

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

**PETITION**

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 the **Stoneleigh and Ashow Joint Parish Council**.

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 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 dis-apply 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 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.
7. Your Petitioners are the Stoneleigh and Ashow Joint Parish Council representing a group of affected people who live in and around the Stoneleigh Estate in the County of Warwickshire and share the common cultural heritage of this important landscape.

The Stoneleigh Abbey Landscape is included on the English Heritage register of Parks and Gardens of Special Historic interest at Grade II\* and is significant as it forms the setting for Stoneleigh Abbey, a Grade 1 listed building which has at its core the remains of the Cistercian Abbey founded in 1154.

The historic Stoneleigh Estate contains 77 scheduled monuments and 80 listed buildings grouped around the Abbey and its Park and within the conservation areas of Stoneleigh and Ashow and the hamlet of Stareton. The ecological character of the Estate is a mosaic of arable, woodland, river corridor and semi improved river pasture. Stoneleigh Deer Park is recognised as the best former wood pasture site in Warwickshire by virtue of the large assemblage of 300 year old oaks in a region that holds approximately 9% of England's wood pasture and parkland resource.

8. The Bill includes powers for the Secretary of State and the Nominated Undertaker to carry out construction works which are estimated to take 10 years to complete and will result in heavy lorry traffic movements, the creation of dust and noise, poor air quality, and pollution caused by 24 hour working. This will inevitably lead to severe intrusion and disruption to the quality of life for the residents of the Stoneleigh and Ashow Joint Parish.
9. Your Petitioners and their rights and interests and property are injuriously affected by the Bill to which your Petitioners object for reasons amongst others, hereinafter appearing.

10. **Route through the Stoneleigh Area.**

Under Schedule 1 of the Hybrid Bill, the proposed works are variously described. Your petitioners object to the intrusive impacts that will result from the alignment across this area and in particular the section of the route which passes across the B4113, through the Stoneleigh Abbey parkland, and continues through Stoneleigh Park crossing the river Avon, the B4115 and continues across the Stoneleigh Park agricultural lands before passing beneath the A46.

Your petitioners are concerned that the proposed rail cutting through Stoneleigh Park will cause irreparable damage to this historic parkland; created by the landscape gardener Humphry Repton to link the Stoneleigh Abbey landscape to the west with its separate Deer Park to the east. This landscape is of national importance and one of few implemented examples of the designers work. The continuity of this historic parkland, created in the early C19 to provide improved access to the grade 1 listed Stoneleigh Abbey will be severed and. The cutting will disconnect the Abbey from the northern park and the former estate village of Stoneleigh and will destroy the continuity of this historic estate.

The cutting and embankments will destroy the setting of the medieval Stare Bridge, a Scheduled Monument (MWA 2855, and listed at grade II\* on English Heritage register of buildings of special historic or architectural interest), and will disconnect the pedestrian, horse and cycle routes which pass over and around this important Warwickshire feature.

The creation of embankments along the rail cutting to facilitate acoustic attenuation will alter the landform of this river valley where a feature of the Reptonian design was sunk fences which facilitated long views across this pastoral landscape.

The deep cutting through Stoneleigh Park will also undermine the planned regeneration of Stoneleigh Park, the former Royal Agricultural Showground, as an agriculturally focused Science Park.

#### Remedy

Your petitioners request that the proposed cutting should be replaced by a cut and cover tunnel to protect the landscape of Stoneleigh Park and estate village of Stoneleigh, both important features within the Warwickshire landscape.

#### 11. **Works to the A46**

Your Petitioners requests that the proposed works to the A46 under the Schedule of Works reference No 2/168A and 2/169 should be reconsidered. The A46 is a major route and part of a national network of principal trunk roads and motorways linking the M40, M69 and M1. The works proposed involve a diversion laterally of one carriageway of the A46 to excavate and build a retaining structure for the route under and then to repeat the process to the other carriageway.

The A46 is a main commuter route to and from Coventry City, the Westwood Business Park and Warwick University. The major works contemplated can be expected to cause major disruption to local and regional traffic flows. Your petitioners are concerned that the proposed method of working will cause significant disruption and is likely to have an adverse impact on the economic prosperity of our area

#### Remedy

Your petitioners request that consideration is given to providing a deep bored tunnel under the A46 which would obviate the need to disrupt the traffic flow and also request that any associated traffic management costs are to be borne by HS2 Limited rather than by our District and County authorities who are under pressure to achieve significant cost savings in their budgets. Requiring the local community to shoulder the burden of these costs will place an unfair demand on their shrinking resources.

#### 12. **Impact of the proposed Construction site on local roads.**

Your petitioner is concerned about the location of the proposed Construction site situated on the agricultural land between the A46 and the B4115. It is proposed that this site is accessed from the A46/Stoneleigh Road junction and via a right hand turn onto the B4115 and from thence onto a temporary site access road. It is proposed that this inward route is to be used by workmen employed in the construction process and also by the heavy goods vehicles moving materials and equipment to site. The proposed exit route is to the west along the B4115 to the junction with the

A452 and then via a tortuous route which requires crossing Chesford Bridge over the River Avon twice before proceeding to access the A46 at the Kenilworth Junction.

These proposed routes are along the main road between Leamington Spa and Kenilworth and the main access routes to Warwick University and Westwood Business Park beyond. These are already heavily congested rural roads.

Remedy

Your petitioners therefore respectfully request that the Construction site is moved to land to the south west of the A46/ Stoneleigh Road Junction and suggest the construction of a new traffic island of dumbbell shape to alleviate congestion at this A46 junction and minimise disruption to this essential section of our local road network.

**13. Temporary construction road plan**

A new road south of the rail line is proposed inside Stoneleigh Park to serve the existing site but it has not been extended over the Avon to serve the construction traffic. Without the provision of an access to this road construction traffic may be inclined to use the narrow medieval Stoneleigh bridge, (a scheduled ancient monument MWA2856, and listed at grade II on English Heritage register of buildings of special historic or architectural interest), to cross the River Avon. This is likely to result in damage to the bridge and to the rural roads. It will cause severe disruption to the residents of Stoneleigh and Stareton and add to the existing peak times through traffic congestion and increase traffic pollution in the village.

Remedy

Your petitioners request that a temporary roadway from the A46 construction site parallel to and south of the railway line is constructed. We would also request that Stoneleigh Bridge is closed to all construction traffic.

**14. Hydrology and Landscape Issues.**

Your petitioner respectfully brings to the attention of the Committee their concerns about the extensive areas of land within Stoneleigh Park and Stareton which have been proposed for the construction of balancing pools with a pumping station and access roadways to retain surface water from the rail cutting. These are very large and are of a basic engineered form which is not considered appropriate within the designed landscape created by Repton for the Stoneleigh Estate in the early C19.

Remedy

Your petitioner respectfully requests that the use of a cut and cover tunnel across the park would reduce the necessity for the extensive use of balancing pools and

that those required should not be treated as a basic engineering feature but should be sympathetically integrated into the landscape in a similar manner to the pools which already exist within the Stoneleigh Estate.

15. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the concerns raised within this petition and the suggested remedies for the project and its related works by considering their cumulative impacts on communities.
16. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.
17. 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed

signature one



date 20<sup>th</sup> May 2014.

signature two



date 20 May 2014.

On behalf of the Stoneleigh and Ashow Joint Parish Council.

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Stoneleigh and Ashow Joint Parish Council

Councillor Mrs Jane E Mackenzie

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