

**NetworkRail**

***The Proposed Network Rail (Felixstowe  
Branch Line Improvements- Level  
Crossings Closure) Order***

***Planning Statement***

***March 2017***



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## **1. Introduction**

- 1.1 Network Rail is applying to the Secretary of State for Transport for the Network Rail (Felixstowe Branch Line Improvements - Level Crossings Closure) Order (“the Order”) under the Transport and Works Act 1992 (“the 1992 Act”).
- 1.2 Pursuant to Rule 10(6) of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, the application for the Order is accompanied by a request for a Direction under Section 90(2A) of the Town and Country Planning Act 1990. If given, the Direction would grant deemed planning permission, so far as it is required, is deemed to be granted for the development sought to be authorised by the Order, subject to any conditions.
- 1.3 The Order seeks authorisation for the closure of six level crossings over the Felixstowe Branch Line railway, the construction and maintenance of a proposed replacement bridleway bridge and environmental mitigation together with associated closures and diversions to the Public Rights of Way (PRoW) network.
- 1.4 This Planning Statement is one of a suite of documents submitted in support of the TWA application and sets out the planning policy case for the proposed scheme having regard to provisions of local and national planning policy. It concludes that the scheme is compliant with planning policy and should be granted.

## **2. Background**

- 2.1 The proposals included in the Order form part of a wider scheme to increase the capacity of the Felixstowe Branch Line.
  - 2.2 The Felixstowe Branch Line runs between the East Suffolk Line at Westerfield Junction and Felixstowe Town Station. It serves the Port of Felixstowe, which is the largest container port in the UK and handles more than 3,000 ships each year.
  - 2.3 To accommodate growth, and reduce pressure on the A14 road, Network Rail is planning to carry out works to improve the Felixstowe Branch Line, involving the doubling of the current single track for a length of approximately 1.4km, with a new line of rails on the southern side of the alignment. These works would increase capacity from 33 freight trains per day to up to 47 per day.
  - 2.3 The Felixstowe Dock and Railway Company (“the Company”) obtained authorisation to construct an additional track along the Felixstowe Branch Line together with other works in 2008 under the Felixstowe Branch Line and Ipswich Yard Improvement Order 2008. Deemed planning permission for the additional track and other works was also granted by the Secretary of State in connection with the Order.
  - 2.4 Planning permission replacing the deemed planning permission granted by the Secretary of State of State was subsequently granted by Suffolk Coastal District Council on 25 August 2010 and by Ipswich Borough Council on 17 June 2010.
  - 2.5 The powers of compulsory acquisition and use of land required for the works conferred under the 2008 Order expired in October 2013 and the Company renewed those powers under the Felixstowe Branch Line (Land Acquisition) Order 2014. Network Rail has submitted a further application for an Order to be made under the 1992 Act to enable the relevant land powers under the 2014 Order to be transferred from the Company to Network Rail. The application was submitted on 28th September 2016 and is currently being considered by the Secretary of State.
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- 2.6 Network Rail and the Company also intend to enter into an agreement under the provisions of the 2008 Order to transfer the relevant powers to construct works conferred under that Order from the Company to Network Rail.
- 2.7 Although the existing powers authorise the construction of a dual track of approximately 7km in total length adjacent to the Felixstowe Branch Line, Network Rail can achieve the forecast increase in capacity of the line by constructing a smaller length of additional track than that authorised to be constructed. Network Rail therefore intends to dual 1.4km of railway track near to the villages of Trimley St. Martin and Trimley St. Mary and carry out works to vehicular level crossings at Westerfield, Levington, Morston Hall and Thorpe Lane.
- 2.8 Subject to the granting of the Order and associated deemed planning permission, Network Rail also proposes to close six level crossings, provide a replacement bridleway bridge and environmental mitigation as well as associated works including changes to the public rights of way network. It is intended that these additional works will be carried out at the same time as the construction of the additional track.

### Scheme Benefits

2.9 The benefits of the scheme are summarised below:

- Improved safety through the closure of pedestrian level crossings;
- Connectivity maintained through the provision of a suitable replacement crossing over the Felixstowe Branch Line and associated upgrades to the PRoW network, and
- The provision of environmental mitigation including landscape screening and ecological enhancement.

