

CRL/6/1

**Transport and Works Act 1992
Transport and Works
(Inquiries Procedure) Rules 2004**

**CROXLEY RAIL LINK
ORDER**

**Robert Brien Ley Snell BSc MRICS
Associate Director, Lambert Smith Hampton**

**Summary of Proof of Evidence
LAND ACQUISITION**

11 September 2012

My name is Robert Brien Ley Snell and I am an Associate Director based at the Chelmsford office of Lambert Smith Hampton, a firm of Chartered Surveyors. My evidence concerns Land Acquisition aspects of the proposed Croxley Rail Link.

1. The effect of the proposed Croxley Rail Link on landowners in the vicinity and the approach to land acquisition of Hertfordshire County Council (HCC) are fundamental to the Public Inquiry.
2. HCC is seeking the power to enter onto and take possession of all the necessary land in order to construct, operate and maintain the proposed scheme but intends only to use these powers where it has not been possible to acquire the necessary land and rights by agreement.
3. As well as permanent acquisitions of land and rights HCC need to take land temporarily in order to facilitate the construction of the Croxley Rail Link.
4. If the proposed Transport and Works Order is granted it will have the effect of requiring HCC to pay compensation to qualifying parties, owners and tenants affected by the scheme, under what is known as the Statutory Compensation Code.
5. In order to ensure the continued safe operation of the railway London Underground Limited (LUL) need to control all activities taking place under the new viaduct and in the vicinity thereof. LUL also need to be able to carry out all necessary maintenance and renewal works without interference including urgent and emergency maintenance which may need to be carried out at short notice.
6. The proposal is, therefore, that LUL will own the proposed width of the railway infrastructure (e.g. the width of the new viaduct) plus a three metre strip on either side. This allows for both a possible slight variation in the alignment should detailed design require, plus a strip for maintenance access and/or future renewals. Three metres is generally considered sufficient to be able to safely

erect scaffolding or to position plant, such as a cherry picker, adjacent to the railway infrastructure.

7. This does not necessarily mean that this land cannot be used by other users, but their activities would be controlled by a lease directly from LUL.
8. It is proposed that LUL will grant leaseholds and/or rights over much of the land acquired for the new viaduct to the current owners of the land which should ameliorate the impact of the acquisition of part of their land and/so enable their retained adjoining land to continue to be accessed and used.

The landowners and businesses which would be affected include:

9. Mr K.P.Cinnamond/Cinnamond Works

- 9.1 Mr Cinnamond will have some land taken permanently for the new viaduct including the piers (Plot 15) and some land that will be occupied temporarily during construction as working land for the construction of the new viaduct (Plot 16).
- 9.2 The existing building known as Cinnamond House will not be affected.
- 9.3 The temporary landtake will be returned to Mr Cinnamond after construction.
- 9.4 LUL will also offer back the greater part of the permanent landtake under a lease, and will also grant rights of access so that Mr Cinnamond's retained land has access to the highway
- 9.5 The possibility of obtaining planning permission for use of some other neighbouring land within Mr Cinnamond's ownership as temporary yard space is being investigated by HCC in order to mitigate the effect of the scheme upon the business.
- 9.6 HCC will provide appropriate fencing and replanting if the loss of trees reduces the security of the site.

10 Ms L.A Field & Croxley Car Centre

- 10.1 Ms Field will have some land taken permanently for the new viaduct (Plot 7) and some land will be occupied temporarily for the duration of the scheme construction as working land for the construction of the new viaduct pier (Plot 8). This land is let by Ms Field to The Croxley Car Centre.
- 10.2 The existing building, which is let to P.I. Accountancy & Financial Services, will not be affected and the tenants should be able to remain in occupation both during and after the scheme construction period.
- 10.3 The whole of the yard space will be included in the permanent and temporary landtake Croxley Cars will therefore either need to relocate to alternative premises, or (if no viable alternative premises can be found) the business would be extinguished.
- 10.4 The temporary landtake will be returned to Ms Field at the end of construction, and can then be re-let if Ms Field wants to do so.
- 10.5 The greater part of the permanent land take can be offered back under a lease

11 Watford Road Playground including impact on Sea Cadets and Morris Minors Preschool

- 11.1 Three Rivers District Council (The District Council) own the Watford Road Playground, which is designated as Public Open Space. Part will be taken permanently for the new viaduct including piers (Plot 22), and part will be occupied during construction as working space for the construction of the new viaduct. (Plots 21,21a, 21b, 22a, 22b, and 23).
- 11.2 Part of the land taken temporarily will also be subject to access rights for subsequent maintenance of the new viaduct (Plots 21b and 22b) after construction.
- 11.3 The temporary landtake will be reinstated and returned to the District Council after construction.
- 11.4 The play equipment will be relocated onto the land which the District Council will retain at Watford Road at the start of the works.

