

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

P E T I T I O N

Against the Bill – Praying to be heard by counsel, &c.

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TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND IN PARLIAMENT  
ASSEMBLED.

THE HUMBLE PETITION OF ALEXANDER AND NATASHA DOUGLAS

SHEWETH as follows:

1. A Bill (hereinafter referred to as “the Bill”) has been introduced into 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.

The works proposed to be authorised by the Bill are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.

## **Who your Petitioners are**

6. Your Petitioners are Alexander and Natasha Douglas, who are the freehold owners of Mill Lane House, Chipping Warden, Banbury, OXON OX17 1JZ. Mill Lane House is in the Chipping Warden Conservation Area. Mill Lane House is less than half a mile from the proposed line of Phase One of HS2. In common with most old properties in the area, Mill Lane House is built on clay and has very little in the form of foundations.
7. Chipping Warden is a particularly beautiful and tranquil village in South Northamptonshire with several listed buildings, and the church of St Peter and St Paul which is of specific historical significance, and is included in the South Northants Special Landscape Area. The centre of social activity for the village, accessed only by the Culworth Road, includes The Griffin pub, a large and well used village hall, a cricket pitch which doubles as a football playing field in the winter and the village playing field for young children. This 'hub' of village life is 250m from the proposed line of HS2, and there are no physical barriers between this hub and the line.
8. Your Petitioners are frequent users of the only road out of the village to the east, Culworth Road, and are also frequent users of the network of bridleways and public footpaths in South Northamptonshire, particularly those to the south and east of Chipping Warden, which your Petitioners consider an important amenity for the village. One of your humble petitioners, Alexander Douglas, also commutes daily by bicycle from Chipping Warden to Banbury Station, his route goes via the Culworth Road, Wardington Road and Banbury Road before joining the dedicated cycle path to Banbury thereby avoiding the very dangerous A361 except for a short stretch of 30mph speed restricted road in Wardington itself.

9. One of your humble petitioners, Natasha Douglas, is a member of Chipping Warden Parish Council and in that capacity has had meetings with HS2 Ltd with a view to trying to find ways of mitigating the damage to the village that will be caused by Phase One of HS2.
10. Your Petitioners allege that they and their property, rights and interests in the Chipping Warden area and in the wider South Northamptonshire/North Oxfordshire area would be injuriously and prejudicially affected by the provisions of the Bill if passed into law in its present form. Your Petitioners also allege that the undertaking of Network Rail and the provision of public railway services to citizens of the United Kingdom will be damaged if the Bill is passed into law in its present form. Accordingly, your Petitioners object to the Bill for the reasons, amongst others, hereinafter appearing.

**Impact on public roads, bridleways, public footpaths and other rights of way**

11. As frequent users of the road network in South Northamptonshire and North Oxfordshire, your Petitioners are gravely concerned about the effects that construction traffic will have on the roads, including B roads and other minor roads within the District due to their lack of suitability for HGVs and the popularity of local routes with cyclists, horse riders and pedestrians.
12. Your Petitioners are also gravely concerned about the use of inappropriate rural lanes for relatively high volumes of traffic. Even if construction and operations traffic is prohibited from using minor roads, as it should be, there will be an upsurge in traffic on these roads as other traffic seeks to avoid the heavy machinery on the main roads.
13. Your Petitioners request that roads below an 'A' classification are avoided by HGVs in order to minimise the negative impacts of construction. Where routes other than 'A' category roads are required, designated haul roads should be considered in discussion with the Local Highways Authorities, the relevant District Councils and the relevant

Parish Councils as well as residents. During construction, the Promoter or Nominated Undertaker must maintain the quality of the highways on which it is the predominant user, and after construction, roads and footpath, cycleway and bridleway disturbed by construction work must be returned to their original size, and character, and all damage sympathetically restored by the Promoter or Nominated Undertaker.