### **3. Site and Surroundings**

- 3.1 It is proposed to construct a bridleway bridge across the Felixstowe Branch Line near Trimley St. Martin and Trimley St. Mary in the Suffolk Coastal area. The bridleway bridge is located approximately 2.5km north-west of Felixstowe, 0.5km west of Trimley High Road and 0.5km north of Trimley Station.
  - 3.2 The existing Felixstowe Branch Line runs between the East Suffolk Line at Westerfield Junction and Felixstowe Town Station. It provides a connection with Trimley to Felixstowe North Freightliner Terminal Line and the Felixstowe Docks Branch at Felixstowe Beach Junction.
  - 3.3 The line forms part of the route between the Port of Felixstowe and freight terminals in the Midlands and North. It is formed of a single track between Westerfield Junction and Trimley and is considered a constraint given the limited number of freight trains that can operate on the route at any given time.
  - 3.4 The land between Westerfield Junction and Felixstowe Port is a mix of residential, commercial, industrial and agricultural land. The land use where the works are proposed to take place is mainly agricultural.
  - 3.5 The River Orwell and Trimley Marshes are located to the west. To the south of Trimley Station lies a rail junction where the North Terminal Branch leaves the Felixstowe Branch, heading south towards the Port with the railway line acting as a boundary between agricultural and industrial land uses.
  - 3.6 The Trimley area is predominantly rural in nature with green open space comprising of farmland with pockets of residential properties located to the west of the railway. The village centre and residential units are located to the east. The Trimley area is served by a network of PRoW
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consisting of public footpaths, bridleways, restricted byways and byways many of which intersect the railway. The closest residential properties to the existing railway line and proposed works are at Grimston Lane and Stennets Close and are directly adjacent to the railway line.

#### 4. The Proposal

4.1 The Proposed Scheme comprises the permanent closure of six level crossings. The affected level crossings and the length of diversion are listed in the Table below:

Level Crossing	Length of Permanent Diversion
Thorpe Common	300m
Grimston Lane	270m
Trimley	1km
St. Martins	70m
Gun Lane	300m
Keepers Lane	1.7km

- 4.2 A plan showing the level crossings proposed to be closed and diversions is contained in the Environment Statement submitted in support of the application for the Order (Figure 3.2).
- 4.3 The level crossings which are proposed to be closed are passive crossings, meaning that it is incumbent on the user to decide whether to cross the railway. The risk as passive level crossings is therefore in part dependent on the willingness and ability of users to use the crossings correctly.
- 4.4 At the footpath level crossings (Thorpe Common, Grimston Lane, Trimley and St. Martin), users are instructed to 'Stop', 'Look', 'Listen' and 'Beware of Trains'. Network Rail regularly inspects the level crossings and cuts back vegetation to ensure that approaching trains can be seen from the 'decision point' (location at which a user decides to cross the level crossing).
- 4.5 At Gun Lane and Keepers Lane level crossings, pedestrians use the same method as above to cross the railway. Telephones connected to the signal box are also provided and users with vehicles or equestrian users are instructed by signage to call to check that a train is not approaching before they start to cross.

#### Bridleway Bridge and Changes to the PRow Network

- 4.6 Network Rail recognises that the existing PRow Network is an asset to the area and the importance of maintaining connectivity across the railway. It is therefore proposed to construct a replacement bridleway bridge at the location of Gun Lane Level Crossing. This crossing point has been selected as it is relatively central to the Level Crossings which are proposed to be closed. Locating the bridge further south or further north would result in lengthier diversions for users of the Level Crossings.
- 4.7 The bridleway bridge will comprise of a steel deck and approach ramps structure at a ratio of 1:15 and 170m in length in order to comply with guidance provided by the British Horse Society. The bridge will also be accessible via steps. The bridleway bridge has been developed with regard to the Equality Act 2010 and the ramp will include landing points (every 3m of vertical rise).
- 4.8 A number of permanent diversions and upgrades to the PRow network are proposed to ensure that connectivity across the Felixstowe Branch Line is maintained:

- A new footpath will be created to the north of Thorpe Common Level Crossing on either side of the railway to ensure that users of Footpath 1 in the Parish of Trimley St. Martin benefit from a continuous route.
- The closure of Keeper's Lane Level Crossing has potential to sever equestrian access to the wider bridleway network. To mitigate this it is proposed to upgrade a footpath (Footpath 2) to a bridleway (to connect to Restricted Byway 28) on the northern side of the railway and provide a new bridleway route on the southern side of the railway (from Grimston Lane to Keepers Lane Level Crossing). These two bridleways will be connected via the proposed bridge and existing PRowWs.
- It is proposed to upgrade Footpath 1 in the Parish of Trimley St Mary from a permissive bridleway to a bridleway to enhance the circular bridleway routes in the area for equestrian users.

4.9 It will also be necessary to close some footpaths within the site area on a temporary basis to enable the construction of the scheme. Temporary footpaths and diversions will be provided to mitigate the impact during construction. These are shown on Figure 4.4 of the Environmental Statement.

#### Environmental Mitigation and Restoration

4.9 It is proposed to screen the bridge through vegetation and landscaping on either side of the proposed bridge. It is proposed to reinstate a hedgerow to the north east of the bridge to provide additional screening from a new residential development (under construction at time of writing) and provide ecological connectivity.

#### Consultation

4.10 The development of the scheme has benefitted from engagement with stakeholders and residents including Suffolk County Council, Suffolk Coastal District Council, Natural England and the local community.

4.11 An engagement event was held on 3<sup>rd</sup> November 2016 at Trimley Sports and Social Club. Approximately 185 stakeholders attended this event.

4.12 Full details of the consultation which has been carried out is available in the Report Summarising Consultations Undertaken which is submitted in support of the application for the Order.

