



St Edmundsbury
BOROUGH COUNCIL

APPENDIX B

Email: Alaric.pugh@stedsbc.gov.uk

Rt Hon Chris Grayling MP
Secretary of State for Transport c/o
Transport and Works Act Orders Unit
General Counsel's Office
Department for Transport - Zone 1/18
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Date: 4 May 2017

Dear Sir

**The Proposed Network Rail (Suffolk Level Crossing Reduction) Order
Transport and Works Act 1992
The Transport and Works (Applications and Objections Procedure)
(England and Wales) Rules 2006**

I am writing on behalf of St Edmundsbury Borough Council in response to Network Rail's proposed Suffolk Level Crossing Reduction Order. St Edmundsbury Borough Council remains broadly supportive of improved services, faster line speeds, better connectivity and Network Rail's ambitions behind the level crossing closure programme. However, with regards to level crossing S25 Cattishall, we object to the current proposal which appears to completely ignore advanced and meaningful discussions that Network Rail are having with Berkeley Strategic which would result in this crossing being replaced with a new steps only bridge entirely at the cost of Berkeley Strategic.

It is understood from discussions with Steve Day at Network Rail (Liability and Negotiations Manager) that this closure is being proposed now because, amongst other reasons, Network Rail are aware that to the North of the railway line is a strategic housing allocation of 1,250 homes which will increase the amount of pedestrians using this crossing. However, the council feels this is an unfounded fear because it is highly unlikely that any of these dwellings will be occupied in the next 30 months at least (3rd/4th Q 2019). This estimation is based on the fact that Berkeley Strategic are hoping to submit an application in Oct 2017, the application will probably take at least six months to be determined by the LPA (April 2018) then there will probably be at least 12 months of discharging of

conditions / raising finance / acquisition of the land/ organising a workforce/ materials etc (April 2019). Earliest start on dwellings April 2019 and occupation October – Dec 2019.

It is understood that Berkeley and Network Rail have agreed a deal in principle whereby within 12 months of Berkeley being granted planning permission they will pay all of the money needed for Network Rail to construct the bridge. If we assume Network Rail will therefore have this money before or at the same time as Berkeley Strategic start building homes it is reasonable to believe that Network Rail will be able to open a new bridge and close the crossing prior to any of the dwellings being occupied. In addition it is understood that the legal agreement would enable NR to reopen the underpass which would reduce the amount of people currently using the crossing. To that end it is extremely frustrating that Network Rail are consulting on this closure and forcing the Borough to spend time and energy objecting to their proposal when discussions between Network Rail and Berkeley Strategic to fund a replacement bridge are so advanced.

St Edmundsbury Borough Council object to the proposal for the following reasons:

1. Replacement Bridge

As discussed above the council are aware that Berkeley Strategic the developer of the 1,250 houses at Bury St Edmunds North East have been having very good discussions with Network Rail. They are nearing completion on a set of legal agreements which will require:

- The developer to pay Network Rail a sum of money to Network Rail can construct a new steps only bridge that will replace the current at level crossing.
- The developer will pay all costs associated with opening up of an old underpass which is located some 400 metres to the west of the current crossing and providing new routes to it.
- The developer will pay Network Rail a commercial sum of money to allow this new route across their track.

The bridge will cost circa £1 million and would be installed by Network Rail.

Officers attended a meeting on 28th April 2017 to discuss the potential design of a bridge with the network rail engineers so this is more evidence that these discussions are advanced and meaningful.

2. Managing congestion

Managing congestion is perhaps the number one issue for many residents and businesses in and around Bury St Edmunds. The development at Bury North East is very close to the new Suffolk Business Park and new secondary School on the Moreton Hall Estate and it is expected that new infrastructure will allow more people to walk and cycle to those and other destinations. However, if residents don't feel they can cross the railway line then the journey would be a lot longer

and walking and cycling will become significantly less attractive. So much so that if new residents don't want to use the Victorian underpass they would be left with no alternative but to get in their cars and add to the congestion on the highway network.

The same issue would arise if the underpass became closed for any length of time (because of flooding or structural safety fears). Residents would not have an alternative and so would either be isolated or be forced to drive.

In addition the new 500 homes that Taylor Wimpey (TW) is building at Moreton Hall have been designed around a crossing being in place. The TW scheme provides a green link from Mount Road to the crossing. Without the crossing the green route becomes a link to nowhere. It is frustrating that the council has planned its strategic developments, some of which are now being built out and Network Rail are now trying to use their Compulsory Purchase Order powers to close this essential link on safety grounds when the Borough Council, Berkeley Strategic and County Council have been working hard to deliver a crossing that does not involve people walking on the rail network.

3. Policy conflict

When the council adopted its Core Strategy which allocated the Bury NE site the allocating policy (CS11) set out that the development should "**Provide improved public transport, foot and cycle links to the town centre and south towards the A14 and strategic employment sites;**"

The council disagrees strongly that if this crossing was closed and the underpass opened that this would form an improvement. The underpass will always be considered unattractive by certain individuals who may have otherwise found the openness of the at grade crossing acceptable. It would be unacceptable to the council if people who otherwise would have walked or cycled across current crossing felt they had drive because they felt intimidated by the underpass as their only option.

4. Access to the countryside

The existing TW scheme of 500 homes has been designed around utilising the Cattishall crossing. This crossing gives residents direct access to the Countryside which is extremely important for health and wellbeing. Access to the countryside can be for a walk occasionally or can be used daily for walking a dog. By closing this crossing the council feels that it will make accessing the countryside harder for new residents and therefore unacceptable.

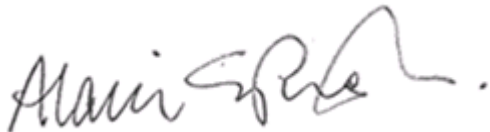
Conclusion

The council remains of the position that it wishes to work with Network Rail, Berkeley Strategic and Suffolk County Council to bring forward a new steps only bridge that replaces the at grade crossing and open up the underpass.

However, the council remains extremely concerned that Network Rail appears to be working towards a situation where there is no crossing at Cattishall. Network Rail appears to be solely focused on closing the crossing at Cattishall and

opening up the underpass. What comfort can Network Rail give the council that it will continue to work with the council and Berkeley to deliver a bridge. The council can not understand why Network Rail is not able to acknowledge the bridge option which appears to be forcing St Edmundsbury Borough Council to object to this proposal. The council wishes to work with Network Rail to deliver a bridge replacement and does not wish to object but the actions of Network Rail to date do not leave any other option available to the council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alaric Pugh', followed by a period.

Cllr Alaric Pugh
Cabinet Member for Planning and Growth

Cc:
Jo Churchill MP
Cllr Sara Mildmay-White
Rougham and Rushbrooke Parish Council
Gt Barton Parish Council
Bury St Edmunds Town Council
Cllr Griffiths – Leader of St Edmundsbury Borough Council
Elizabeth Burt, Berkeley Strategic
Steve Day, Network Rail
Andrew Woodin – Rights of Way and Access Manager, Suffolk County Council
Cllr James Finch – Cabinet Member for Highways and Transport, Suffolk County Council