

IN PARLIAMENT

HOUSE OF

COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

Against – on Merits – Praying to be heard By Counsel, &c.

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland  
in Parliament assembled.

THE HUMBLE PETITION of David Hugh Richards

SHEWETH as follows:-

- 1 A Bill (hereinafter referred to as “the bill”) has been introduced and is now pending in your honourable House intituled “A bill to make provision for a railway between Euston in London and a junction with the West Coast Main Line at Handsacre in Staffordshire, with a spur from Old Oak Common in the London Borough of Hammersmith and Fulham to a junction with the Channel Tunnel Rail Link at York Way in the London Borough of Islington and a spur from Water Orton in Warwickshire to Curzon Street in Birmingham; and for connected purposes.”
- 2 The Bill is presented by Mr Secretary McLoughlin, supported by The Prime Minister, the Deputy Prime Minister, Mr Chancellor of the Exchequer, Secretary Theresa May, Secretary Vince Cable, Secretary Iain Duncan Smith, Secretary Eric Pickles, Secretary Owen Paterson, Secretary Edward Davey, Mr Robert Goodwill.
- 3 Clauses 1 to 36 set out the Bill’s objectives in relation to the construction and operation of the railway mentioned in paragraph 1 above. They include provision for the construction of works, highways and road traffic matters, the compulsory acquisition of land and other provisions relating to the use of land, planning permission, heritage issues, trees and noise. They include clauses which would disapply and modify various enactments relating to special categories of land including burial grounds, consecrated land, commons and open spaces, and other matters, including overhead lines, water, building regulations and party walls, street works and the use of lorries.
- 4 Clauses 37 to 42 of the Bill deal with the regulatory regime for the railway.

- 5 Clauses 43 to 65 of the Bill set out a number of miscellaneous and general provisions, including provision for the appointment of a nominated undertaker ("the Nominated Undertaker") to exercise the powers under the Bill, transfer schemes, provisions relating to statutory undertakers and the Crown, provision about the compulsory acquisition of land for regeneration, reinstatement works and provision about further high speed railway works. Provision is also made about the application of Environmental Impact Assessment Regulations.
- 6 The works proposed to be authorised by the Bill ("the Authorised Works") are specified in clauses 1 and 2 of and Schedule 1 to the Bill. They consist of scheduled works, which are described in Schedule 1 to the Bill and other works, which are described in clause 2 of the Bill.
- 7 Objection is taken to the works to be undertaken within the Chilterns Area of Outstanding Natural Beauty, and in particular to **works 2.1 and 2.12 to 2.27** ( listed in Schedule 1 of the bill ) in the parish of Little Missenden and to the clauses of the bill which would authorise these works.
- 8 Your Petitioner resides in Little Missenden, a conservation area and surrounded by the Chilterns Area of Outstanding Natural Beauty
- 9 Your Petitioner and his rights and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

#### **Objection in principle**

- 10 Your Petitioner doubts that the current route for the railway through the Chilterns Area of Outstanding Natural Beauty (hereinafter referred to as "the AONB"), would have been selected, had a Strategic Environmental Assessment been conducted, since the obvious difficulties now encountered in constructing a line through this area would have been made apparent. No realistic comparison of the route through the AONB with alternatives has been attempted in the Environmental Statement, as is required by the Countryside and Rights of Way (CROW) Act 2000.

#### **General Concerns**

- 11 As a resident of the Chilterns AONB your Petitioner has identified several specific grievances which are set out below. This list is by no means exhaustive, and due to the inadequacy of and serious omissions in the Environmental Statement prepared by HS2, it is inevitable that that the construction of HS2 will disrupt the lives of residents in the AONB in ways which have not yet been identified or considered.

#### **Preservation of the Chilterns Area of Outstanding Natural Beauty**

- 12 At Keepers Wood, adjacent to Little Missenden a Ventilation shaft and transformer station are proposed. The present designs are not sympathetic to the area and there will be severe noise, light and dust pollution at Piper's Wood Cottages and at Park View Cottages during the construction phase of the Little Missenden Vent Shaft and Transformer station. Tall Screening will be an inadequate mitigation.
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- 13 Your Petitioner requests that the requirement for the Vent shaft and transformer at this location should be reconsidered in the light of Ventilation shafts and other engineering solutions employed in mainland Europe. Should it really be a requirement and at this location, then it should be built no higher than ground level and the design altered accordingly to fit in sympathetically in this sensitive environment, with appropriate and industry-leading techniques of noise and dust minimization during construction.
- 14 At Mantles Wood the proposed railway emerges from a tunnel. The construction of the tunnel portal, length of open track and other associated construction work, including a proposed roadway with direct access to the A413, further scarring the remaining woodland, will essentially destroy this area of ancient woodland, irrevocably damaging the heart of the AONB and this will cause a substantial loss of visual amenity to the residents of Little Missenden, including your petitioner.
- 15 Your Petitioner notes that in addition to the substantial loss of ancient woodland in Mantles Wood, the cranes and other large construction equipment at the tunnel portal construction site and more importantly, the overhead line equipment will have a substantial impact on the view and visual amenity from Little Missenden. With the raising of the line by 3m in the adjacent cutting, the catenary towers will be visually objectionable and at night there will be the light pollution effect of light flashes every few minutes as the train passes.
- 16 Your Petitioner requests that light, noise and dust pollution must be addressed and minimised during both the construction and operational phases, by appropriate screening and other established and industry-leading methods. Little Missenden is a tranquil village in the Chilterns AONB, it has no artificial lighting, i.e. no street lights and at present no light pollution, minimal noise, only local traffic and negligible dust pollution.
- 17 Between Mantles Wood and Wendover the Proposed Route is on the surface for 10km and includes sections in shallow cuttings, on two 500m long viaducts, on embankments and in two cut and cover ("green") tunnels. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention. Your Petitioner contends that building HS2 on the surface in this section will:
- permanently destroy the tranquillity of the area and the beauty of its landscapes, qualities that attract over 50 million visits a year - many from London residents,
  - have severe adverse effects on the social, environmental and economic cohesion of the area during and for a period after its construction,
  - permanently and seriously impair the Petitioner's ability to enjoy the natural benefits of this AONB.
- 18 Your Petitioner requests that the AONB be protected from the effects of this grave and destructive planning error by directing HS2 Ltd to ensure that the line passes through the AONB entirely in a fully-bored tunnel with as few surface features as possible, such as the '**CRAG T2 Tunnel**', which is described in the Environmental Statement and which has been accepted by HS2 Ltd in the same document, as both feasible and environmentally preferable. This would substantially mitigate the adverse effects complained of in this petition, and remove the need and the associated costs for the less effective remedies proposed below.
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### Water Supply