#### Construction of the Works

4.13 It is intended to carry out the works to close the level crossings and construct the bridleway bridge at the same time as the works to upgrade the Felixstowe Branch Line to a double track. This will expedite the construction programme and avoid unnecessary disruption to the wider community.

4.14 Some construction compounds would therefore be used for both the construction of the bridge and the double-track works. Network Rail has submitted illustrative plans with the application for the Order which show the land required for the additional works under the Order (in particular, the construction of the bridge) and land over which powers are conferred under the 2014 TWA Order.

### **5. Planning History**

5.1 The Felixstowe Branch Line was constructed under the Felixstowe Railway and Pier Authorising Act of 1875. Section 2 of the Act incorporates the Railways Clauses Consolidation Act 1845 and

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Section 16 of this Act contains the powers for its alteration<sup>1</sup> .

5.2 A detailed search of relevant planning applications for works at each of the level crossings was undertaken and the following results recorded:

- **Thorpe Common** (IP11 0RY) – No relevant planning applications found online.
- **Grimston Lane** (IP11 0RX) – No relevant planning applications found online.
- **Trimley** (IP11 0SA) – No relevant planning applications found online.
- **St Martin's** (IP11 0SA) - No relevant planning applications found online.
- **Gun Lane** (IP11 0SE) – No relevant planning applications found online.
- **Keeper's Lane** (IP11 0UG) – Planning Application C/12/1476, submitted by Network Rail, to erect a DDA compliant footbridge and bridleway was approved on 03/08/2012 but never implemented.

5.3 A number of other applications have been included in this assessment as it is believed they will have an impact upon the named level crossings in the surrounding area. Given the nature of the developments and their proximity to the crossings it is believed that their closure is the best way of ensuring a safe operational railway. These include:

- An outline planning application for development of up to 70 dwellings, public open space and associated infrastructure at land south of the High Road, Trimley St Martin, was submitted in May 2016 (Ref: DC/16/2119/OUT). The application is under consideration.
- An outline planning application for development of up to 50 dwellings at land adjacent to Mill Farm, Thomas Avenue, Trimley St Mary was submitted in May 2016 (Ref: DC/16/2122/OUT). The application is currently under consideration.
- Suffolk Coastal District Council confirmed in December 2016 that prior approval is not required for a Telecommunication Installation (15m monopole to support 6 telecommunications antennae) at Trimley Sports and Social Club (Ref: DC/16/4450/TEL)
- Planning permission was granted in January 2014 for a residential development comprising 66 dwellings along with improvements to access, associated roads and landscaping on land adjacent to Mushroom Farm High Road, Trimley St Martin, Felixstowe, Suffolk, IP11 0RJ (Ref: C/13/0219). The development is currently under construction.
- Planning permission was granted in December 2016 for the erection of 98 dwellings (including 32 affordable units) at land on the south side of Thurman's Lane, Trimley St. Mary (Ref: DC/16/1107/FUL).

5.4 The site has also been subject to a number of TWA applications:

- Network Rail submitted a TWA application in September 2016 to transfer powers from the Port of Felixstowe to Network Rail to enable it to exercise land powers to construct an additional railway track along the Felixstowe Branch Line. The application is being considered by the Secretary of State.
- The Felixstowe Branch Line (Land Acquisition Order) was made in 2014. The Order renewed compulsory acquisition powers that were originally made under the Felixstowe Branch Line and Ipswich Yard Improvement Order.
- The Felixstowe Branch Line and Ipswich Yard Improvement Order was made in 2008 and authorised the construction of an additional line at the Felixstowe Branch Line.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/Vict/8-9/20/section/16>

## 6. Policy Considerations

### Relevant Planning Policy

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for the United Kingdom and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions; it also takes precedence where the local plan is '*absent, silent or relevant policies are out-of-date*' and proactively seeks and supports sustainable development. Paragraph 9 of the NPPF highlights that "*pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design and improving the conditions in which people live, work, travel and take leisure*".
- 6.2 The Local Plan is comprised of a number of Development Plan Documents that include the Core Strategy and Development Management Policies (July 2013). These documents set out a strategic vision for the district and are used in the determination of planning applications. The Council will also continue to have regard to a number of 'saved' policies from the previously adopted Suffolk Coastal Local Plan and will do so until they are replaced by policies in the Site Allocations and Area-Specific Policies and the Area Action Plan for the Felixstowe Peninsula.
- 6.3 The Core Strategy sets out the broad scale and distribution of new development across the district for a period up to 2027. The Site Allocations and Area Specific Policies (adopted January 2017) give a greater level of detail. It also aims to ensure that the right policies are in place to enable existing town centres and employment areas to continue to evolve and flourish.
- 6.4 The Area Action Plan for the Felixstowe Peninsula (adopted January 2017) allocates land for development, covering a variety of uses including housing, employment, retail and community uses. It also contains policies for specific sites and areas.
- 6.5 The remaining saved policies are to be read alongside those policies found in the Core Strategy, Site Allocations and Area Specific Policies Development Plan Document and the Felixstowe Peninsula Area Action Plan and used as material planning considerations as part of the Development Plan for Suffolk Coastal District.
- 6.6 There are also a number of Supplementary Planning Guidance (SPG) documents that assist with the implementation of saved policies. These remain from the previously adopted Suffolk Coastal Local Plan and will do so until they are replaced by more up-to-date development plan documents. Relevant policies assessed and considered in the preparation of this Statement include SPG 5 – Nature Conservation and Designation Map, SPG 6 – Historic Parks and Gardens and SPG 10 – Conservation Area Appraisals. However, none of the named SPG's are specifically relevant to the development site.

