of footpath is not well used – see census appendix A
- 9.1.2 This section of footpath is not part of an attractive, circular, ‘footpath route’.
- 9.1.3 There are other, more attractive, safer and better-used footpaths and circular routes for recreation in the area.
- 9.1.4 There is a commodious alternative to the proposed stopped up footpaths and the footcrossing nearby.
- 9.2 At Grimston Lane the road needs to be re-aligned as part of the Branch Line scheme in order to improve the safety of the road junction with Thorpe Lane close to the level crossing. Safety will be improved by lengthening sightlines in the area of the level crossing and Grimston Lane/Thorpe Lane junction. This proposal has not met with any objection.
- 9.3 At Grimston Lane level crossing HPUK believes that the benefit of stopping up of the crossing in order to remove the requirement for two whistleboards and the associated noise issue resulting from the installation of them outweighs the inconvenience of the diversion for pedestrians down Thorpe Lane. The provision of footpaths in the lead up to Thorpe Lane level crossing will improve the safety of this route for pedestrians.
- 9.4 At Gun Lane level crossing there are safety concerns that require the closure of the footcrossing.
- 9.4.1 There is a suitable alternative crossing within a short distance of Gun Lane level crossing.
- 9.4.2 The FP24 level crossing will be upgraded to a crossing suitable for horse riders, cyclists and pedestrians.
- 9.4.3 It is proposed to reclassify Gun Lane as a bridleway. This will provide a route for horse riders, cyclists and pedestrians free from motor vehicles.

Overall the proposed alterations to Rights of Way are required in order to improve safety or the noise environment and are proportionate to any loss in lack of amenity.