- 19 Your Petitioner notes that the Environmental Statement does not rule out the possibility of contamination to his water supply as a result of tunneling in the Chilterns. Your Petitioner would draw your attention to the possibility that a longer, deeper and more sympathetically engineered tunnel could be realigned to avoid the aquifer under the Lower Misbourne Valley, so reducing the risk to the water supply which serves this area and much of NW London.

### Construction Traffic

- 20 Your Petitioner is gravely concerned about the inadequacy of measures proposed to mitigate the effects of construction traffic throughout the AONB, and in the Misbourne Valley in particular. Your Petitioner regularly drives through the AONB to access shops and recreational facilities, and so will be directly impacted by traffic congestion throughout the area (and on the A413 in particular) for the duration of the construction works. Your Petitioner regularly uses the network of Lanes in the AONB for recreation, and regards these as a characteristic feature of the area which should be protected in accordance with the CROW Act (2000). Many of these cross the proposed route and will be diverted or interrupted during construction.
- Along his local section of the A413 alone, your petitioner notes that the prediction is of 210 HGV and 670 LGV ADDITIONAL movements each way and each day during the construction phase. This is a substantial increase in the usual traffic using the A413 each day. An extended Chilterns tunnel as described above would avoid this substantial disruption.
- 21 Your Petitioner requests that unimpeded access to the A413 from the village BOTH westerly (to Great Missenden) and easterly (to Amersham) MUST be maintained at all times to allow villagers access to hospitals, doctors, shops and transport facilities and in turn to allow visitors to access two schools, two pubs and to the residents of the village.
- Your Petitioner further requests that **NO** construction vehicles should be allowed into, or traverse through, Little Missenden during the construction phase. Notices should be placed at all entrances to the village, including at the south end of Penfold Lane in Holmer Green, to this effect and the compliance with this restriction, monitored.
- 22 Your Petitioner proposes that Measures MUST be put in place to eliminate the risk of 'rat running' through the village when delays build-up on the A413. This is a feature of the present situation on the A413 when there are delays or accidents. The additional traffic and impedance of it's flow will exacerbate this difficulty. Consideration should be given to closing off the West and Central accesses to the Village and construction of a roundabout at the junction of the East End of the Village and the A413, in order to maintain effective access to and from the village and which would, incidentally, facilitate access to the construction site for the ventilation shaft and transformer station at Pipers Wood.
- The committee should be aware that there have been several fatalities and serious accidents in last few years on this stretch of the A413 and so safety of the residents of Little Missenden during the construction phase should be a primary concern.
- 23 Your Petitioner is gravely concerned that the emergency services will be unable to provide timely support to his family and property due to road congestion during the construction period, and would remind the committee that the A413 and A404 carry ambulances to the local A&E department at Stoke Mandeville, as well as all HS2 traffic to and from the AONB. Your Petitioner would alert the committee to the current blue light services response times which are barely adequate. Additional congestion on the A413 due to HS2 construction traffic will exacerbate this situation.

Your Petitioner requests that HS2 Ltd provide an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response, The committee might also consider that with 11 construction sites operating in the area, it would be criminally irresponsible not to be prepared for the inevitable industrial accidents.

- 24 Of particular concern to your petitioner is that the construction of any new access roads to the trace and construction sites directly from the A413, should be prohibited, since the impact on traffic flow on the A413 from turning, slowing and accelerating heavy goods vehicles will render the A413 effectively gridlocked at it's narrowest point between Hyde Lane and Piper's Wood.
- 25 Your Petitioner observes that, in the absence of a full tunnel throughout the AONB, the greatest disruption to traffic will arise from the proposed works between the Mantles Wood tunnel portal, and the South Heath Cut and Cover tunnel and so requests that the proposal for the 'South Heath Chilterns Tunnel Extension' be implemented. This extends the fully-bored tunnel to Liberty Lane, with acknowledged environmental benefits and at no additional cost.
- 26 Your Petitioner also requests that HGV movements be limited to the period 09:30 – 5:30 throughout the AONB, and prohibiting HGV Movements along school routes for 30 minutes before and after the start and end of the school day (during term time).
- 27 For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill is amended as proposed above, so far as it is affecting your Petitioner, should not be allowed to pass into law.
- 28 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights and interests and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER therefore humbly prays your Honourable House that the Bill may not be allowed to pass into law as it now stands and that they may be heard by their Counsel, Agents and witnesses in support of the allegations of this Petition against so much of the Bill as affects the property, rights and interests of your Petitioner and in support of such other clauses and provisions as may be necessary or expedient for their protection, or that such other relief may be given to your Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioner will ever pray, &c.

David Hugh  
Richards

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DAVID HUGH RICHARDS

AGAINST, By Counsel, &c.

Petitioner in Person