

Closing Submission

By

Dick van Wijngaarden BSc

On behalf of:

Owner and residents of Merton Grounds Farm, Bicester, OX25 2NS

Obj/191

Objection to part of the “The Chiltern Railways (Bicester to Oxford Improvements) Order”; The line of the proposed route, as a result of the closing of the Langford Lane level crossing

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1 Introduction

- 1.1 My name is Dick van Wijngaarden and I am presenting this closing statement on behalf of the owner and residents of Merton Grounds Farm, which is located at the end of Langford Lane, Bicester.
- 1.2 My clients raised an objection against the TWA application with regards to the closing of the Langford Lane crossing and diversion of the replacement route, which provides the main access to their property.

2 Objection Status

- 2.1 One of the key reasons for my clients' objection is the fact that, at the preparation stages of the Order application, Chiltern Railways did not consult or even made an attempt to consult with my clients. After it was pointed out during cross-examination, that Merton Grounds Farm is in fact where Langford Lane terminates, Mr Caten admitted that my clients should really have been consulted. We believe it is unforgivable that only 2 of the 7 land owners and residents were consulted on alternative routes, particularly as Langford Lane is clearly signposted as a dead-end road and it would have been very simple to involve all affected parties, particularly as Chiltern Railways were aware of the existence of the property as mentioned in CD/2.11, in which poorly based assumptions were made. We feel the inspector should treat this omission in consultation very seriously in his considerations, as it has resulted in an unfair position for my clients in this process, which they believe has breached their human rights.
- 2.2 The proposed Order Route not only adds unnecessary additional distance for local residents to access their properties, it also creates a very awkward and dangerous road layout near Wendlebury Gate Stables, which is already regularly compromised with the current straight line approach from the west. With the Order route this approach will be from the south instead and traffic heading for the properties south of this area will after a very sharp right hand turn, almost immediately have to make another sharp right hand turn. Chiltern Railways have persistently ignored the crucial difference that the angle of approach will make in an already often congested area. I would like to point out the fact, based on the recent traffic survey (OBJ/191/11) that with the Order Route, 95% off all traffic using the Langford Lane crossing, will have to turn east onto a private road, at this point where the new public highway would join the existing highway. My clients are upset that Chiltern Railways have not shown any regard for these matters, even though residents and landowners have pointed this out as being a major concern.

- 2.3 My clients, together with other affected residents and landowners, have suggested an alternative route, now known as the Orange Route, which would solve more than just the traffic concerns mentioned above.
- 2.4 Evidence has been presented to the inquiry that the Orange route would provide a better outcome for the Sequential Test, which is required to be applied to an application for development in flood zones 2 and 3. Chiltern Railways have therefore failed in their duty to properly apply the rules of the Planning Policy Statement 25. In an attempt to argue that the Orange Route would actually cause a greater flood risk based on current flood risk assessment methodology, where the actual ground levels are taken into account, Mr Gilder admitted not to have been on site to see the line of the proposed Orange Route. If he had, he would have seen how much the ground level of the bridleway is above the surrounding fields giving even more reason to choose the Orange route.
- 2.5 Evidence has been presented that the Orange Route runs south of the Roman Parade Ground and does not cross the proven access road to the Parade Ground. Although Oxfordshire County Council have come to an agreement with Chiltern Railways about methodology and conditions that have to be met, the fact remains that the Order Route will forever sever the link between the Roman Town of Alchester and the Roman Parade Ground which is described by Mr Oram in OBJ/131/3 to be of National Importance. We feel the inspector should seriously consider this point when writing his report to the Secretary of State, as the Orange route will offer greater protection to the site for future generations.
- 2.6 Chiltern Railways tried to justify the Order Route based on their ill-founded assumption that 84% of all traffic would be destined to, or originated from the northern properties, being Alchester House, the riding stables and the bungalow at Bramlow. Chiltern Railways argued during presentation of evidence that it would be fairer for traffic destined to the southern properties, to travel up to 900 meters more with the Order Route than it would be for traffic to the northern properties to travel up to 400 meters further with the Orange Route. As the recent traffic survey concluded that 50% of all traffic (and 80% of all HGV traffic) is destined for or originated from the southern properties, we conclude that when taking the difference in distance into consideration, Chiltern Railways would now have to conclude that the Orange Route would be a fairer route. My clients ask the Inspector to give this point serious consideration.
- 2.7 Topbreed Ltd have shown by way of an agreement between owners of all the land required to achieve the Orange Route and by way of a document in support of the Orange Route, signed by local residents and

landowners, that the people who have to live with the final decision in perpetuity all prefer the Orange Route. My clients are frustrated that what appears to be a fairly simple solution and would satisfy the local residents affected and resulting in withdrawal of objections, is not been taken serious by Chiltern Railways.

3 Conclusion

- 3.1 My clients are not satisfied that any aspects of their case has been resolved and until the Orange Route has been accepted, they uphold their objection in full as it has been presented before the inquiry.
- 3.2 My clients would like to express their disappointment in the procedures of this whole process, as it seems, also from many of the other cases presented, that Chiltern Railways' have chosen to do as little meaningful consultation with affected parties as they get away with and ignored peoples concerns, as they may have expected the objectors not to be able to put forward a strong case as most don't have the expertise and can't afford professional advise.
- 3.3 My clients feel that the inspector should not reward Chiltern Railways for the errors and what seem deliberate omissions in their preparations of the TWA application and their consistent refusal to have a debate with affected parties.
- 3.4 We therefore ask the inspector to advise the Secretary of State not to approve for the proposed TWA application without insisting on a modification to allow for the Orange Route.

Signed

Dick van Wijngaarden
On behalf of the owner and residents of Merton Grounds Farm

Dated
