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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 ANN MINOGUE

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 parishes of Amersham, Little Missenden, Great Missenden, Chartridge and The Lee, and to the clauses of the bill which would authorise these works.

8. Your Petitioner resides in Little Missenden, surrounded by the Chilterns Area of Outstanding Natural Beauty. The Chilterns Area of Outstanding Natural Beauty was designated in 1965 and covers 833 square kilometres. It is one of the finest landscapes in England and Wales. The importance of caring for these special places is enshrined in legislation including the Countryside and Rights of Way 2000.

9. Your Petitioner makes extensive use of the recreational facilities afforded by the AONB, and strongly objects to the following impacts of the project, including but not limited to:

- Diversions of public rights of way, and reinstatement of some PROWs to run alongside the line.**
- Destruction of woodland and in particular of Ancient Woodland.**
- Adverse effects on the ecology of the AONB, in particular on the bat and owl populations.**
- The use of "sustainable placement" in the AONB (at Hunts Green) which is in effect a large scale redesign of the landscape, incompatible with its status as an Area of Outstanding Natural Beauty.**
- Continuing audible and visual intrusion of the railway once it is in operation: no mitigation has been proposed to address the impact on walkers, cyclists or horse riders.**

- 10. Your Petitioner and her rights and interests are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.**

General Concerns

- 11. As a resident of the 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 the Environmental Statement prepared by HS2, it is highly likely 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.**

- 12. Your Petitioner contends that the Environmental Statement produced for DfT/HS2 Ltd underestimate the impacts of this project on your petitioner, and the mitigation measures which have been proposed are totally inadequate to afford any significant abatement.**

Preservation of the Chiltern Area of Outstanding Natural Beauty

- 13. 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 tunnels.**
- 14. 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;**

- **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 impare the Petitioner's ability to enjoy the natural benefits of this AONB.**

15. If the proposed High Speed Two Railway is constructed as outlined in the Bill, it will have the following permanent impacts on the Chilterns Area of Outstanding Natural Beauty.

- **7 miles/11.5 kilometres of the route will be on the surface, embankment, viaduct shallow cuttings or cut and cover tunnels.**
- **18 hectares of woodland will be destroyed including 10.2 hectares of Ancient Woodland**
- **41 kilometres of hedgerows including 5.6 kms of important and historic hedgerows will be destroyed.**
- **A 150 metre section of Grims Ditch Scheduled Monument will be destroyed**
- **460 hectares of land will be taken for construction**
- **204 hectares will be permanently taken of which 194 hectares is currently productive farmland.**
- **Over 200 mature and veteran trees (outside of woodland) will be felled.**
- **12 million tonnes of spoil will be generated and potentially dumped in the Chilterns AONB.**
- **17 kilometres of security fencing will be installed**
- **5.5 kilometres of noise barriers up to 4 metres high will be installed**
- **3 vent shafts up 4 metres high covering 3,300 sq. metres each**
- **2 auto transformers electricity stations covering 2,200 sq. metres each**
- **Up to 500 gantries carrying overhead wires**

- **Two viaducts of 500 metres at Wendover Dean and Wendover up to 26 metre high including the gantries**
- **Two so-called green tunnels of 1 kilometre each which involve complete excavation to a depth of up to 20 metres**
- **An unknown number of telecommunication masts**
- **Nine new bridges for roads, tracks and rights of way**
- **6 kilometres of redesigned and re-aligned country roads**
- **Over 3.5 kilometres of new service roads**
- **An unknown amount of lighting and light pollution caused by trains and flashing from the pantographs.**
- **Loss of ancient countryside**
- **Loss of, and disturbance to, wildlife including loss of the entire Barn Owl population and severe restriction on the movement of mammals including deer**
- **The creation of 29 settling ponds and flood swales**
- **Over 1.8 kilometres of embankments up to 16 metres high (with gantries of 8 metres on top)**
- **The visual intrusion and noise pollution of up to 36 trains per hour travelling at up to 360 kilometres per hour**
- **Loss of amenity for over 10,000 residents living within 2 kms of the route.**

16. Your petitioner believes that each one of these impacts on their own would be a reason for refusing an “ordinary” planning application. She further believes that the scale and breadth of the impacts listed needs to be considered individually and cumulatively.

17. Your Petitioner notes that the Environmental Statement does not rule out the possibility of contamination to her water supply as a result of the construction of HS2 in the Chilterns. Your Petitioner would draw your attention to the possibility that a longer 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).

18. 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 her place of employment, 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.**
- As a resident of an area in the vicinity of the construction zone, your Petitioner is also concerned that traffic seeking to avoid congestion will place a further burden on the roads in her community and so further aggravate the impact on his freedom of movement.**

19. Your petitioner submits that the damage to the AONB in the Chilterns as a result of the construction of HS2 through it will be substantial and continuing.

Remedies

20. If it is Parliament's will that this Railway is to be built on the current route then most of these adverse impacts could be avoided by a bored tunnel for the section of route through the Chilterns Area of Outstanding Natural Beauty.

21. Your Petitioner requests that the AONB be protected from the effects of this grave and destructive damage by directing HS2

Ltd to ensure that the line passes through the AONB in a bored tunnel such as the CRAG T2 Tunnel, which has been accepted by HS2 Ltd in the Environmental Statement as both feasible and environmentally preferable. This would substantially mitigate the adverse effects complained of in this petition.

- 22. Your petitioner would also support the Chiltern District Council's proposals for an extended bored tunnel throughout the AONB, which in your Petitioner's opinion would alleviate the detrimental impact that the proposed railway will otherwise have on the AONB.**
- 23. Your Petitioner observes that under the present plans and preferred route, the greatest disruption will arise from the proposed works between the Mantles Wood portal, and the South Heath Cut and Cover tunnel. Should it be decided to retain the original line of the preferred route, your petitioner requests that the South Heath Chilterns Tunnel Extension be implemented. This extends the full bored tunnel to Liberty Lane, with acknowledged environmental benefits, and at no additional net cost.**
- 24. Your Petitioner also requests that the nominated undertaker be required to mitigate the remaining nuisances, by amending the Code of Construction Practice so as to enforce the following measures:**
- Restricting HGV movements to the period 09:30 - 15:30 on weekdays only throughout the AONB;**
 - Constructing new roads to access the trace directly from the A413, and prohibiting the use of all existing minor roads in the AONB by construction traffic.**
 - Operating a "Park and Ride" scheme to transport construction workers along the trace, and enforcing this by not providing parking for contractors on or near the construction compounds.**

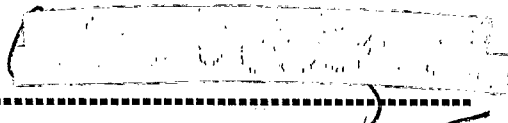
- **Constructing such facilities as may be necessary to remove spoil from the AONB by rail, so avoiding the creation of the spoil dump at Hunts Green.**

25. Your Petitioner is gravely concerned that the emergency services will be unable to provide timely support to her family and property due to road congestion during the construction period, and requests that HS2 Ltd provide an air ambulance with crew on standby during working hours, to ensure that medical emergencies receive a prompt response.

Petition

22. YOUR PETITIONERS therefore humbly pray 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 her 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.



Ann Minogue

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Petitioner in person

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