

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013–14

High Speed Rail (London – West Midlands) Bill

Against the Bill – 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 AMANDA JESSON, RESIDENT OF WELLS HOUSE ROAD

SHEWETH as follows:-

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”.

- 1 The Bill is presented by Secretary Patrick 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.
- 2 Objections are being presented around numerous issues arising from the scheduled works in the Old Oak Common area in the London Boroughs of Ealing and Hammersmith and Fulham, the lack of mitigation of effects and the lack of compensation for communities impacted by the construction and operation of HS2.
- 3 Clauses 1 to 18 set out the Bill's objectives in relation to the authorisation of works and the acquisition of land and rights over land. Clauses 19 to 36 make provision for the deeming of planning permission and the disapplication of powers contained in other legislation on matters such as heritage issues, trees, traffic, and noise. Clauses 37 to 42 set out the regulatory regime for the railway. Clauses 43 to 56 establish further powers relating to the nominated undertaker, additional related works, and the Crown. Clauses 57 to 65 of the Bill deal with miscellaneous and general provisions.
- 4 The works proposed to be authorised by the Bill are specified in clauses 1 and 2 of and Schedules 1, 2 and 3 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, and which are works authorised to be constructed by the nominated undertaker (defined in the Bill and hereinafter referred to as “the nominated undertaker”).

- 5 Your Petitioner is a resident of Wells House Road, directly affected by the HS2 Old Oak Common interchange construction and operation, and the works described in the HS2 Environmental Statement. Their rights, interests and property are injuriously affected by the Bill.
- 6 Your Petitioner takes objection to the part of the works and the provisions of the Bill that are injurious to them, as set out in the paragraphs following.
- 7 Overall, your petitioner supports and agrees with the petition that is submitted by the Wells House Road Residents Association and have added our individual circumstances to the overall petition. We are happy to meet with the Committee as a group and to be represented by the Wells House Road Residents Association, providing our individual needs are taken into consideration over and above the general response. The following points express our own personal circumstances, the impact of the proposed HS2 works and operation and our requirements for compensation and mitigation of impact.
- 8 Your petitioner is a 56 years old single mother of an 18-year old daughter who is currently at university. I purchased my home in Wells House Road via a shared ownership scheme. I currently own 50% of my property and the other half is owned by Griffin Homes to whom I pay rent. I have an interest only mortgage which will not be paid off for several years. I work in market research and over the past two months I have been self employed, working out of my home. Much of my work requires silence which holding meetings with clients over the phone, conducting telephone interviews or writing complex reports.
- 9 I set up the Wells House Road Residents Association nearly three years ago in response to the proposed HS2 development and to help my neighbours with communications and the consultation processes.
- 10 My house is a beautiful, characterful Edwardian 3-bedroom property with bay windows and a garden, into which I have invested both considerable time and money to change from a muddy slope into a terraced garden. Two of the rooms upstairs are used by my daughter and me as bedrooms. The third room is my home office and a spare room for temporary renters and visitors. My garden is my pride and joy and is used on a daily basis for relaxing; barbecues in the summer; parties for my daughter; for my daughter to use for her university art projects where she requires toxic paints and glues that cannot be used in confined interior spaces; drying our laundry; gardening; growing flowers, fruits and vegetables and for our two cats.
- 11 Wells House Road is conveniently located close to an abundance of good transport in West London. I chose this location because it offered quick access to work and meetings – either in central London or out of town via the major London rail network – for because it is close to my lifelong friends who live in the area. It is also convenient for my daughter to get to university in Kings Cross and for her to continue with her social life.
- 12 Our home is located on the eastern side of the street, with Old Oak Common Lane behind and below our back garden fence. Currently, Wells House Road is a quiet street

and the only sounds that can be heard from my property are muted cars passing along Old Oak Common Lane. Since we are on a hill, if there is heavy construction (which is rare), these sounds can resonate above the other houses in the street.