- 11.5 Provision has also been made for exchange land owned by LUL at Lavrock Lane (Plot 131) to be transferred to the ownership of the District Council as replacement for the Public Open Space that is taken permanently.
- 11.6 There is a small area of land that will be permanently taken as part of the viaduct access strip (plot 24) in the ownership of the District Council, which is let to the Rickmansworth and Watford Sea Cadets, who have Morris Minors Pre-school as a sub-tenant. Discussions are under way with both the Sea Cadets and Morris Minors to mitigate the effects of the scheme on their occupation.

12 Grand Union Canal including effect on James Macdonald Marine

- 12.1 The Canal & River Trust (C&RT) took over the responsibilities of the British Waterways Board (BWB) in England and Wales on 2nd July 2012 and they own land at the Grand Union Canal part of which is occupied by James Macdonald Marine. Where the new rail link crosses the Grand Union Canal, it is intended that, with the exception of the land upon which the piers will stand which will be acquired permanently, only the airspace above the canal will be acquired to accommodate the new viaduct required for the scheme.
- 12.2 The reason for this departure from the approach adopted generally for the scheme is the C&RT need to retain ownership of their infrastructure in order to control and maintain the canal.
- 12.3 Permanent Rights for the new viaduct (Plots 26, 29, 32) will, therefore, be acquired from the C&RT.
- 12.4 Part of the C&RT's land will be occupied during construction as working space for the construction of the new viaduct (Plots 25, 27, 28, 30, 31, 33).
- 12.5 The possibility of temporary/permanent relocation of the boat moorings operated by James MacDonald Marine is being explored but this is dependant on third parties.

13 Harwood Recreation Ground

- 13.1 Some land owned by Watford Borough Council at the Harwood Recreation Ground at Vicarage Road will be taken permanently for the construction of the new Watford Hospital Station, in order for the station to comply with LUL standards (Plots 73, 74, and 76). The position on this is set out in detail in Mike Adams' proof.

14 Holywell Allotments

- 14.1 Land owned by Watford Borough Council at Holywell Allotments at Vicarage Road will be taken permanently for the construction of the new Watford Hospital Station, in order for the station to comply with LUL standards (Plot 73a).
- 14.2 There will also be rights for an emergency escape route from the new station (Plot 73b).
- 14.3 However, no active allotments will be acquired or otherwise affected by the works. The position on this is set out in detail in Mike Adams' proof.
- 14.4 Some land will also be occupied temporarily as working space for the construction of the new Watford Hospital Station (Plot 73c).

15 Sanctuary Housing Association and residents of 42 & 44 Stripling Way

- 15.1 Some land owned by Sanctuary Housing Association, which comprises part of the back gardens of 42 and 44 Stripling Way, Watford and part of the adjoining hardstanding, footways, and public road, will also be required, part to be taken permanently for the construction of a new emergency walkway (Plots 83, 84, and 85), and part to be occupied temporarily during construction as working space for the construction of the new walkway (Plots 83a, 84a, 85a, and 85b).
- 15.2 A screen barrier is proposed to limit overlooking from the new railway line.

16 Other Objections raised on Property and Compensation Issues

- 16.1 Ms Karen Arnott's Objection refers to removal of the play area at the Watford Road Playground. The new viaduct would be near the location of the play area and discussions are ongoing to accommodate the play area during the works and for its permanent relocation elsewhere at the Watford Road Playground.
- 16.2 Mrs Sue Sampson's Objection also refers to the Holywell Allotments site. A strip of land which forms part of the Holywell Allotments and is used as an ecological area, will be taken - part permanently, part temporarily during construction of the scheme. No existing allotment plots are affected. Access to the allotments will not be affected as the land that will be required for the scheme in this area is a fairly narrow strip alongside the disused branch line, and a stretch of verge land alongside Vicarage Road. The access tracks shown on the plans are not affected.

- 16.3 Ms Rosemarie A. Lockett's Objection relates to the existing play area at the Watford Road Playground which is referred to above. She also mentions the impact on the operation of the TS Renown. This should not be significantly affected by the construction of the new viaduct, although there will be periods when access to the Grand Union Canal will not be available.
- 16.4 Several objections raise concerns about the effects of the scheme at Holm Oak Park estate. Applicants are seeking to acquire a right of emergency egress through the private road at Holm Oak Park for emergency evacuation purposes from the Watford Hospital station platform. This right is likely to be exercised only very occasionally. The right will be taken in common with any existing rights over the estate (including those of the residents) so no existing rights are being extinguished. The imposition of the right is therefore not likely to affect the value of individual properties at this location. The freeholder will be entitled to compensation for any depreciation in value due to the imposition of the rights, which in practice is likely to be very small and to cover any increase in public liability insurance premium.
- 17 The land required for the subsequent use and operation of the Croxley Rail Link will be transferred by HCC to London Underground Limited to form part of its operational network.
- 18 Provision has been made for exchange land owned by London Underground Limited to be transferred to Three Rivers District Council as replacement public open space for the land permanently taken at Watford Road Playground.