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Proposed Chiltern Railways (Bicester to Oxford Improvements) Order.

My wife, Dr. Rosalind Thomas, and I have resided at 3 First Turn, 31 metres from the Oxford to Bicester railway line (13.8m to the edge of the bridge, & 31m to the railway line itself), for almost six years. In principle we look with favour on Chiltern Railways' desire to offer a new service to London. We believe strongly in a modern railway, in the need to diminish traffic on our congested roads and, as such, help reduce this nation's carbon footprint. We do, however, despite correspondence with Chiltern Railways, continue to harbour serious reservations about this scheme. These concern (1) noise and vibration; (2) frequency and speed of the service, particularly through a built up residential area; (3) degradation of the natural environment; (4) loss of value on our property. Correspondence we have received from Chiltern's acting agent, Environmental Resources Management, has not assuaged our concerns; indeed documentation from ERM dated 18 October outlining a Draft Noise and Vibration Mitigation Policy was not reassuring, and ERM's request that we withdraw our objection to Chiltern Railway's TWA Order, could therefore not be met.

Allow me to begin by stating that Chiltern have reiterated on many occasions that it has sought to consult with affected landowners and interested parties. Apart from the occasional letter responding to objections, no one from Chiltern has telephoned us, visited our property, or taken noise or vibration readings from our property. I wish to stress before detailing my concerns that we already experience noticeable noise and vibration from freight services which use this line. Noise is certainly noticeable from current passenger services too, though vibration is less of an issue here.

As I have prefaced this statement, Chiltern Railways' proposal has considerable merit. A new service from Oxford to London would be welcome, and the upgrade of this line would also invite, at a later stage (Phase 2), increased freight traffic. Chiltern are committed to running modern and efficient diesel trains, which, we have been told, are quieter than trains currently in operation. The expense in upgrading this line is considerable, and Chiltern is seeking to ensure that the upgrade remains within budget. It is this consideration which causes us concern, precisely because at every stage, Chiltern, and ERM, have been careful to separate phases 1 and 2 of the project, and where matters concerning noise and vibration arise, leaving it to EWS and Network Rail to undertake noise mitigation works should they deem this necessary. Yet it is Chiltern's upgrading of this line which will make an increase in freight traffic inevitable, not merely a possibility as documentation from Chiltern continues to stress.

By emphasising time and again the uncertainty of Phase 2, Chiltern is being less than fully responsible in dealing with objectors. By introducing this upgrade to the line, increased freight traffic will also be introduced. Given the pressures on our roads,

there can be little doubt that where opportunities arise to shift freight from road to rail this will happen. Chiltern has to shoulder some, though not all, of the responsibility for the impact this increase in freight traffic will have on those of us living along the line.

We are still extremely concerned about (1) Noise and vibration; (2) the proposed speed of the trains; (3) degradation of the environment; (4) reduction of the value of our house.

### **(1) Noise and Vibration**

Correspondence from Environmental Resources Management (ERM) (29 July & 18 October), on behalf of Chiltern, made assessments about noise and vibrations which offer estimations of noise levels of below 59 dB ‘just noticeably higher’ than the 55 dB threshold ‘below which significant “community disturbance” is not expected’. These figures are, according to correspondence of 29 July 2010, ‘predicted’ for Phase 2, and therefore that ‘the effects in Phase 1 will be less than these predictions’.

I wish to raise a number of points in relation to this: (a) In his proof of evidence Mr Michael Fraser has stressed (CRCL/P/9/C 1.10) that ‘Chiltern Railways is going beyond what the law strictly demands of them by operating a modern and highly desirable railway service, by offering mitigation at noise levels below statutory noise levels’.

These measures are based on dB levels, and Mr Fraser provides a handy table of examples, with 50 dB compared to conversational speech and 60 dB a busy office. At the high end of his scale, 90dB, he offers the example of a lawnmower at 1 m. Yet this table is deceptive. 50 dB is generally accepted for conversational speech. As a conversant species conversation is part of our lived experience, but equivalence is being drawn here between the noise of a train and human conversation. A train is clearly not a person, and the sound it produces is unwanted, unlike human speech; it makes noise, and this can rightly be classified as an irritant, a form of pollution.

The high end of Mr Fraser’s scale, the average lawnmower at 1 metre, 90 dB is 5 dB higher than the low range for human hearing damage.

Mr Fraser offers in 1.23 a description of noise levels. He tells us that ‘a change of noise of 10 dB is generally judged to be a subjective doubling of noise’. Or put differently an increase from 50 to 60 dB will be heard as twice as loud. What he failed to indicate was that a person’s *actual exposure* to noise doubles with every 3 decibel increase. This presents a less cosy picture than the one offered by Mr Fraser’s assertion that ‘changes in environmental noise levels of less than 2 to 3 dB are not noticeable to most people’. So that the 90dB produced by a common or garden mower represents a near quadrupling (i.e., almost 6dB increase) of the risk of actual hearing loss.

What we are dealing with here is unwanted sound, and unwanted exposure to this pollutant. The contextualising of noise as conversation or busy office, represents an attempt to minimise Chiltern’s responsibility to those who will have to live with this noise from this line every day and night, and it is this that I find objectionable.

In correspondence of 29 July 2010, ERM assert that daytime noise levels at Wolvercote school will be lower than the Environmental Statement's predicted 59 dB, a mere 4 dB '(ie just noticeably higher) than the 55dB threshold value, below which significant "community disturbance" is not expected.' Yet the 55dB figure exceeds by 20dB (i.e. 4 times as loud) the current WHO guideline for average classroom noise, which is 35 dB.

