

**Responses to the ExA's Written Questions**  
**ELMESTHORPE PARISH COUNCIL**  
**9<sup>th</sup> January 2024**

**Introduction**

Please find below Elmesthorpe Parish Council's responses and/or notes with regard to the Written Questions issued by the Examining Authority on 28<sup>th</sup> November 2023.

There are a number of questions that we are very keen to see the answers to upon publication at Deadline 4, we reserve comments on such matters until that time.

To keep this document concise, we will detail the unique question reference number, a copy of the question and our direct answer.

**Responses to ExA's Written Questions**

**1.0.2 Neighbourhood Plans**

b) Could BDC, HBBC and the Parish Councils please provide details of any other designated Neighbourhood planning areas both within the area covered by the Application site and any area which the local planning authority considers to be affected by the Proposed Development, along with current details of progress towards any such Neighbourhood Plans being made. Where documents exist, could copies please be provided.

Answer:

The Parish of Elmesthorpe is a designated Neighbourhood Planning Area, however there is not a Neighbourhood Plan in place at present.

**1.0.4 Equality Impact Assessment**

Could all interested parties provide the Examination with their views as to how the Proposed Development would affect any person with any protected characteristics set out in section 4 of the Equality Act and whether it would (in line with s149 of this Act):

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Answer:

It is not considered that any element of the proposal would actively work to eliminate discrimination, harassment, victimisation, advance equality of opportunity or foster good relations. It is a concern that by extending the distances of the PRow routes, the Applicant is actually exacerbating access for persons who share a relevant protected characteristic. This will be further expanded upon in our response to 1.11.32

Referring to Appendix 7.2: Equalities Impact Assessment Statement, Table 3, Page 18 Changes to the pedestrian and cycle environment: It appears that the approaching footpath at the closed Outwards crossing has been amended from being 'poor and not suitable for wheelchair users' to 'limited,' and consequently implies a level of concluded suitability. It is not advised that there will be any works undertaken to improve the suitability of the path, despite the existing most direct PRoWs from Elmesthorpe through Burbage Common Road being removed and replaced with much longer routes. We would welcome signposting to further details and documents if this is already included in the Applicants documents.

The Outwoods footbridge has been revised from having 'limited accessibility' to 'installing a ramp subject to agreement from Network Rail.' It is commended that this is now being looked at, however it is worth noting that in the event this not be agreed with Network Rail, the closest railway bridge with accessibility ramps is identified as 400m away and would be, in many cases, the difference between no longer being able to utilise this area for an excursion. 400m (each way) is a considerable distance for a person with disabilities and also those within other protected groups (Pregnancy, those with push chairs/walking with young children/child carrying (Maternity) and the elderly (Age)).

#### **1.11.32 Effect on users of Burbage Common Road**

In the response dealing with the distances between points 1 and X on the Access and Rights of Way Plan (2.3A and 2.3B), the Applicant has referred to users being able to use permissive ways (comment in 'Alternative route' for Walkers in [REP3-054]).

b) Could the Applicant please explain how, in line with paragraph 5.216 of the NPSNN, the routes and measures being secured would meet the strong expectation that impacts on accessibility for non-motorised users would be mitigated.

Answer:

Burbage Common Road is the main link from Elmesthorpe to the beloved Burbage Common and Woods SSSI (including Elmesthorpe Plantation). Many residents use this road to walk for leisure, or to exercise their dogs/other animals. Burbage Common Road, whilst it is a road accessible for vehicles, is mainly used for access to business on Burbage Common Road, agricultural vehicles, as a bridlepath for equestrian users or by those with mobility scooters/wheelchairs/prams to access Burbage Common or enjoy the surrounding countryside, without having to traverse alongside the very busy A47/B4668 or along the very narrow footpath on B581 to reach it.

Burbage Common Road is home to the Farm Shop at Woodhouse Farm, the only shop in Elmesthorpe, that is well-supported by residents of Elmesthorpe and surrounding villages and provides meat and vegetables amongst other items. It also is home to a number of equestrian businesses, private stables and the local kennels/dog walking service.

When looking at the distances between point 1 and X on the 'Accessibility Plans for Burbage Common Road', we submit:

Vehicle Users; the current 1.6km route will increase to 4.95km. Our only alternative vehicular access into the village will be entirely removed and any incidents that prevent access from either end of Station Road B581 will severely affect residents and emergency services, and the only available detour will be significant. Add into this the substantial increase in traffic using and joining the B4668 and A47 as a result of the A47 Link road, and the cumulative effect on residents trying to go about their daily lives will be extensive.

Cyclists; The roads surrounding the proposed site are narrow, fast, dangerous and undesirable. Will there be lighting available during the winter months, for those commuting to work (potentially both on and off site) using the revised PRow offered? If so, have the effects of this been considered in the assessments of the impact of lighting on ecology, local residents, energy usage etc? What security will be in place to ensure safety at the newly installed underpasses? Cyclists travelling through the site from Elmesthorpe will not be exiting onto the M69 and therefore will be joining the main carriageway at the roundabout where the A47 link road meets the B4668. What provisions will be made to protect cyclists at this busy junction, mainly occupied by HGVs?

Bridleway Users: the current 1.6km route will increase to 4.95km. Aside from the substantial increase in distance which not only will tire the horse out before they even reach their destination; the additional time implications involved in this impacts the frequency that equestrian users may be able to hack in their own locality. This is removing a key benefit and reason that many equestrian business and private owners chose to base themselves here for. It goes without saying that the amenity of the new bridlepath provided is no substitute for the environment currently experienced.

Walkers: It is firstly considered the user group merely identified as 'Walkers' is a very broad group and doesn't identify the many different types of users who use this area as pedestrians. That aside, walkers who use the current 1.6km PRow route experience a wide, level, quiet road that serves more as a path enjoyed by all types of people and animals, with immediate access to the amenity of surrounding countryside. It does not discriminate against any groups whom fall within the groups identified with Protected Characteristics and provides unimpeded access for all, should they choose. All of the proposed alternative PRows for pedestrians provide increased distances (the shortest increase being a full 50% increase) which will serve to alienate and exclude some users, including (but not limited to) those who currently walk with young children to utilise the newly upgraded children's play area at Burbage Common or those with mobility issues. All of the proposed alternative routes offer reduced amenity and experience to the current PRow and nobody would choose to simply take a shorter leisurely amble around a SRFI before returning home due to personal limitations. The increase in route distances, and the stark reduction in amenity value would entirely remove the access to countryside for some users.

**[ END ]**