### Other Relevant Planning Policy Documents and Material Considerations

- 6.7 The draft Felixstowe Area Action Plan (June 2016) states that the management of transport links on the A14 and railway line will be required to ensure that the Port of Felixstowe continues to operate efficiently as a major contributor to both local and national economies.
- 6.8 The Suffolk Local Transport Plan (2011-2031) sets out Suffolk County Council's long term transport strategy over the plan period which includes the proposal for improved rail freight.
- 6.9 Suffolk Coast and Heaths AONB Management Plan 2013-2018 sets out management objectives for the AONB.
- 6.10 The project has also shown due regard to the Equality Act 2010 and the Public Bodies Act 2011 as required.
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6.11 Network Rail's own 'Our Approach to Managing Level Crossing Safety' sets out policy on managing level crossing risk<sup>2</sup> throughout the network.

#### Other Relevant Legislation

6.12 The Conservation of Habitats and Species Regulations 2010 (the Habitat Regulations) require an appropriate level of assessment in respect of any plan or project which is not directly connected with or necessary for site management, and is either alone or in combination with other plans or projects likely to have a significant effect on a European site. A European site is any classified SPA or SAC. An appropriate assessment is also required, as a matter of government policy, for proposals affecting proposed SPAs, candidate SACs and Wetlands of International Importance (Ramsar sites).

#### Planning Policy Designations

6.13 Although the proposed bridleway bridge is located on land that is not subject to any specific designations the new proposed new bridleway between Grimston Lane and Keepers Lane Level Crossing and one of the footpath upgrades are within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). Other relevant adjacent planning policy designations include:

- The Physical Limits of the village (Trimley St Martin and Trimley St Mary) are located to the east of the site of the proposed bridleway bridge (approximately 400m) and neighbours the area for the level crossing closure at Keeper's Lane.
- The Suffolk Coast and Heaths AONB is located adjacent to the railway line and to the south and west of the bridleway bridge (circa 235m from the proposed bridge).
- The Stour and Orwell Estuaries Special Protection Area, Ramsar and Site of Special Scientific Interest is located 0.9km south of the proposed bridleway bridge.
- A Scheduled Monument, an anti-aircraft battery at Trimley St Mary is located approximately 900m south-east of the bridleway bridge and 280m west of the railway line at Trimley.
- There are also a number of Grade II listed buildings approximately 325m and 750m from the site within the villages of Trimley.

6.14 The proposed works are located within Flood Zone 1 identified as areas subject to the lowest flood risk and are not subject to Policy DM28 – Flood Risk.

### **Planning Policy Assessment**

#### Principle of the Development

6.15 Paragraph 17 of the NPPF lists the core planning principles which should underpin decision making. It states that *planning should proactively drive and support sustainable economic development to deliver...infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet... development needs of an area, and respond positively to wider opportunities for growth.* It continues to state that planning should also *take into account the different roles and character of different areas,... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.*

6.16 Policy AP84 of the Suffolk Coastal Local Plan states that the council will “*actively encourage the enhancement of local rail infrastructure and services and will support measures designed to*

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<sup>2</sup> Network Rail 'Our Approach to Managing Level Crossing Safety'

[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwixuuCDzofRAhXEIsAKHW35BTYQFggaMAA&url=https%3A%2F%2Fwww.networkrail.co.uk%2Fdocuments4424Level20Crossing20Policy.pdf&usq=AFQjCNFJPeem-ewloFa7E7wIFpRPbdmGLQ&sig2=wXIHlawnsx4G-6fd\\_VRZqA&bvm=bv.142059868,d.d24](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwixuuCDzofRAhXEIsAKHW35BTYQFggaMAA&url=https%3A%2F%2Fwww.networkrail.co.uk%2Fdocuments4424Level20Crossing20Policy.pdf&usq=AFQjCNFJPeem-ewloFa7E7wIFpRPbdmGLQ&sig2=wXIHlawnsx4G-6fd_VRZqA&bvm=bv.142059868,d.d24)

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*integrate rail services with other forms of public and private transport including the wider use of existing station facilities”.*

