

**PROPOSED CHILTERN RAILWAYS (BICESTER TO OXFORD IMPROVEMENTS)  
ORDER**

**CHILTERN RAILWAYS' REBUTTAL PROOF OF EVIDENCE**

**IN RELATION TO  
THE OBJECTION AND EVIDENCE OF  
BRIAN AND PHOEBE DAVIES**

**1 Introduction**

- 1.1 This rebuttal proof of evidence has been prepared on behalf of the Chiltern Railway Company Limited (Chiltern Railways) to respond to particular aspects of the objection and evidence of Brian and Phoebe Davies.
- 1.2 Brian & Phoebe Davies have not raised any additional points since their original letter of objection dated 13 February 2010. Chiltern Railways has previously addressed the points in the objection letter in its response to that letter.
- 1.3 It is not intended that this rebuttal proof should repeat material that the witnesses for Chiltern Railways have already covered in their evidence. Cross-references to relevant paragraphs of those witnesses' proofs of evidence are given below, where appropriate.
- 1.4 It is intended that this rebuttal proof should be a composite response by Chiltern Railways to those new points raised in the evidence of Brian and Phoebe Davies and referred to above. In this respect, for cross-examination purposes, the name of the Chiltern Railways witness who is responsible for each aspect of this rebuttal proof is given at the beginning of each section below.

**2 Defined Terms**

- 2.1 The following defined terms are referred to throughout this rebuttal proof:

*“the Correspondence”* means correspondence in the form of letters exchanged between Chiltern Railways and Brian and Phoebe Davies dated 13 February and 14 July 2010, attached to this rebuttal proof in Appendix A;

<i>“the Objector”</i>	means Brian & Phoebe Davies;
<i>“the Objector’s evidence”</i>	means the objection letter of Brian & Phoebe Davies;
<i>“the Order application”</i>	means the application for the proposed Order submitted on 6 January 2010 and the Proposed Modification dated 9 September 2010; and
<i>“the proposed Order”</i>	means the proposed Chiltern Railways (Bicester to Oxford Improvements) Order.

### **3 Chiltern Railways’ Rebuttal of the Objectors’ Evidence**

#### *Context*

3.1 The Objectors live at 27, London Road, Bicester.

#### *Operation of London Road Level Crossing, Paul Tregear*

3.2 The Objectors state that when the Order Scheme is fully implemented and East West Rail link is re-instated there will be up to 12 train movements per hour. The Objectors state that if the crossing on London Road is closed for two minutes per time, this will result in 24 minutes closure per hour (ie. 40%). The Objectors state that it is reasonable to expect that the majority of additional traffic accessing Bicester town station will come from the south. The Objectors state that even with the proposed alterations of the London Road/Station Approach junction, the traffic problems caused will be significant, given that there will inevitably be congestion at the junction for at least 40% of the time. The Objectors state that there may be long periods during the rush hour when it will be very difficult to exit Westholm Court, opposite Station Approach on London Road.

3.3 The typical level crossing closure times with the Order Scheme will be approximately 2 minutes for passenger service trains stopping and approximately 2 ½ minutes for freight trains. In 2016 and 2026, with the Chiltern Railways services there will be four passenger trains per hour (two each way per hour), which will result in the level crossing being closed on average for approximately eight minutes in the hour. In 2026, with the addition of the EWR services, there will be eight passenger trains per hour (four each per way) in total and the level crossing will be closed for approximately 16 minutes in the hour.

3.4 In addition to the passenger trains there will be freight services, which have been assumed to be in the order of two freight trains per hour (one each way per hour) as a worst case scenario. There is the potential for the level crossing to be closed for approximately 20 minutes in an hour, if both freight services operate within an hour of each other, which it is considered to be unlikely. The Cross Country passenger service referred to in the “worst case” scenario in Table 8.1 of Chiltern Railways Statement of Case **[CD/1.27]** has not been included in the technical assessments for the Order Scheme as it is not included in the EWR business case.

- 3.5 Paul Tregear deals with the impact of the London Road level crossing on road traffic in his evidence at paragraphs 6.30-6.38 [CRCL/P/8/A] and the assessment work is reported in detail in **CD/2.24**.
- 3.6 The assessment also included, as a sensitivity test, a three minute closure of the London Road level crossing for northbound passenger train services only. This is explained further at paragraphs 4.7-4.8 of **CD/2.24**.
- 3.7 In summary, there will be a slight effect on journey times for traffic, including buses, travelling through the network when the London Road level crossing closes. At other times, journey times throughout the network would be similar or only marginally longer than the baseline. At 2016, for example [Appendix K, **CD/2.24**], modelled journey times of traffic travelling along the London Road corridor in the AM peak hour increase by approximately 80-100 seconds southbound and 70-90 seconds northbound with a two minute closure of the level crossing and by approximately 100-150 seconds southbound and 70-150 seconds northbound with a three minute closure. Chiltern Railways has undertaken detailed traffic studies to test the impacts of more frequent closures of this crossing and these demonstrate that there will only be modest delays for road users, including those who live on London Road, to the west of the crossing..