14. Your Petitioners drive frequently between Chipping Warden and Greatworth, where one of your Petitioner's parents live. As such, your Petitioners make frequent use of Culworth Road in Chipping Warden. The entrance to the Culworth Road from the A361 is totally unsuitable for construction traffic, not only is it too narrow, only one car width at times due to parked cars, but also it is the 'hub' of village social life and is constantly used by pedestrians. Also, your Petitioners are gravely concerned at the proposal that Culworth Road from Chipping Warden should be closed not just during the construction phase but on a permanent basis. Culworth Road is approximately 1.0 miles long and the shortest alternative route between the two ends of that road would be more than twice this distance at 2.3 miles, of which 1.1 miles would be along the heavily used and dangerous A361. Your Petitioners believe that Culworth Road, Chipping Warden is too valuable to be lost and that the alternative route is too long and too dangerous to be viable. Your Petitioners therefore request that all construction traffic access the area from the north, via a purpose built road if necessary, and every effort be made to find a way of keeping Culworth Road open on a permanent basis so that it is only closed to village traffic for a short period during the railway construction.
15. It is intended the Culworth Road in Chipping Warden will be used by construction and operations traffic to access the Chipping Warden Green Tunnel (South Portal) Satellite Compound and the Portal Building. This will result in extra traffic on the A361 through Wardington and Chipping Warden, as well as along the Culworth Road through the heart

of the village. An alternative route from the Welsh Road could and should be constructed to avoid all of these issues.

16. Traffic anticipated to visit the proposed main construction site in South Northamptonshire via the A361 will have significant adverse impacts on the health and livelihood of local residents due to increased noise and air pollution along with safety concerns regarding additional traffic around the primary school. Your Petitioner seeks a commitment from the Promoter to construct, or provide funding for a relief road to totally bypass the village for HS2 construction and operations purposes, and its provision as a permanent part of the highway network. This bypass could be incorporated as part of the required bypass of Wardington (see below) or separate construction road from a suitable access point.
17. Your petitioners are concerned at the prospect of heavy construction traffic, and increased other traffic related to the construction, through the village of Wardington. Many of the houses in Wardington are old and directly on the road, which is narrow and winding. The road currently is extremely dangerous when HGVs pass along it; this will be multiplied several times over with construction traffic. This danger is (i) to the integrity of the buildings in Wardington in the face of vibration from the traffic, (ii) to the residents and buildings in the event an accident results in a collision with a building, (iii) to the residents and others using roadside pavements and the roads themselves, whether in cars, on bicycles or on horseback, and (iv) to the health of the residents when faced with atmospheric pollution from diesel particulates and other pollutants, and the increase in noise and vibration. Your Petitioners suggest no construction traffic, whether heavy plant and HGVs or construction workers in their cars, should be permitted to pass through Wardington. A new access road to the construction site and depots should be built to connect with a suitable trunk road or motorway, to address this risk to life and property.

18. As frequent users of the network of bridleways and footpaths in the South Northamptonshire/North Oxfordshire area, your Petitioners believe that the opportunity of the HS2 project should be used to bring improvements to existing bridleways and public footpaths, where this can be done at relatively little cost. Your Petitioners request that the Promoter or Nominated Undertaker should be required to engage in discussions with Local Authorities and the relevant statutory consultees and local residents along the route to see where inexpensive improvements can be made to the present right of way infrastructure.
19. In any event your Petitioners request that alternative provision for cycling safely between Chipping Warden and Banbury be provided; the A361 is not an appropriate route now and will be less so with increased construction traffic. The short section of route on the A361 through Wardington itself, which it is necessary to get to Banbury safely at present will be unacceptably dangerous to all users with construction traffic on the road, and more so to cyclists. The Welsh Road will become busier during construction and will not be an appropriate route for cyclists. In each case, alternative provision should be made to avoid or mitigate the risk of injury and death.

### **Noise standards during Construction and Operation**

20. As people who live in South Northamptonshire and who hugely cherish the tranquillity of Chipping Warden village and of the wider South Northamptonshire/ North Oxfordshire countryside, your Petitioners are gravely concerned about the impact of noise on the tranquillity of the area. South Northamptonshire Council has carried out local noise monitoring and has evidence that the local dBA level is typically between 25 and 30, measured at six locations in the district within 200m of the proposed line, a mere fraction of what it will be during construction and once the proposed railway line is constructed.
21. The current guidance is that noise mitigation is not considered necessary where average Decibel levels are below 50dBA. In short, an

urban area will receive mitigation where noise levels are anticipated to rise from, for example 45dBA to 51dBA, whereas a rural area, such as South Northamptonshire, could see levels rise from 25dBA to 49dBA without any mitigation.