The same letter contends that we will experience *less* noise or vibration than Wolvercote school. But no reason has been given which might explain why this is so. And given that I work from home, and on hot summer's days have the windows open, I do not wish to be exposed to 4 times the average classroom noise.

I am also concerned that noise pollution will diminish significantly the enjoyment that my family and I derive from our garden and vegetable garden. The four walls and roof which constitute my house are not just my home. My family and I spend a good deal of time in our garden, and to have this tranquil sanctuary ruined by unwanted noise would, for us, be a great tragedy.

Despite earlier assurances that daytime noise levels will not be adverse, Chiltern have now made a commitment to build a sound-barrier wall alongside track facing Wolvercote school. Yet Chiltern have resisted any suggestion that this barrier should be higher than two metres. Yet, where such barriers already exist in Oxford, i.e., near the Waterways development, very little protection against noise is afforded. In addition, barriers alongside motorways are significantly higher than two metres. First, I'd like some assurance that any barrier installed will be at least three metres tall; Second, that such a barrier will cover both sides of the track, for if only a single wall was build this would act as a sound reflector, adding to what we will experience of this unwanted pollutant. Third, I would like an assurance that the wall will be of concrete, which I understand is the most effective medium for minimising noise levels.

We also have serious concerns about the programme of engineering works that will need to be undertaken to upgrade this line. We are particularly concerned by the suggestion that there will be significant night-time noise for a period of 4 months during the construction of the Wolvercote tunnel. This will be a significant disruption to our lives, those of our neighbours and of the school. Some form of mitigation is imperative here.

## **ii. Vibration**

Chiltern have indicated that vibration levels are currently well within statutory guidelines. Yet we currently feel vibration when every freight train passes, and our house has suffered some cracking as a result.

Chiltern have indicated in correspondence that they have no record of complaints to British Rail about structural damage caused by vibration, which we know happened at 5 First Turn (the other half of our building) and which occurred on Bladon Drive (Residents who lived near the line at the time that it was double-tracked tell a different story, for they recollect that structural damage had been caused to the First

Turn bridge and properties fronting the line. 5 First Turn required its foundations re-build as a result of vibrations, and a neighbour in Bladon Drive had to reinforce his roof beams in order to prevent further cracking to his walls.)

I also have it on good authority, from my local councillor, that Oxford City Council was aware of many houses in St. Peter's Road which were damaged by vibration, however, documentary evidence appears wanting. We do not have great faith in British Rail's archival preservation, and in any case the lack of a written complaint does not prove the absence of damage.

We have yet to receive a visit from any representative of Chiltern Railways to measure vibration, or to inspect our property.

## **(2) Train speed**

We are very concerned at Chiltern railway's intention to run trains on this line potentially at speeds of 75 mph. The levels of noise and vibration, even with all of the up-grading to the track and new 'state of the art' trains would still be considerable. The upgrading of the line would also result in more and faster freight traffic with the potential for even greater disruption. We live some 31 metres from the track and we would be seriously affected by the frequency of these services and the noise of trains running at these speeds. We already feel the vibrations and hear the noise of freight trains running on this line at relatively slow speeds. And we are concerned that if speed restrictions are eased then freight services will run at higher speeds.

We believe that it is absolutely essential to maintain existing speed limits for freight services, and we believe too that passenger services should be kept to 50mph in build up areas, should the upgrade occur. Chiltern have produced no convincing evidence that a half-hourly Bicester/Oxford service would be impossible with 50mph speed restrictions through Wolvercote. Whilst a strict half-hourly service may be desirable from Chiltern's perspective, I see now reason why a service every 32 or 35 minutes would prove impossible. A 30-minute service is not magical. Rather, to be uncompromising in this way indicates a desire on Chiltern's part to place profit before the environment and the well-being of those who live along the line.

## **(3) Mitigating Measures**

We are extremely concerned that the mitigating measures for noise and vibration are not sufficient to deal adequately with the problems of noise and vibration. Chiltern Railways has made a commitment to these measures where applicable, including sound insulation, and double-glazing, but this commitment appears to be at the discretion of the company, and as such is no guarantee to us. It seems astonishing that in ERM's documentation, only six houses along the whole of this upgraded line appear to qualify for noise mitigating measures.

## **(4) Frequency of Service**

We remain extremely concerned about the frequency and timing of these services. We believe that services beginning at 5.30 am and ending at 00.30 would have a very

serious and deleterious impact upon what is now a peaceful neighbourhood. We believe too that the proposed frequency of service (6 trains each way per hour) would adversely affect the locality, and especially the local primary school.

**(5) Environmental Damage**

We are extremely concerned that this project will degrade the local environment seriously. It is likely that trees will be felled to undertake the works for this project. Though Chiltern Railways has stated its intention to replant, this appears to be entirely at the discretion of the company, and it is far from clear to what extent Chiltern Railways will use this upgrade as an opportunity to enhance the natural environment as an additional way of mitigating air and noise pollution.

**(6) Property valuation**

We have serious misgivings about the impact the proposed upgrade will have to the value of our property. We would like a firm commitment from Chiltern Railways to compensate us for any loss in value to our property, or changes we may have to make to our house to reduce noise levels that we may suffer from the proposed upgrade.

We seek a full commitment from Chiltern Railways that they will survey our property before and after engineering works, and that they will compensate us for any damage caused to it.

Rosalind Thomas

Michael Drolet