- 6.17 Network Rail also has a policy to manage level crossing risk<sup>3</sup> which includes:
- *‘to reduce the risk at level crossings where reasonably practicable’*
  - *‘[to concentrate efforts] towards those crossings that are determined as presenting the greatest collective risk (i.e. risk to both users and those who could be impacted by potential crossing incidents such as staff and passengers on trains) or that exhibit a high risk to individual users’*
  - *‘[to] where reasonably practicable, close and/or divert crossings or enhance their safety through the provision of improved safety features/equipment ‘*
- 6.18 The policy notes that “*level crossings are safe if used correctly*” but also that “*the most effective way of reducing level crossing risk is to eliminate the crossing completely*”.
- 6.19 Two fatalities occurred at Grimston Lane level crossing in 2016 (February and September). Some improvements were suggested to this level crossing including reconfiguring the decision point so that users approached the railway at right angles but closure of this level crossing will be most effective in reducing the likelihood of a fatality occurring again.
- 6.22 In addition to the proposed works to the Felixstowe Branch Line, there are also a number of planned residential developments in the Trimley area. Running more trains over the Felixstowe Branch Line and increases to population in the area increases the risk of at level crossings.
- 6.23 The proposals are therefore fully in accordance with the NPPF and local policy and contribute to the ongoing sustainable economic development of the area. The proposals also reduce risk at level crossings and improve safety in the area.

### Connectivity

- 6.24 Strategy Policy 17 – Green Space of the Core Strategy seeks to ensure that communities have *‘well-managed access to green space within settlements and in the countryside and coastal areas, in order to benefit health, community cohesion and greater understanding of the environment, without detriment to wildlife and landscape character’*.
- 6.25 The Suffolk Coast and Heaths AONB Management Plan (2013 – 2018) sets out objectives for the AONB and actions for implementing them. These include *maintaining and enhancing public rights of way and wider access networks across the AONB and ensuring that high-quality, sustainable, outdoor recreational opportunities, infrastructure and information is common place within the AONB*.
- 6.26 Network Rail recognises that the existing PRoW network is a valuable asset to the local and wider community. Key objectives of the proposals are to maintain and improve connectivity where possible and to reduce the length of the proposed diversions.
- 6.27 It is proposed to locate the bridleway bridge in a central location (at Gun Lane) relative to level crossings which Network Rail is proposing to close. This is at the location of an existing crossing and right of way and is well-served by adjoining PRoWs. To ensure that equestrian users are able to access and cross the railway via the bridge, it is proposed to upgrade Footpath 2 in the Parish of Trimley St. Mary, on the east side of the railway from a footpath to a bridleway and create a new bridleway linking Grimston Lane to Keepers Lane on the west side of the

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<sup>3</sup> Network Rail ‘Our Approach to Managing Level Crossing Safety’

[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwixuuCDzofRAhXEIsAKHW35BTYQFggaMAA&url=https%3A%2F%2Fwww.networkrail.co.uk%2Fdocuments4424Level20Crossing20Policy.pdf.pdf&usg=AFQjCNFJPeem-ewloFa7E7wIFpRPbdmGLQ&sig2=wXIHlawnsx4G-6fd\\_VRZqA&bvm=bv.142059868,d.d24](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwixuuCDzofRAhXEIsAKHW35BTYQFggaMAA&url=https%3A%2F%2Fwww.networkrail.co.uk%2Fdocuments4424Level20Crossing20Policy.pdf.pdf&usg=AFQjCNFJPeem-ewloFa7E7wIFpRPbdmGLQ&sig2=wXIHlawnsx4G-6fd_VRZqA&bvm=bv.142059868,d.d24)

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railway. It is also proposed to upgrade Footpath 1 in the Parish of Trimley St Mary to a bridleway to enhance the network for equestrian users. The works therefore comply with the NPPF and local planning policy.

#### Bridleway Bridge – Design and Landscaping

- 6.28 The NPPF emphasises the importance of design and paragraph 56 states that *‘good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’*. Paragraph 109 of the NPPF further states that the planning system should contribute to and enhance the natural and local environment by *‘protecting and enhancing valued landscapes’*.
- 6.29 Paragraph 115 of the NPPF states that *great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty*. Paragraph 116 continues to state that *Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:*
- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
  - *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
  - *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*
- 6.30 Section 2.1 of the Suffolk Coastal Local Plan states also that the standard of design, along with its form, plays a significant role in the impact of the development on the environmental quality within the district. As such, effective and high quality design is essential to ensure that the character of the area is preserved.
- 6.31 Policy SP29 of the adopted Core Strategy and Development Management Policy outlines the importance of the countryside and how it is an important economic, social and environmental asset. Network Rail appreciate that the works are due to take place in a rural setting and have attempted to limit the impact of the proposed development through the design of the structure, its layout, colour (Holly Green) and planting of vegetation and screening where necessary.
- 6.32 Policy AP19 of the adopted Core Strategy and Development Management Policy emphasises that *“proposals which comprise poor design and layout or otherwise seriously detract from the character of their surroundings will not be permitted”*. This is further added to through Policy DM21 Design: Aesthetics and Policy DM22 Design: Function (of the Core Strategy and Development Management Policy).
- 6.33 Policy DM21 – Design: Aesthetics of the Core Strategy and Development Management Policy emphasise that proposals of poor visual design/layout, or those that detract from the character of the area, will not be permitted. Developments will be expected to establish a strong sense of place and fit comfortably into their surroundings. Policy DM 21 clarifies that developments will be permitted where they:
- a. *relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form; and*
  - b. *in areas of little or no varied townscape quality, the form, density and design of proposals should create a new composition and point of interest, which will provide a positive improvement in the standard of the built environment of the area generally;*
- 6.34 Policy DM22 – Design: Function of the adopted Core Strategy and Development Management Policy clearly states that proposals should make provision for their functional requirements which this project has achieved. Policy DM22 (b) confirms that new developments will be
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permitted where they make “adequate provision for public transport, cars, cycling, garages, parking areas, access ways, footways, etc. in a manner whereby such provision does not dominate or prejudice the overall quality of design and appearance”.

