

Anne Jordan

Bletchley

*By email*

Sophie Moeng  
Consultation Manager  
Network Rail  
One Victoria Square  
Birmingham  
B1 1BD

20 February 2019

Ref: **OBJ/194**

Dear Ms Jordan,

I write in response to your email dated 17 February 2019 in respect of your objection (**ref OBJ/194**) to the proposed Network Rail (East West Rail Bicester to Bedford Improvements) Order (the Order).

I have duplicated in italics parts of your email and provide a response below:

*Thank you for your letter. It has gone some of the way to clarifying the proposals and I note that after mitigation measures are in place you do not expect the noise levels to increase by more than 3db.*

*So that I am sure I understand this fully, can you confirm the expected maximum noise level, after mitigation, at the point a train passes my home, for both passenger and freight? If I understand what you are saying correctly then the noise will not be greater than 52db?*

The future (2035) noise levels at your property set out under the heading "Operational Impacts – Noise" in my letter of 5 February 2019 have been calculated in accordance with Calculation of Railway Noise (1995) in order to determine equivalent continuous noise levels in dB  $L_{Aeq, T}$ . Please see paragraph 10.3.20 in ES Vol 2i (Project Wide Assessment) – Chapter 10 "Noise and Vibration". I am able to confirm our prediction that rail traffic noise levels at your property, on the assumption of full operation of the railway in accordance with Table 2.15 in Chapter 2 of Vol 2i, will not exceed 52 dB  $L_{Aeq}$  at night. As stated in paragraph 10.3.22 of ES Vol 2i, the predictions at night have been supplemented by a proportionate assessment of maximum noise levels in dB  $L_{Amax (fast)}$  as described in Appendix 10.6 in Vol 3 of the ES.

The predicted maximum noise levels (with mitigation) at the property are as follows:

- Passenger trains are predicted to result in 69 dB  $L_{Amax}$ ;
- Eastbound freight trains are predicted to result in 78 dB  $L_{Amax}$ ; and
- Westbound freight trains are predicted to result in 86 dB  $L_{Amax}$ . (Westbound trains are accelerating away from a 40mph speed limit at Bletchley and they may require the use of full engine power to get up to line speed as quickly as possible.)

A significant effect on sleep disturbance e.g. behavioural awakening, is likely to occur where the maximum sound level at the façade of a building with partially open windows is above:

- 85 dB  $L_{Amax,F}$  (where the number of events exceeding this value is  $\leq 20$ ); or
- 80 dB  $L_{Amax,F}$  (where the number of events exceeding this value is  $> 20$ ).

In light of the predicted maximum noise levels (with mitigation) set out above, the applicable upper limit for your property is 85dB  $L_{Amax,F}$ , since the predicted maximum number of west-bound freight trains passing your property during night time operation is four.

As stated in para 1.2.21 in Appendix 10.6 of Vol 3 of the ES "Assessment of Maximum Noise Levels", where the number of maximum noise events that could potentially exceed 85 dB  $L_{Amax}$  would be significantly less than 20, the maximum noise levels will need to be considered in the context of equivalent continuous noise levels at night, expressed as dB  $L_{Aeq,8hour}$ . This is to ensure the overarching noise level during the overall sleep period does not exceed a suitable threshold.

Applying this approach, it is presently predicted that the passage of west-bound freight trains at this frequency will not give rise to a significant adverse effect. The scheme includes provision of a 2.5m high noise barrier along the north side of the railway between the railway and Newton Road. It is relevant to bear in mind that the noise impact assessment is based upon conservative assumption of operation of the railway at the frequency of passenger and freight services set out in Table 2.15 in ES Vol 2i, which is not expected to be achieved until 2035.

Nevertheless, having regard to the current predicted  $L_{Amax}$  levels resulting from the passage of west-bound freight trains during the night time period, we shall continue to review this question during the detailed design of the scheme.

*Also can you explain why you conclude that there will be no adverse effects from vibration? I ask because when I originally moved to \_\_\_\_\_, a freight train would pass on the line 1 day a week, Tuesday I believe, at 11am. The first time I was present when it passed by, the noise and vibration was so bad I thought an airplane was about to land on my house. Subsequently neighbours who have lived here when the line was active told me that the vibration from passing freight was so bad that it would cause their clock to almost jump off their mantelpiece.*

Vibration is predicted by combining vibration levels from all passenger trains and freight trains at the receptor to generate an overall VDV (Vibration Dose Value) from expected rail operations. Actual measurements undertaken along operational railways are used to assess validity of predictions. For example, current EWR2 model uses recent measurements undertaken inside and outside properties along East West Rail Phase 1. The model is then used to identify the safe distance from the track at and beyond which vibration levels inside properties are not expected to cause potential “significant adverse” and “adverse” ground-borne vibration. The assessment has shown that beyond distances of 15m from the track “significant effects” at night would be avoided. Beyond distances of 20m from the track “adverse effects” at night would be avoided. Day-time impacts are less sensitive than night-time impacts. On the basis that [redacted] is approximately 35m from the track, adverse vibration effects are not predicted at the property.

