

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 Mr Frederick Sheffield

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, and 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 Your petitioner is the son of the joint freehold owners of CHAPEL FARM, HYDE LANE, GREAT MISSENDEN, HP16 0RF ("your petitioner's property").
- 8 Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 9 Part of your petitioner's property is within the limits of land to be acquired and used as shown on the plans deposited with the Bill, and the property is therefore liable to compulsory acquisition under the Bill.
- 9.1 Your petitioner's property is adjacent to proposed railway cutting on Hyde Lane to be used under the Bill. Therefore your petitioner's residential property will be subject to intolerable noise, dust, visual impairment and vibrations throughout the construction phase and following the completion of the works. The Environmental Statement accompanying the Bill states that Chapel Farm will be affected by noise, dust, vibrations, visual impairment, permanent damage to hedge rows, ancient woodlands. The house and garden are 400 years old and of historical importance to this area of the AONB. The permanent damage to Chapel Farm and its commanding position in the Chiltern Hills will be impossible to replace and lost forever. The impact of the construction work will make it impossible to continue to maintain the house and gardens.

The petitioner's solution to this issue is to preferably have a bored tunnel throughout the affected AONB in the Chiltern Hills. If not, I would propose a bored tunnel extension to Liberty Lane (as recommended by REPA). If not, I would like to ban construction traffic from unsuitable roads and have dedicated new site access route direct to A413.

- 9.2 Your petitioner's property is located near the B485 which is proposed to be used under the Bill as a route for construction traffic for 4.75 years by many vehicles throughout the construction phase. Your petitioner uses the B485 many times a day when going to school/to access local services including

shops, health services and the post office. Therefore closure of this road will result in your petitioner being isolated from the local train station/shops and services/ use of this road by construction vehicles will increase delays, and increase the time and cost taken for your petitioner to access local facilities. This will add significant stress to the life of your petitioner, who is a permanent wheelchair user.

The petitioner's solution to this issue is to preferably have a bored tunnel throughout the affected AONB in the Chiltern Hills. If not, I would propose a bored tunnel extension to Liberty Lane (as recommended by REPA). If not, I would like to ban construction traffic from unsuitable roads and have dedicated new site access route direct to A413.

- 9.3 Your petitioner is a regular user of the B485 and Hyde Lane which is within the limits of land to be acquired and used under the Bill/is liable to be used by construction traffic during the period of construction of the works authorised by the Bill. The closure of Hyde Lane and the construction work surrounding the property will make it impossible to live a normal life at Chapel Farm, causing daily disruption when travelling to and from the property or enjoying living at home.

In addition to the above comment, Hyde Lane remains a popular cycle route for local cyclists and cyclists visiting the AONB from London. The closure of Hyde Lane will have a significant impact on this route. On average over 100 cyclists use Hyde Lane for recreational purposes each day throughout the year.

The petitioner's solution to this issue is to preferably have a bored tunnel throughout the affected AONB in the Chiltern Hills. If not, I would propose a bored tunnel extension to Liberty Lane (as recommended by REPA). If not, I would like to ban construction traffic from unsuitable roads and have dedicated new site access route direct to A413.

- 9.4 Your petitioner is a regular user of the footpath (GM1/33/1), which will be permanently removed by the construction route, for recreational purposes/to access local facilities/ for exercise purposes. The public right of way (GM1/33/1) is proposed under the Bill to be closed. It should be noted that the footpath (GM1/33/1) is a popular walking route for hikers/ rambles, either locally or visiting the AONB from London. On average over 200 people use this footpath for recreational purposes every weekend of the year.

The petitioner's solution to this issue is to preferably have a bored tunnel throughout the affected AONB in the Chiltern Hills. If not, I would propose a bored tunnel extension to Liberty Lane (as recommended by REPA). If not, I would like to ban construction traffic from unsuitable roads and have dedicated new site access route direct to A413.

- 9.5 From your petitioner's property, your petitioner enjoys views of the valley within the AONB towards Hyde End and Mantles Wood which will be decimated during the construction phase and permanently destroyed once the railway authorised by the Bill is operational. The Environmental Statement accompanying the Bill states that the area will be permanently impacted and the view from the property will be destroyed forever. Your petitioner's property lies within the Zone of Theoretical Visibility as shown in the maps that accompany the Environmental Statement.

The petitioner's solution to this issue is to preferably have a bored tunnel throughout the affected AONB in the Chiltern Hills. If not, I would propose a bored tunnel extension to Liberty Lane (as recommended by REPA). If not, I would like to ban construction traffic from unsuitable roads and have dedicated new site access route direct to A413.

- 9.6 During the construction of the route Hyde Lane will be closed. For your petitioner, this will mean that all local amenities will be restricted. The journey to the local town of Chesham will increase by 6km. The alternative route out of the lane (down to A413) is dangerously narrow and inappropriate for the wheelchair adapted vehicle that your petitioner has to use. Telephone lines, power lines and water mains will also need to be reassessed. The power lines are of particular importance to your petitioner because I rely on an electric wheelchair, a ventilator to breathe, lifts and hoists. All this equipment is either connected to the electricity supply or requires daily charging. This is a huge concern to your petitioner.
- 10 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, interests and property and for which no adequate provision is made to protect your Petitioners.

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 Petitioners 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 Petitioners will ever pray, &c.

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AGAINST, By Counsel, &c.

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