- 13 I will be heavily impacted for up to ten years by the both the construction of the Old Oak Common site and the operation of Old Oak Common station. My home will be a sensitive receptor and affected by the following elements of the HS2 construction and operation: sounds and vibrations from construction of the tunnel on the northern tip of the street; eventual sounds and vibrations from track emerging from the mouth of the tunnel 70 metres from homes; Old Oak Common station construction and operation - just behind my garden; sounds and air pollution from the main haul road that will cross Old Oak Common Lane to the south of my home; Old Oak Common Lane closure for approximately one year with no road or pedestrian access to vital amenities (shops, transport, hospitals, doctors); overall disruption of local transport and road congestion in the area; the noise and disruption from reconstruction of the sustaining wall at the end of my garden for which HS2 has CPOed our gardens to use for one year, during which time we are told we cannot use our gardens and that only structures but not foliage will be restored at the end of this process.
- 14 The impact of HS2 has already deeply affected my quality of life and that of my daughter. These consultation processes take up a good part of my leisure time, and holidays from work have been spent dealing with HS2 consultations over the past two years. The pressure of these processes and the threat to our home has caused extreme stress to the point that our health has been compromised. I have suffered from exhaustion and my daughter has recently developed an eating disorder. Both of us are currently embarking on therapy to alleviate our stress. I have now lost my full-time job, which I can attribute at least partially to the stress of the HS2 consultation processes.
- 15 I also have damaged lungs from TB as a baby. I chose to live in Wells House Road not only because it is a quiet street in a convenient location but also because it is a little like living in the countryside, with low level of traffic and surrounded by open and green space, (The Scrubs) which makes the air quality better than most places in London.
- 16 In short, we and our home will be in the centre of the proposed major HS2 Construction site for a 10 year period, with much of the work planned for 24/7.
- 17 We need to be recognised as sensitive receptors and treated as a special case.

Property compensation

- 1 Currently, the only compensation available to Wells House Road residents is via the 'Need to sell' scheme. This and even the property compensation offered to rural residents will not be adequate for my needs.
- 2 I require a three-bedroom property to accommodate me and my daughter to live, and to run a business with a home office. It is essential that this is within 30 minutes of central London and in an area that is safe for my daughter.

- 3 Since our homes are currently blighted and I only own a 50% share in my property, if we were forced to sell through compulsory purchase or because of our inability to live through the construction, I would be likely to come away with a little over £100,000 after paying off my mortgage and giving 50% to the housing association. It would be unlikely, at my age, that I would be able to own another home and even more unlikely that the housing association would accommodate me.
- 4 I am thus locked into my home for the duration of the construction, whether I like it or not, under the HS2 premise that when I am 68, my home will increase in value and I will be free to move.
- 5 Overall, I am averse to the risk of compulsory purchase by HS2. If HS2 placed compulsory purchase orders on properties, at the current value, I would be forced to move into the rental market somewhere in an undesirable area.
- 6 It is essential that adequate property compensation is provided that allows me the flexibility to move if necessary and if the impact of construction proves too severe without having to compromise my and my daughter's quality of life. Although we have no plans to move, circumstances change and this needs to be recognised in the compensation scheme.
- 7 For the times where the disruption is extreme, such as the year when they take our gardens and reconstruct the wall at the back of my house, we may require temporary accommodation paid for by HS2. (The house will be unrentable during this period.)

Impact mitigation compensation

- 8 Currently there are few, if any, provisions in the Environmental Statement for providing any mitigation measures against the impact of the construction.
- 9 As per the Wells House Road Residents Association petition, my home will require various work to mitigate from the effects of noise, vibrations and air pollution. These should include a) sound proofing – triple glazing of doors and windows on front and rear of my home, sound a proofed wall at the ends my garden, b) air filters and air conditioning to mitigate against dust and pollutants resulting from the construction vehicles and demolitions; c) house and garden exterior cleaning, control of vermin generated by demolitions, etc; d) security grills and alarms, particularly while we have construction workers with access to our gardens.
- 10 HS2 has told us that they will take my garden for about a year and that a) the garden cannot be used during this time and b) that they will 'restore structures' but not foliage. I would estimate that my trees, lawn, flower beds and plants have cost £15-£20,000 over the past 3 years. I would require the garden to be restored to exactly its current state, included mature plants and trees by a professional gardener.
- 11 It is simply unthinkable to lose my garden for one year and to have construction workers working to the walls of my house for a year. Without an open space for me, my

daughter and our cats, and with the disruption, dust and noise we are likely to require temporary rehousing for this period.

- 12 In addition, I am concerned about possible structural damage to homes from the proposed construction and operation of HS2 and the reconstruction of the wall. I would like my house surveyed, at the expense of HS2, before construction begins and be able to claim repairs for any damage they have caused.
- 13 I am also deeply concerned about our physical and mental health during the construction period and would suggest that private medical care is provided for us if we require treatment for physical or stress related illness.