*Basis of Traffic Modelling, Paul Tregear*

- 3.8 The Objectors state that within the traffic assessment there does not seem to be any mention of the significant additional traffic which will be generated by the re-development of the town centre and this has not been properly considered in the traffic modelling. The Objectors state that much of this traffic will originate from the rural hinterland south of Bicester.
- 3.9 The S-Paramics traffic model does include for predicted traffic growth between the 2009 base and the future year assessments of 2016 and 2026, as explained in paragraphs 4.15 and 4.16 of **CD/2.24**.

*Alternative Location for Bicester Town Station, Stephen Barker*

- 3.10 The Objectors are seeking that an alternative option for the location of Bicester Town station is considered. They have called this 'Option 3'. The suggested location and layout would place the station buildings to the north of the line with parking south of the Talisman Business Centre. The Objectors state that this would ensure that the amount of extra traffic at the London Road/Station Approach junction is kept to a minimum and that the number of vehicles using the level crossing is reduced accordingly. The Objectors are seeking further consideration to the inclusion of an exit road from Westholm Court in the re-modelled junction as well as controls to allow traffic to exit Westholm Court safely.
- 3.11 The Objector has not submitted a plan showing 'Option 3' in their original submission. However, Chiltern Railways considered an 'Option 3' in the Bicester Town Station Options Report [**CD/2.17**]. In this option, the station building was located on the northwest side of the railways. The main parking for this option is provided by means of a multi-storey car park on land adjacent to the southern boundary of the Talisman

Business Park and correlates with the Objectors preferred location and layout for Bicester Town referred to in their objection submission. Option 3 of **CD/2.17** was rejected for a number of reasons as outlined below.

- 3.12 The identified land for the multi-storey car park falls within Flood Zone 3, therefore construction would be resisted by the Environment Agency. It was also considered undesirable for a car park where the vehicle owners will generally be many miles from their vehicles for an extended period to be in a location susceptible to flooding.
- 3.13 The land was also subject to planning applications for residential development. Two previous applications were withdrawn but a third application is still under consideration [reference 09/01592/OUT]. If residential planning permission was granted on this land, the costs of the land would be unaffordable for the project. Even without such permission, it is likely that considerable 'redevelopment value' would be attached to the land.
- 3.14 The layout of Option 3 has various elements of the station dispersed over a wide area making the station less user-friendly and leading to difficulties in keeping the site secure. In particular, the distance from the car park to the station building is unacceptable. Although the building could potentially be placed closer to the car park, this would result in being remote from the main pedestrian access routes.
- 3.15 The Westholm Court junction will remain 'as existing' with the Order Scheme, i.e. a priority junction with London Road. However, the proposed modifications to the London Road/Station Approach junction will affect the operation of the highway network in the vicinity. The Westholm Court junction has been included in the S-Paramics traffic model. In respect of highway safety, the proposed highway works have been subject to an independent Stage 1 Road Safety Audit and no significant design issues were identified [paragraph 7.15, **CRCL/P/8/A**].

*Gavray Drive, Stephen Barker*

- 3.16 The Objectors state their understanding that Gavray Drive was originally intended as a through route to Launton Road. The Objectors state that the Order Scheme represents an ideal opportunity to realise this by incorporating the road into the Chord construction. The Objectors state that the opening of Gavray Drive as a through route would allow traffic destined for the major industrial area to be routed away from the London Road level crossing. The Objectors state that the benefits would be to reduce heavy lorry traffic on London Road, at Launton Road junction and along the narrow section of Launton Road running past Garth Park. The Objectors state that the junction of Gavray Drive and Launton Road would be perfectly placed to serve the industrial estate.
- 3.17 With regards to Gavray Drive, it is acknowledged that the road layout as constructed by the developer of the adjacent housing development suggests an intention to connect to Launton Road. However, Network Rail's predecessors would not permit the construction of a new level crossing at this point so the road was never finished. There is a rail safety policy presumption against the construction of new level crossings and the alternative of a road overbridge would not work in engineering

terms due to the limited width between the railway line and Launton Road to accommodate the required clearance over the railway line.

#### **4 Conclusion**

- 4.1 This rebuttal responds comprehensively to the Objectors' original objection letter.
- 4.2 Chiltern Railways has undertaken detailed traffic studies to test the impacts of more frequent closures of this crossing and these demonstrate that there will only be modest delays for road users.
- 4.3 In summary, there will be a slight effect on journey times for traffic, including buses, travelling through the network when the London Road level crossing closes. At other times, journey times throughout the network would be similar or only marginally longer than the baseline.
- 4.4 This rebuttal has considered the alternatives promoted by the Objectors and has provided reasons for discounting these.