22. Your Petitioners request that the Promoter or Nominated Undertaker be required to provide mitigation to reduce the nuisance where ambient dBA noise levels are set to increase by more than 3 dBA and in any event be required to achieve an absolute sound pressure level of 35dBA and an increase on ambient measured noise of less than +3dBA. Such mitigation should be in place to control noise levels during construction, by restricting working hours and providing physical screening from noise, and the subsequent operation of the line by means of placing as much of the line as possible in tunnels or other sound containing enclosures. The tunnelling at Chipping Warden, as in many other places on the proposed route, is inadequate to protect the community and should be extended in both directions but particularly southwards to screen Edgcote and other residences. One of your humble petitioners has twenty years of experience of implementing and managing infrastructure projects worldwide; for reference in Cote d'Ivoire, which may be considered less sophisticated than South Northamptonshire, new development must result in a sound pressure level at the closest receptor of less than 35dBA at night (45dBA by day), AND an increase on previously measured ambient noise of less than 3dBA – whichever is the more stringent. You petitioners humbly suggest the United Kingdom should require at least the equivalent protection for its citizens, and very probably much greater protection.
23. Further and without prejudice to the specifics of the foregoing, your Petitioners request that as the main driver for the proposed railway is apparently no longer speed, and as noise is directly related to speed, the night-time running speed of the railway in rural areas should be limited to control noise to a negligible increase over background levels between 10pm and 7am.

## **Impact of the Main Construction Compound and other Construction Issues**

24. Your Petitioners are gravely concerned over the siting of a 'main construction compound' north of the village on the airfield by the A361. Your Petitioners feel that a rural village environment is most unsuited to an influx of construction workers, particularly when there are limited amenities in the village. Any provision for such workers will alter the character of the village to its detriment, and without such provision the village will be at risk of the behaviour of bored itinerant workers. Your Petitioners request that there is no onsite accommodation at the main construction compound and that workers are accommodated somewhere more suitable, such as Banbury or Daventry, and transported into the construction site in accordance with the transportation restrictions requested elsewhere in this Petition.

## **Impact on Carbon Dioxide Emission Levels**

25. Your Petitioners are acutely aware of the various policies throughout the United Kingdom, the European Union and a substantial part of the rest of the world, relating to reducing carbon dioxide emission levels with a view to reducing or eliminating climate change impacts for this and future generations. You Petitioners are also aware of the significant sums of money expended, and visual and other environmental impacts of schemes such as wind farms and solar farms. Your Petitioners are extremely concerned at the carbon emissions represented by a train travelling at the speeds at which HS2 is proposed to operate, and by the construction activity to put in place the infrastructure to allow the train to operate at all. Your Petitioners request that the speed of HS2 be limited to allow a fraction of the energy to be consumed and hence keep CO2 emissions to a more environmentally friendly level, bearing in mind that halving the speed of the train would approximate to using a quarter of the energy and hence CO2. Your Petitioners are perplexed by the paradox of a low carbon electricity generation industry and a high carbon

public transport network when the goal is an overall reduction in CO2 emissions.

### **Property Compensation Scheme**

26. Your Petitioners submit that the compensation provisions in relation to property that is not compulsory acquired and other matters are not sufficient to compensate your Petitioners adequately for the loss and damage they may incur as a result of construction and operation of the high speed railway and associated development.
27. Your Petitioners request that the Bill should be amended to ensure your Petitioners and other persons outside the safeguarded area who are injuriously affected and adversely affected by loss of value should be entitled to claim full compensation for the loss of value and the cost to them of any delay in selling their property and other related costs resulting from HS2.
28. Your Petitioners request that the voluntary purchase announced on 9 April 2014 should be extended to all properties outside of the safeguarded area and should not be limited to rural areas.
29. Your Petitioners request that the home owner cash payments should be extended to all areas within the vicinity of the proposed high speed railway line and the payment should be calculated so that all diminution in value is compensated.

### **Visual impact of construction**

30. Your Petitioners and other villagers attach great importance to the views from the village, particularly from the cricket pitch and the public footpaths to the east and south of the village, including the famous 'Battlefields Walk' that runs from the village to the ancient battle field of Edgcote which is an English Heritage registered battlefield and is recognised as a significant heritage asset by the Battlefields Trust. The earthworks will be clearly visible from many points accessible to the public in an unspoilt ancient landscape. Your Petitioners request that

visual screening be put in place, and that this must also be maintained to a high standard.

