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## AUDLEY END ESTATE

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Our Ref. AMMM/HTW/AJJ/AE12

28<sup>th</sup> April, 2017

Secretary of State for Transport,  
c/o Transport & Works Act Orders Unit,  
General Counsel's Office,  
Department for Transport,  
Zone 1/18,  
Great Minster House,  
33 Horseferry Road,  
London SW1P 4DR.

Dear Sir,

### **Network Rail Essex and Others - Level Crossing Reduction Order**

I refer to the formal Notice dated 30<sup>th</sup> March, 2017 received from Messrs. Bruton Knowles on your behalf.

I write with Power of Attorney on behalf of The Rt. Hon. Lord Robin Henry Charles Baron Braybrooke my father, who is the proprietor and Life Tenant of The Braybrooke Settled Estate, part of which is affected by these proposals.

#### E13 Littlebury Gatehouse, Essex

I object to the proposal based on the following points:

1. The route affected by the proposed level crossing closure provides a by-way linking the outskirts of Littlebury Village to the village centre but not the wider open countryside. The alternative route provides a link out of the village with other footpaths in the open Countryside, but in no way replaces the facility lost by the proposal linking the outskirts of the village with the village centre, it's pub, church, village hall and public transport.
2. The by-way leading to the level crossing is already attracted to fly-tipping, litter and the misuse of drugs. If the level crossing is to close, I would counter-propose that consideration be given to stopping the route up altogether and pedestrians re-routed via Strethall Road into the Littlebury village centre.

3. At the point where the proposed alternative route is shown reaching the Littlebury Green Road, is opposite the northern extension of Henry Seymour Plantation, which is private land. Regardless of the lack of the existence of public rights of way, this will encourage trespass and the existing private entrance to Henry Seymour Plantation will need to be substantially secured. The encouragement of trespass into Henry Seymour Plantation will lead to a substantial loss of amenity and affect the commercial use of the landowner's property. The landowner will be deprived of quiet enjoyment of his property as a consequence.
4. The proposed new path appears to be routed through private land, whereas there is adequate room for a new footpath within the Network Rail boundary. If the route is to be on the adjacent agricultural land, then this will affect cross compliance obligations under the Basic Payment Scheme and prevent normal agricultural operations, effectively taking the land out of production and will require adequate fencing to prevent the otherwise inevitable trespass.
5. Part of the proposed new pedestrian route heading west from Peggy's Walk junction with Littlebury Green road is existing but the provision of an additional new footpath in the adjoining field is not justified. Your proposal is a scheme to reduce level crossings, not a footpath network improvement scheme.

E12 Wallis's, Essex

Please note the correct spelling of Wallis's being an abbreviation of Cornwallis Hill.

This level crossing is a private crossing with land either side under the control of The Rt. Hon. Lord Braybrooke and we are unaware of any safety issues throughout its entire existence.

Your proposed alternative route wrongly presumes a connection is required between the two tracks east and west of the railway line. In fact, the crossing is used on a regular basis for access to the land and woodland in a more general sense, and is for the purposes of game shooting, deer control, safety audit of trees, forestry operations and other acts of land management. The closure of this level crossing will result in a significant loss of amenity. This private level crossing was installed when the railway was originally built and necessary accommodation works linking land either side of the railway. This requirement has, if anything, increased in the intervening years, not decreased. The proposed closure of this crossing presents a significant disruption to the proper Estate management of land either side of the railway and the owner's right to quiet enjoyment.

Of particular concern is during shooting activities, when Estate staff may redirect themselves via Chestnut Avenue, crossing under the railway bridge. This is a hazardous route for pedestrians there being no footpath at Chestnut Avenue, which is subject only to the national speed limit and is a well used route. You may appreciate the positioning of Estate staff during a shoot is a matter of precision and by following the alternative route proposed would only go to further disrupt the shoot. The compromise of this wood from a sporting point of view could result in substantial financial loss to the landowner.

Secretary of State for Transport

28<sup>th</sup> April, 2017

Page 3

If illicit use of this crossing is a perceived risk then it could be easily solved by the locking of the gates as long as the owner is provided with a key.

In the light of the above I would urge you to reconsider your proposals.

In all matters we reserve our position and object to the proposal as detailed above.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Amanda Murray'. The signature is fluid and cursive, with a large initial 'A' and a long, sweeping underline.

Hon. Mrs. Amanda Murray  
For and on behalf of The Rt. Hon. Lord Braybrooke  
acting as Power of Attorney

CC by email to [anglialevelcrossings@brutonknowles.co.uk](mailto:anglialevelcrossings@brutonknowles.co.uk)