

1. Coleman’s Cottage Fishery and Witham FP 103 [PROW 121-103]

ELAF continue to make the case for a link between Witham footpath 103 [PROW 121-103] and the Whetmead Nature Reserve and Witham footpath 101 [PROW 121-101] along the “country” (south) side of the A12. ECC’s support for this proposal [page 24 of REP4-075] is very welcome. It does not seem reasonable for National Highways to negate this proposal on the basis that creating such a footpath connection “*may have the unintended consequence of providing a simpler route for the unauthorised use of land for trail bikes.*” It is noted that it is illegal to ride a bike on a footpath.

2. Gershwin Boulevard bridge and Witham FP 95 [PROW 121_95]

National Highways acknowledgement of its obligations under section 136 of the Planning Act 2008 to provide a suitable alternative crossing of the to-be-widened A12, where pedestrians & cyclists are prohibited, is welcomed. National Highways note on page 126 of their deadline 5 response [REP5-002] that... “*There is not expected to be a discernible difference in cost between the Applicant’s (NH) proposal and the alternative proposal.*” ELAF continue to support ECC’s proposals as per page 24 of REP4-075 for a slightly relocated bridge and a PROW link between the bridge landing on the south side of the A12, Witham footpath 95 & the replacement land connecting with Maldon Road. See ELAF’s deadline 5 representation [REP5-035].

3. Rivenhall footpath 36 [PROW 105_36] – severed by the new off-line A12

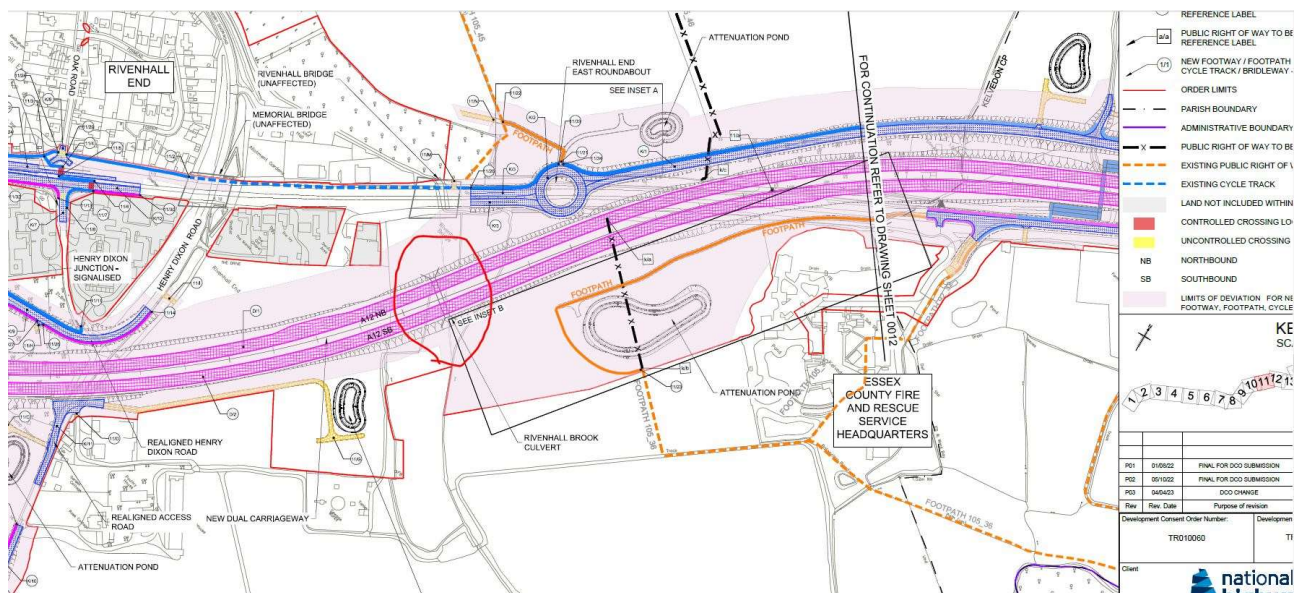
As noted briefly in ELAF’s submissions [RR-026 & REP2-058], there is still poor WCH connectivity across the A12 between Rivenhall End in the south-west and Kelvedon south / Cranes Lane in the north-west with the only crossing being the new Snivellers Lane WCH bridge by the Essex Fire and Rescue Centre.

Rivenhall footpath 46 [PROW 105_46], on the north side of the current A12, is due to be extinguished.

Rivenhall footpath 45 [PROW 105_45] will stop as now at north side of the current (will be de-trunked) A12.

Rivenhall footpath 36 [PROW 105_36] currently stops at the south side of the current (will be de-trunked) A12 between footpaths 46 & 45 on the north side.

Currently, although it is legally possible to cross the A12 to connect between Rivenhall footpath 45 & footpath 36, in practice this cannot be achieved safely as it involves crossing 4 lanes of traffic and scaling the central reservation barrier. Both footpaths are therefore currently not really used. With the by-passing of and de-trunking this section of the A12 by the new off-line A12, it will become possible to cross what will be a local road, so restoring the north-south off-road footpath connectivity between the crossing of the river Blackwater at Great Braxted Mill to the south-east and the settlement of Rivenhall End to the north-west.



However, the current DCO proposals do **NOT** restore this connectivity but make it worse. The north end of Rivenhall footpath 36 is shown as being **extinguished** due to an attenuation pond and the new off-line A12. National Highways proposal is to loop the footpath back east along the south side of the new A12 to the entrance of the Fire & Rescue centre and Kelvedon footpath 32 [PROW 92_32] – a loop that can already be achieved more pleasantly away from the A12.

As noted in previous submissions, NPPF paragraph 100 says that:

*Planning policies and decisions should **protect and enhance public rights of way and access**, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

Also, as referenced by National Highways, section 136 of the Planning Act 2008 states that:

An order granting development consent may extinguish a public right of way over land only if the Secretary of State is satisfied that— (a) an alternative right of way has been or will be provided.

ELAF contend that the DCO proposal for Rivenhall footpath 36 is not “*protecting & enhancing PROWs*” and is not an “*alternative*” as it takes the footpath east not north-west to Rivenhall End.

ELAF propose an alternative route across the new A12 that **WILL** maintain the PROW network and the NW-SE connectivity. Slightly to the west of the northern section of Rivenhall FP36, that National Highways are proposing to extinguish, and within the order limits, is **Rivenhall Brook**. National Highways are currently proposing to culvert this and other watercourses. Environment Agency representations [most recently REP5-030 & -031 & -032] are that the new A12 should cross Rivenhall Brook amongst others by clear span bridges and not culverts. **ELAF request that the clear span bridge under the A12 / over Rivenhall Brook should be constructed to be suitable for human animals as well as other mammals and wildlife.** Such a bridge would provide a suitable alternative route for Rivenhall FP36 to continue to the to-be-detrunked A12 and on to footpath 45 on the north side of the

4. Prested Hall & Feering FP 15 [PROW 78-15] & Feering FP 18 [PROW 78-18]

ELAF expressed their concern at the severance by the new A12 of Feering footpath 15 and the direct wide tree-lined driveway to Prested Hall. ELAF contend that the severance of this north-south connection between the north-east end of Feering (London Road & New Lane & the strategic growth location on both sides of London Road) and facilities at Prested Hall and the footpath link to Messing are against NPPF paragraph 100 and National Highway’s own objectives of... “*improving accessibility for walkers, cyclists, horse riders, and public transport users.*” An East Anglian Farm Ride whose west end is at the A12 sliproad end of Prested Hall Drive, will also be severed.