Appendix A

CRCL/R/OBJ111

Relevant Correspondence  
between Chiltern Railways  
and the Objector



085 / 111

27 London Road  
Bicester  
Oxon  
OX26 6BU

13<sup>th</sup> February 2010

The Secretary of State for Transport

Ref: Chiltern Railways Evergreen 3 Project

Dear Sir

I write in relation to Chiltern Railways' plans to upgrade the railway line between Oxford and Bicester. I am wholly supportive of the concept but would like to make the following observations.

1. Site of the New Bicester Town Station

When the scheme is fully implemented and the East-West rail link is re-instated there will be up to 12 train movements per hour. If the crossing on London Road is closed for 2 minutes per time, this will result in 24 minutes closure per hour (i.e. 40%). It is reasonable to expect that the majority of additional traffic generated by the development of the line will approach Bicester from the South. Even with the proposed alterations at the London Road, Station Approach junction, the traffic problems caused will be significant, given that there will inevitably be congestion at the junction for at least 40% of the time. It also seems from the studies conducted so far that the needs of residents in Westholm Court (opposite Station Approach on London Road) have not been considered. There may be long periods during rush hour when it will be very difficult to exit Westholm court in a motor vehicle.

Within the studies which I have read there does not seem to be any mention of the significant additional traffic which will be generated by the re-development of the town centre (including a new supermarket and multiplex cinema). I suspect that much of this traffic will originate from the rural hinterland south of Bicester.

As a result of the above I would request that 'Option 3' (i.e. station buildings to the North of the line with parking south of the Talisman Business Centre) is adopted in order to ensure that the amount of extra traffic at the London Road, Station Approach junction is kept to a minimum and that the number of vehicles using the level crossing is reduced accordingly. Consideration also needs to be given to the inclusion of the exit road from Westholm Court in the re-modelled junction as well as some form of control (box junction or lights) to allow traffic to exit Westholm court safely.

I do not think that Option 3 or the issue of traffic congestion have been properly considered.

## 2. Gavray Drive

I understand that Gavray Drive was originally intended as a through route on to Launton Road. The proposed development represents an ideal opportunity to realise this by incorporating the road into the Chord construction. The opening of Gavray Drive as a through route would allow traffic destined for the major industrial area to be routed away from the London Road level crossing thus helping to reduce congestion. An additional benefit would be the reduction of heavy lorry traffic at the London Road, Launton Road junction and along the narrow section of Launton Road running past Garth Park. The junction of Gavray Drive and Launton road would be perfectly placed to serve industrial estate.

Yours sincerely

Brian & Phoebe Davies

By e-mail: [transportandworksact@df.t.gsi.gov.uk](mailto:transportandworksact@df.t.gsi.gov.uk)

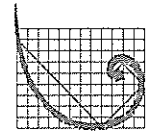
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14 July 2010

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**ERM**

*Ref: 0110147 OBJ/111*

Dear Mr and Mrs Davies

### **Chiltern Railways (Bicester to Oxford Improvements) Order Application**

Thank you for your letter of 13 February 2010, submitted to the Department of Transport, in respect of the Chiltern Railways (Bicester to Oxford Improvements) Order Application, (the Scheme). Your objection has been given the DfT reference OBJ/111.

On behalf of Chiltern Railways I thank you for your support for the Scheme concept.

We note your concern regarding the potential impact of the Scheme proposals on traffic levels and movements on London Road in Bicester. It is acknowledged that the level crossing on London Road will be closed to road traffic more frequently with the Scheme than is experienced as present. With the Scheme, there will be four Chiltern Railways trains per hour and the level crossing will be closed for each approximately two minutes each time. The impact of the Scheme proposals in this particular area has been tested using a micro-simulation traffic model, which has been built to replicate existing traffic conditions along London Road. The results of this analysis are reported in the Environmental Statement, which accompanies the Order application. The ES concludes that the London Road level crossing closures will increase journey times through the network when compared to the existing situation; however, in reality this will only affect those journeys made when the level crossing is closed. At other times, journey times throughout the network will be similar or only marginally longer than existing.

With regards to East West Rail (EWR), we would highlight that the traffic modelling using Oxfordshire County Council's Central Oxfordshire Transport Model (COTM), the results of which are also reported in the ES, includes for EWR, as the proposals are inherent within the County Council's future forecast model scenarios. We note your concerns about the increased level crossing closure time if the EWR proposals are undertaken. These could result in closures reaching a maximum of 20 minutes in each hour. Following the recent publication of EWR business case we are undertaking further

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modelling work and will provide an update to you once this work has been completed regarding the likely level crossing closing times. We hope this will be by mid August.

With regards to Gavray Drive, it is acknowledged that the road layout as constructed by the developer of the adjacent housing development would appear to suggest an intention to connect to Launton Road. However, Network Rail's predecessors would not permit the construction of a new level crossing at this point so the road was never finished. There is a rail safety policy presumption against the construction of new level crossings and the alternative of a road over bridge would not work in engineering terms due to the limited width between the railway line and Launton Road to accommodate the required clearance over the railway line.

I trust this response provides clarification on the issues raised in your objection letter.

Yours sincerely

Charlene Baker  
*Consultant*  
*Environmental Resources Management*