### **Visual impact of rail infrastructure**

31. Your Petitioners attach great importance to the countryside of South Northamptonshire and North Oxfordshire and are therefore gravely concerned about the visual impacts of the anticipated urban design nature of infrastructure such as road bridges, viaducts, culverts, green tunnel mouths and vents. These structures will be clearly visible from many points accessible to the public in an unspoilt ancient landscape. The designs shown in HS2 Ltd's own visual interpretations will not fit in with the surrounding environment. This will have a significant negative impact on the landscape, and ruin the aesthetics of the local environment.
32. In order to minimise the impact of the proposal, your Petitioners request that prior to construction, the Promoter or the Nominated Undertaker be required to consult with South Northamptonshire Council, the neighbouring Parish Councils and local residents on the detailed drawings and plans for bridges, viaducts, culverts and green tunnel mouths and vents, which your Petitioners believe must be designed to fit in with the surrounding environment, respect the local vernacular and be maintained to a high standard. Your Petitioners request that visual screening be put in place, and that this must also be maintained to a high standard.
33. Your Petitioners request that the design of infrastructure should be appropriate to a rural setting, in that the structures, construction materials and surface finishes are ones that complement the surrounding. Your Petitioners request that, where possible, structures that will be visible should be faced in brick similar to that used extensively in the construction of the Great Central Railway, the last major railway to be built in the country, which was closed some 60-70 years after it was opened in circa 1900. The bricks used on the Great

Central Railway fit very well into the South Northamptonshire/North Oxfordshire countryside and your Petitioners earnestly request that similar bricks be used in facing as many as possible of the new HS2 structures, especially the portals and other structures at the mouth of the green tunnel by Chipping Warden.

### **Planting with appropriate species**

34. Your Petitioners are gravely concerned that the impact on the unspoilt rural landscape will be exacerbated by the use of alien species of planting and that species used for mitigation purposes such as visual screening and reducing the effects of noise may be 'generic' along the route.
35. Your Petitioners request that the Promoter or Nominated Undertaker be required to ensure that the species used are those that will resist climate change, and be complementary to the local habitat and that the species to be used in South Northamptonshire should be agreed with all appropriate agencies including South Northamptonshire Council, local Parish Councils, the Woodland Trust, the Wildlife Trust and local residents.

### **Impact on clay and on structures built on clay**

36. Your Petitioners are gravely concerned that no work has been carried out on the possible effects of vibration from the high speed trains on the local topography – more specifically the underlying Boulder Clay in the Northamptonshire Uplands which covers much of the area through which HS2 will pass in South Northamptonshire.
37. Your Petitioners are concerned that where liquefaction of ground may occur, works may be required to stabilise historic buildings, which will almost certainly have an impact on their significance.
38. The house owned in Chipping Warden by your Petitioners is built on clay. Your Petitioners are aware that there are a number of ancient

springs arising in the fields north and east of Chipping Warden, along the line of the HS2 route, and are very concerned that insufficient consideration has been given to what effect, if any, the HS2 project may have on these springs, on the water table in the Chipping Warden area and on the consistency of the clay upon which many of the older houses in Chipping Warden are built.

39. Your Petitioners request your Honourable House that the Promoter and Nominated Undertaker be required to carry out a detailed study of all sections of the route passing through clay in the Chipping Warden area to ensure that, where a risk of liquefaction is possible, or where there is a risk that diversion of springs may adversely impact on the clay on which older houses are built, measures are put in place to avoid such occurrences.
40. Your Petitioners also request that the Promoter or Nominated Undertaker be required to acknowledge that mitigation may be required for properties that lie outside the Limits within which protective works can be carried out under the Bill.

### **General**

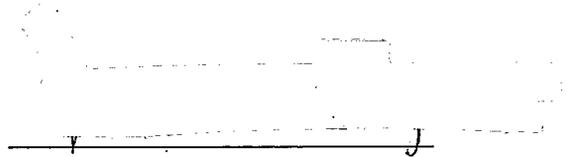
41. There are other clauses and provisions in the Bill which, if passed into law as they now stand, will prejudicially affect the rights and interest of your Petitioners and other clauses and provisions necessary for their protection and benefit are omitted therefrom.

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 be heard by themselves, 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 amendments as may be necessary and proper for their protection, or that such other relief may be given to your Petitioners in the premise as your Honourable House should deem meet.

AND YOUR PETITIONERS will ever pray, &c.

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Alexander Douglas

A handwritten signature in dark ink, appearing to read "Natasha Douglas", written over a horizontal line.

Natasha Douglas

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HOUSE OF COMMONS  
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PETITION OF ALEXANDER  
AND NATASHA DOUGLAS

AGAINST, By Counsel, &c.

ALEXANDER AND NATASHA DOUGLAS

20th MAY 2014