Old Oak Common Lane Closure

- 14 HS2 plans to close Old Oak Common Lane for a twelve month period and the construction of a retaining wall below houses on the east side of the street, that requires access to gardens, is expected to take 12 months. Limited details of this can be read in points 2.3.26-27 of Vol 2 CFA Report – Kilburn to Old Oak Common/No 4).
- 15 Overall, there is no justification within the Environmental Statement as to why the road closure is required as part of the scheme and indeed why it is essential to lower the road. From a discussion with HS2 Ltd at Wells House Road on 1st May, 2014, HS2 stated that the need for the lowering of Old Oak Common Lane was not for the purpose of HS2 but in fact for TFL requirements to run double decker buses towards East Acton. We demand a review of these plans and an exploration of options to retain single decker buses on this route or for the lowering of the road to be carried out in stages to allow for a single lane to be left open.
- 16 The impact of this road closure on Wells House Road is significant. East Acton is our closest area for amenities and is a 5-10 minute walk with a well served with the 228 bus. I am concerned about the isolation this will cause for both of us and if the road is to close, we will require shuttle buses or subsidies for taxis to take us to alternative shops and transport points. For my daughter, who relies on the late night buses, it is unthinkable for her to be walking around the area late at night.

Visual impact, light pollution and loss of open spaces

- 17 Currently, we can see across London in the view from our back bedroom window. There is currently a lack of sufficient identified mitigation measures to combat landscape and visual impacts both during and post construction. We need to understand the temporary barriers that will be erected around the compounds and the effect what visual impact these will have on homes in Wells House Road.
- 18 Since these structures will be in place for up to 10 years, we feel that these should be designed sensitively to take into consideration: a) visually acceptable to reflect the current and future personality of the area, b) that are functional in terms of being effective barriers to sound and dust, c) that can block lights from the compounds but not take away natural light from homes and gardens.

- 19 Planting of trees will act as natural sound barriers and capture some of the air pollution. We feel planting of mature/semi mature trees should be in the plans from day one.
- 20 The Environmental Statement also fails to mitigate against light pollution and needs to address the need for lighting at night to be invisible to windows overlooking the compounds. We are likely to have considerable light pollution from the compound around Old Oak Common station and the station itself once operational. Solutions need to be provided for mitigating against light pollution, e.g. lights being switched off at night and only down-lighting to be used.
- 21 Currently, the designs of the Old Oak Common station have not been shared with residents. We therefore need to understand this in greater detail. Specifically: a) what is the proposed height of the station structure in relation to the height of my home and what is the visual, sound and vibration impact on residents? We propose that the top of the station falls below the height of garden fences on the eastern side of the street. b) since the track is only 70 metres from properties in Wells House Road, we propose that both the track and station are covered to reduce noise impact on current residents and future homes being built under the London Plan, c) we also need to understand how sound and light from the station will be mitigated, including trains accelerating and slowing down and platform noise.

Overseeing the process and policing mitigation measures

- 22 Since the plans for the Old Oak Common area are continuing to change and details of the construction, operation and impact are currently vague and inconsistent, it is essential that a platform for a continuous dialogue is set up between residents, HS2, the developers and local authorities, such as our MP and councillors.
- 23 In addition, although this petition is already lengthy, it is focused on the holistic needs of Wells House Road and does not take into account individual requirements. Personal situations and the requirements for property compensation and impact mitigation will vary on a case-by-case basis and we believe this also underpins the critical need for individual consultation for each household and homeowner, including people like with exceptional circumstances in shared ownership.
- 24 For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended and undertakings given as proposed above, the provisions of the Bill, so far affecting your Petitioners, should not be allowed to pass into law.
- 25 There are other clauses and provisions in the Bill which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights, (including their human rights) interests and property and for which no provision is made to protect 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 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.

[Signature of Petitioner in person, or Agent for the Petitioner]



[The Petition should be endorsed on the back as follows:]

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PETITION OF Wells House Residents Association

AGAINST, By Counsel, &c.

[Name, address and telephone number(s) of Agent for the Petitioner, or of the Petitioner in Person]

Amanda Jesson
Chair, Wells House Road Residents Association