- 6.35 The design of the bridleway bridge has developed with regard to its context in a rural setting approximately 200m north from the Suffolk Coast and Heaths AONB. The structure has been selected on the basis that, out of the options considered, which are described in the alternatives section of the Environmental Statement (Chapter 5) and include traditional earth embankment ramps, re-enforced earth embankments; it will have the least impact on the surrounding area. It is proposed to mitigate any residual impact through effective landscape screening.
- 6.36 The landscape and visual impacts of the proposal are assessed within Chapter 10 of the Environmental Statement (Landscape and Visual Amenity). The key receptors include residents, which have the highest sensitivity to change. Other receptors include recreational users of the surrounding landscape (walkers, equestrian users, cyclists) and workers. The bridge will also be visible from the edges of the AONB.
- 6.37 The bridge is at some distance from residential properties with the closest properties located 500m north-west, along Grimston Lane and a new residential development, known as ‘Cavendish Grove’ 500m north-east.
- 6.38 To mitigate its impact, it is proposed to provide screening through planting, vegetation adjacent to the bridge. This will have a lasting legacy on the area which will change and evolve over time.
- 6.39 The Environmental Statement recognises that the most impacts will be greatest following removal of the existing trees and woodland. It concludes that the bridge would initially have high adverse impact on visitors (walkers, equestrian users and cyclists) and a medium adverse impact on residents and the setting of the AONB. However, as the mitigation planting matures, the impact would reduce. Once the proposed trees have fully established, the impact would be negligible.
- 6.40 Whilst the proposed bridleway bridge is located outside of the Suffolk and Coast Heaths AONB, part of the development is located within the AONB:
- upgrading of Footpath 1 within the Parish of Trimley St. Mary to a bridleway; and
  - the new bridleway between Grimston Lane and Keepers Lane Level Crossing.
- 6.41 Paragraph 6.28 above refers to the NPPF which states that applications for development within the AONB should be refused except in exceptional circumstances. The upgrading of Footpath 1 and creation of the new bridleway are the only permanent work proposed in the AONB. Footpath 1 is already used as a permissive bridleway and it is proposed to formally create a bridleway. The new bridleway is required to ensure that equestrian users can continue to access the proposed bridleway bridge to cross the Felixstowe Branch Line. The proposed new bridleway and upgrade to Footpath 1 are fully in accordance with NPPF policy of *supporting thriving rural communities* (paragraph 17) and enhances recreational opportunities in the AONB (paragraph 116).

### Ecology

- 6.42 The NPPF states that *pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people’s quality of life* (paragraph 9). This includes *moving from a net loss of bio-diversity to achieving net gains for nature*. This is enforced in paragraph 109 which states that the *planning system should contribute to and enhance the natural and local environment by ...minimising impacts on biodiversity and providing net gains in biodiversity where possible*.
- 6.43 Objective 11 of the Core Strategy seeks to protect and enhance the physical environment and it is Network Rail’s aim to reduce the impact of the proposed works on the surrounding
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environment wherever possible.