The existing track in the area to the south of your property currently consists of a combination of old jointed rails, continuously welded rail and old track components, which are founded on ballast, track formation and earthworks that date back to the Victorian era. In addition, the existing track and formation have seen little use over the last 30 years and have received little or no maintenance in line with modern Network Rail requirements. As a result, they are likely to be in relatively poor condition when compared to the more regular maintenance regime required by a new, modern railway.

As a result of the EWR2 scheme, the existing track, ballast and formation will be completely removed and replaced with new rails, track components and modern engineering materials designed to modern standards. This will include the use of continuously welded rail (i.e. no joints), modern track components and sleepers, which will be founded on new ballast and a properly designed, engineered and prepared formation layer below the ballast. This will be installed to a high degree of accuracy when compared to the existing track. In addition, the existing embankment will be refurbished and upgraded to modern design standards using modern materials and construction methods. The use of modern CWR rail, track components and materials design and constructed to modern standards will reduce the generation of noise and vibration from trains using the new EWR2 route when compared to the current and historical track that remains in this area.

*Can you also confirm that the only trees you intent to pollard are the ones behind the current fence and not the very larger mature trees on the grass verge opposite my house?*

The trees located behind the existing Network Rail fence will be removed to allow construction of the railway to modern standards, specifically earthworks improvements, earthworks retaining wall construction and filter drain installation. In relation to the mature trees outside of Network Rail’s land but within the boundary of the Order Scheme, whilst it is currently assumed to be necessary to remove a number of these trees as part of those works, Network Rail will comply with the requirements of the Construction Code of Practice (CoCP). The CoCP includes: -

- a) a requirement to retain mature trees and hedges where reasonably practicable; and

- b) to apply a range of tree protection measures during construction to those trees able to be retained.

Where it has been necessary to remove trees for construction of the railway, appropriate arrangements for re-planting will be included in the proposed landscape works to be delivered under the Order.

Compliance with the CoCP will be a condition of the deemed planning permission contained within the Order.

*I still don't understand what the plan for the grass verge opposite my house actually is. It appears to be marked in some way for access. Can you please clarify if you are going to be altering it so that it is used by vehicles, if so will it be returned to a grass verge after you have completed the works? Or will it remain as is for the duration?*

The access point shown on the Order plan is an indicative location; this may need to be adjusted to take into account highway safety. The Order Scheme makes, therefore, provision for an access off Newton Road to facilitate the works to this section of the scheme including, but not limited to, de-vegetation, earthworks for embankment widening, retaining wall construction and drainage installation. The remainder of Plot 1014 has been taken to allow working room to construct these works. The grass verge will be returned to its original condition once works are completed.

*On the matter of the consultation. In theory the documents were made available in PDF format but in practice they could not be opened. I did e mail before the consultation closed to point this out but it was not rectified in time and I did not receive a response to my request for the relevant documents to be emailed to me. The documents are now accessible but this only after the consultation ended and are somewhat complicated. Finding the relevant information is neither quick nor easy.*

The facility to download and open the application documents from the Network Rail website was made available together with a list of documents relating to the application. The relevant environmental information for the section between Claydon Junction and Bletchley is referred to as Route Section 2B and East West Rail ES Volume 2ii Route Section 2B describes the effects within this section.

*I have attended all the consultations I was made aware of since the year 2000, registered my interest and still have the documentation issued at the time. The information at all the events I attended has been generic, undetailed and focused on the wider good. As far as I am aware this was the only consultation where the information available included details of the potential impact on my area. However, despite having my details on record and knowing that line side neighbours would be impacted, I was not notified by Network Rail.*

Round Two Consultation included a Draft Environmental Statement (ES) to specifically encourage responses on the scope of potential temporary and permanent environmental effects and proposed mitigation measures.

The consultation was based on draft key submission documents. The information presented for consultation comprised:

- draft scheme drawings showing the preferred scheme (including location and size of construction compounds, locations of GSM-R masts, maintenance compounds, access routes for the railway); the extent of temporary land take required for construction and permanent land take (including land required for environmental mitigation);
- a document with descriptions of the proposed scheme, called the East West Rail Western Section Phase 2 Round Two Consultation Information Document – June 2017;
- a draft ES;
- draft Planning Statements for each district;
- a draft Design and Access Statement;
- draft Protective Provisions for review by statutory undertakers; and
- tables describing scope of work for stations, existing structures, level crossings.

*It is of no value to me that 136,700 leaflets were distributed if I did not receive one. Nor is it of any value that the one event I subsequently did find out about was held in Newton Longville on a week day and ended at 5pm as I have work commitments and a 5pm end makes attendance difficult. The local newspaper deliveries to my property and that of my neighbours are random, so if you did advertise it must have been in an issue that was not delivered to this area.*

The consultation event you refer to was held on 17 July 2017 at Newton Longville Village Hall between 3pm and 7pm. Adverts were placed in local newspapers, MK News and the Milton Keynes Citizen, at the three rounds of consultation.

Network Rail has complied with the relevant legislative requirements of the 2006 Rules in relation to consultation.

I hope the above provides sufficient information for you for when you appear at the Public Inquiry on 21 February.

Yours sincerely,



Sophie Moeng

For and on behalf of Network Rail