- 6.44 Policy SP 14 and DM27 – Biodiversity and Geodiversity of the adopted Core Strategy and Development Management Policy. outlines that all development proposals should:
- (a) *protect the biodiversity and geodiversity value of land and buildings and minimise fragmentation of habitats;*
  - (b) *maximise opportunities for restoration, enhancement and connection of natural habitats; and*
  - (c) *incorporate beneficial biodiversity conservation features where appropriate.*
- 6.45 Policy DM21 further states that for a development to be approved it must consider the following:
- (e) *layouts should incorporate and protect existing site features of landscape, ecological, heritage or amenity value as well as enhance such features e.g. habitat creation; and*
  - (f) *attention must be given to the form, scale, use, and landscape of the spaces between buildings and the boundary treatment of individual sites, particularly on the edge of settlements.*
- 6.46 The proposed landscape mitigation has been developed to both screen the bridge and to enhance the ecology and biodiversity of the area and it is anticipated that the scheme would result in net biodiversity gain. The landscape plan for the proposed replacement woodland will be developed with Suffolk Coastal District Council and would be based on the principles to use locally derived native species such as hazel, hawthorn, crab apple, etc. A hedgerow will also be planted within the works area enabling a series of connected habitats.
- 6.47 Network Rail is carrying out an extensive programme of surveys to understand whether the site is habitat to protected species. Phase One Habitat Surveys concluded in December 2016 and Phase 2 surveys are ongoing and will conclude in 2017 owing to seasonal constraints. Network Rail is therefore taking a precautionary approach to mitigating certain species such as bats and dormice and unless survey results prove otherwise, is assuming that these species are present on site and a European Protected Species Licence (EPS) will be required prior to the commencement of works. Network Rail is aware that there is a badger sett present at the site that will need to be closed prior to the commencement of works.
- 6.48 A separate Habitats Regulations Assessment (HRA) Stage 1 screening report is under preparation and will be submitted to Suffolk County Council, Natural England (NE) and other key consultees.
- 6.49 Further information on the ecological mitigation and surveys is available in Chapter 7 of the Environmental Statement.

#### Historic Environment

- 6.50 The NPPF states that *Local Planning Authorities should set in their Local Plans a positive strategy for the conservation and enjoyment of the historic environment... In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance* (paragraph 126).
- 6.51 As mentioned above, Objective 11 – Protecting and Enhancing the Physical Environment of the Core Strategy seeks to *conserve and enhance the quality of the distinctive natural, historic and built environments*. It continues to state that *all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment* (paragraph 32).
- 6.52 It is proposed to upgrade a Footpath 1 in the Parish of Trimley St Mary to a bridleway. Footpath 1 is located approximately 20m from the Scheduled Monument. As Footpath 1 is already used as a permissive bridleway, limited works will need to be carried out to upgrade this route and the effect on the Scheduled Monument would be neutral.
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- 6.53 As stated in Chapter 9 (Historic Environment) of the Environmental Statement, the proposed works will not impact on any archaeological assets that are deemed to be of high or very high value. The permanent works will have a minor adverse impact on portions of four identified assets. The construction works may have a negative impact on six archaeological assets. To mitigate this impact, a programme of archaeological mitigation will be integrated into the construction programme which will involve adherence to an Archaeological Watching Brief.

#### Traffic and Transport

- 6.54 Paragraph 29 of the NPPF states that *transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.*
- 6.55 Policy SP1 – Sustainable Development of the Core Strategy states that policies will seek to *reduce the overall need to travel but where travel is necessary, to better manage the transport network to enable it to function efficiently.*
- 6.56 Chapter 12 of the Environmental Statement (Traffic and Transport) states that during the construction phase, traffic related effects are assessed as negligible (only two HGV movements will be generated in peak hours – one in the morning and one in the afternoon). A total of 22 worker related trips will be generated in the morning and the afternoon during the busiest construction period.
- 6.57 It is recognised that there will be some impacts on pedestrians, cyclists and equestrian users during the construction period. However, these impacts will be temporary and will be mitigated to a certain extent through the provision of temporary diversion routes.
- 6.58 During the operational phase, the closure of the level crossings may affect some users in terms as they would need to follow a diversion to cross the Felixstowe Branch Line. However, the majority of users of the level crossings are leisure users and the priority in developing the proposals has been placed on maintaining permeability.

#### Construction

- 6.59 Policy DM24 – Sustainable Construction of the adopted Core Strategy and Development Management Policy. outlines how the council expects that all new developments will be constructed in a sustainable manner.
- 6.60 A draft Construction Environmental Management Plan (CEMP) has been appended to the Environmental Statement and the final copy will be prepared and submitted to Suffolk Coastal District Council prior to the commencement of works. The CEMP will set out the general environmental management principles to be implemented including specific measures to manage and reduce impacts on air quality, biodiversity, cultural heritage, land quality, noise and vibration, surface water and groundwater, traffic and transport and waste and materials.

## **7 Design and Access**

- 7.1 This section describes the design and access principles which have been used to develop the Scheme Proposals.

### **Access & Maintaining Connectivity**

- 7.2 Network Rail recognises that the existing PRow network is an important local asset which should be maintained. Closure of the six existing level crossings would mean disconnecting the area to the east of the railway with that to the west. To mitigate this, Network Rail is proposing
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to build a proposed Bridleway Bridge as well as to make a number of diversions and upgrades to the local PRoW network (as described in Section 4 of this Statement).

- 7.3 The Bridleway Bridge is required to be accessible by equestrians and as such it is proposed to upgrade two footpaths to bridleways (footpaths 2 and 1) and provide a new bridleway on the western side of the railway to ensure a circular route which can be utilised by equestrian users.

### **The Bridleway Bridge**

- 7.4 The Bridleway Bridge has been designed with regard to the following standards and guidance:
- Network Rail Standard NR/L3/CIV/020 Issue 1 Design of Bridges;
  - Network Rail Standard NR/CIV/TUM/400 Rev A April 2008, Technical User Manual for Non-station Footbridges and Non-mainline-station Footbridges;
  - Network Rail Standard NR/L2/TRK/2049 Issue 13, Track Design Handbook;
  - Design manual for roads and bridges, Volume 2 Highways Structures: Design (substructures) Materials. Section 2 Special Structures. Part 8 BD29/04 Design Criteria for Footbridges;
  - British Horse Society – Advice on Specifications and Standards Recommended for Equestrian Routes in England and Wales;
  - British Horse Society – Advice on Specifications for new Bridges for Equestrian Use in England and Wales;
  - BS 8300:2009+A1:2010 Design of Buildings and their Approaches to meet the needs of Disabled People – Code of Practice.

### Staircases

- 7.5 Staircases have been designed to the following requirements in BD 29/04 Part 8 Chapter 6 clause 6.6:
- The number of risers in a single flight shall not be more than 13
  - A maximum of three successive flights may be used in line
  - The risers and treads of each step in a flight of stairs shall be uniform
  - Risers shall not be variable in height over their width
  - The tread width shall not be more than 300mm and not greater than 350mm
  - Riser depth of 150mm.

### Ramps

- 7.6 BD 29/04 also sets guidance for bridge ramps and recommends that for pedestrians, cyclists and equestrians, the preferred gradient is 1:20. However, if there is a requirement to limit the total length of the access ramp, then a gradient of 1:15 can be used. A gradient of 1:15 is proposed for the Bridleway Bridge to reduce the overall footprint of the structure and associated landtake as well as the overall distance users are required to walk/cycle/ride.
- 7.7 Paragraph 5.8.2 of BS 8300 states that ramps of 1:15 should have a level landing for every 333mm vertical rise to accommodate disabled access. Landings of these intervals are incorporated into the design of the bridge.
- 7.8 Paragraph 6.16 of BD 29/04 requires that landings for straight ramps to not be less than 2m in length. BS 8300 states that landings of at least the width of the ramp are required at the head and foot of the ramp. Any intermediate landings should be a minimum of 1.5m in length. The proposed bridge incorporates intermediate landings of 2m in length and main landings at either end of the main bridge span of 3.5m in length.
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### Width

- 7.9 BHS guidance states that a minimum clear width (handrail to handrail) of 3m is required to safely pass or turn a horse. BD 29/04 states that the minimum width of a footbridge for combined pedestrian/equestrian use shall be 3.5m which. As such, the proposed bridge comprises a width of 3.5m.

### Parapet

- 7.10 BHS guidance requires bridge parapets to be a minimum of 1.8m in height and of solid infill to avoid startling the horses by passing trains. BHS has informally advised that the ramps should also include 1.8m high parapets of solid infill on the track side approach ramp.

### Canopy

- 7.11 It is not proposed to have a canopy or cage over the deck of the bridge. However, the bridge is designed such that a canopy can be added at a future date if so required through the provision of fixing lugs. BHS guidance states that any canopy provided would require a maximum headroom of 3.7m and minimum headroom clearance of 3m which would be accommodated by the proposed lugs.

### Bridge Design – Steel Deck Structure

- 7.12 It is proposed that the bridge and ramps will comprise a steel deck structure. This has been selected on the bases that it:
- would involve the least land take and impact on ecology;
  - be the least visually intrusive and can be screened with trees;
  - comprise a durable structure; and
  - can be constructed relatively quickly with the least disruption therefore to the local community.
- 7.13 Other options which have been considered and discounted include steel/concrete and fibre reinforced polymer bridges.
- 7.14 It is recognised that the bridge is in a rural setting and landscaping is proposed as part of a long term mitigation plan to screen the bridge.

## **8. Conclusion**

- 8.1 Network Rail is planning to make improvements to the Felixstowe Branch Line. It is planning to double track part of the line (a 1.4km stretch). Powers to carry out these works have already been granted. In parallel Network Rail is seeking to close six level crossings and replace these with a bridleway bridge and associated mitigation including changes to the PRow network and landscaping. These improvements will contribute to the local economy and the growth of the Port of Felixstowe.
- 8.2 The proposed works, which form part of this application (the closure of six level crossings and erection of the bridleway bridge), will result in improvements to the safety of users of level crossings and the operational railway.
- 8.3 Connectivity will be maintained through the provision of a new bridleway bridge and upgrades to the surrounding PRow network. The proposed Bridleway Bridge has been designed to be functional and accommodate equestrian users and cyclists.
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- 8.4 The proposed bridleway bridge has also been designed with regard to its context. Network Rail is proposing a landscaping plan to mitigate visual impact and to enhance biodiversity.
  - 8.3 The proposal has been prepared with reference to the relevant development plan policies and other material considerations.
  - 8.4 Network Rail is of the opinion that the proposed works will improve the safety of the operational railway at this location and believe that the benefits of the proposed works outweigh any possible effects. Further Network Rail believes that the proposed works are compliant with both national and local planning policy.
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