

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 PAUL RODWELL and JUDITH RODWELL

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 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 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 own and live at the property Faircroft located in Wood Lane, South Heath. Faircroft is approximately 590 metres from the centreline of the proposed HS2 track as it passes through Sibley's Coppice. Your Petitioners have a number of issues for Petition throughout the phases of Pre-construction, Construction and Operation.

Your Petitioners specifically chose to live and raise their family in the in the Chilterns, moving to Faircroft in 1997. The planned construction of HS2 through South Heath has already had a severe detrimental effect on their lives and also their family causing anxiety and ill-health because of the resulting blight.

8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
9. The Bill includes powers for the Secretary of State and the Nominated Undertaker to do construction works in the near vicinity of Your Petitioners home which are estimated to take 8 years to complete and will include lorry and plant movements, the creation of dust and noise, poor air quality, and 24 hour working. The overall HS2 project and this civil construction has and will lead to the following;

Your Petitioners will be subject to residual permanent noise effects on the acoustic character of the communities closest to the route in South Heath which are considered significant and detailed in CFA Report No9.

Your Petitioners are being subjected to financial loss and anxiety about the impact of the construction of HS2 and adverse effect on the value of their home. They chose to

live in South Heath because of its location in the AONB and proximity of schools and stations. South Heath is the ideal situation and at one of the highest points in the Chilterns (180m) – there was never any likelihood that major civil construction taking place there (poor engineering to build a road or railway line up the side of a hill). By any measure it was a prudent investment with the dual benefit of enhanced family environment. HS2 is substantially reducing the value of their property compared to similar properties in the region unaffected by HS2 which is iniquitous. Your Petitioners have both been affected by the decline in occupational pension cover that has occurred over the last 15-20 years and should be able to benefit from the full unblighted market value of Faircroft to supplement the reduced occupational pension income.

Your Petitioners and their family as vulnerable walkers, cyclists and horse riders risk fatality/injury using the roads around South Heath due to HS2 construction traffic.

Your Petitioners and family are exposed to risk of fatality and injury from construction traffic on entering and leaving Wood Lane which is a cul de sac accessed from King's Lane which is designated as a construction route and also the additional traffic resulting from the closure of Frith Hill. The effect on their lives and their family in their daily movements, including elderly parent support, will be deleterious.

Your Petitioners, their family and visitors will be unable to access the many footpaths in their area they regularly use for walking, running and dog walking. In particular they are regular users of the footpaths notated as GMI/33/4, GMI/33/3, GMI/33/1, GMI/27/1, GMI/23/6, GMI/28/1, GMI/79/2, GMI/80/1, GMI/28/2, GMI/13/3, GMI/12/1, GMI/13/3, Frith Hill, GMI/2/1, Leather Lane, Potter Row, TLE/2/2, TLE/3/1, WEN/37/1.

Your Petitioners and their family are at risk from delayed response from emergency services due to the restriction to access from road closures and construction traffic.

Your Petitioners and their family's enjoyment of the amenity of their house, garden and immediate local area will be impacted by construction noise and subsequent railway operational noise.

Your Petitioners and their family will be unable to have uninterrupted sleep due to construction traffic noise and subsequent railway operation. They will be deprived of their current idyllic country environment.

Your Petitioners and their family will be exposed to increased risk of crime resulting from the influx of temporary construction workers.

Your Petitioners and their family will be subjected to changes to the landscape character and viewpoints during construction that relate to the temporary presence of

construction plant, the removal of existing landscape features, such as trees, hedges and agricultural land, the construction of mitigation earthworks and the introduction of temporary material stockpiles. The height of the construction plant and close proximity of construction activities to viewpoints, coupled with the absence of intervening screening (apart from the site hoardings) will result in significant visual effects during construction.

Your Petitioners and their family will experience a reduction in the amenity of the local AONB, particularly the destruction of part of the ancient Grim's Ditch around Hunt's Green. The Environmental Statement 3.3.0 states that the South Heath cutting construction activities will result in the removal of up to 150m of the Grim's Ditch scheduled monument and associated mature vegetation, substantially altering this feature in the landscape. ES 3.3.0, Page 14, 2.4.2, states "Hunt's Green Farm sustainable placement area¹³, for the permanent storage [sic] of approximately 1,000,000m³ of surplus excavated material approximately 5m high, 1.3km long and up to 450m wide". However, ES 3.3.0, page 133, Table 21 states that 1,928,002 tonnes of spoil are to be dumped at Hunt's Green. This is erroneous as the volume conversion for excavated clay is around 1.6T/m³ which equates to 1.205M m³, some 20% greater than the volume stated. The Grim's Ditch predates the Roman occupation of England and HS2's plans for its destruction will also impact the amenity of this ancient site for all hereafter.

Your Petitioners and their family and visitors will suffer loss of amenity and risk of harm to hearing from the failure to acoustically shield footpaths, rerouting the Great Missenden – Jenkins Wood path along the line of route crossing HS2 on an over-bridge.

Your Petitioners and their family and visitors will suffer loss of amenity from stopping up and re-routing footpaths in the area of construction and subsequent operation.

Your Petitioners and their family will suffer loss of amenity and the major adverse effect of the destruction of 2.6ha of the Sibley's Coppice ancient woodland and seven hedgerows that qualify as historically important under the Hedgerow Regulations 1997 that lie within the land required for the construction of the Proposed Scheme in the South Heath area.

Your Petitioners and their family will suffer loss of amenity due to light pollution and inability to see night sky due to the re-routing and subsequent lighting of the B485 directly to the south of Faircroft.

10. 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 construction strategy for the project and its related works by considering their cumulative impacts on communities.

Your Petitioners request that the AONB be protected from the foregoing effects by amending the Bill so the line passes throughout the AONB in a bored tunnel, as proposed by the Chiltern District Council, or by extending the planned Chiltern tunnel proposals by adopting the CRAG T2 proposals. The latter is referred to in the Environmental Statement and accepted as both feasible and environmentally preferable. Either of these options would considerably remove the losses detailed above.

Your Petitioner requests that if the proposal for a full tunnel throughout the AONB is rejected, then the South Heath Chilterns Tunnel Extension (SHCTE) (referred to as the REPA tunnel in the ES at Vol 2, 2.6.18 CFA 9 but extended to Leather Lane) has substantial environmental benefits, and preserves the South Heath, Hyde Lane and Potter Row community, ancient wood and farm land.

Your Petitioners request that the HS2 compensation scheme is changed to include all properties in South Heath and all residents should be provided with full access to appropriate compensation.

Your Petitioners request a review of the traffic mitigation measures for the impact on the lives of South Heath residents. Limiting construction traffic to the trace with dedicated access points to the A413 would protect village and through traffic and substantially reduce the inherent risk accidents that construction traffic causes.

Your Petitioners request that all spoil be removed from the AONB.

Your Petitioners request the installation of world-class sound barriers and the imposition of enforceable noise limits on the operators to preserve current levels. This should include a review of operating speeds during dawn, dusk and night periods.

Your Petitioners request a review of the proposed lighting plans for the re-routed B485.

11. 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.
12. 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 Petitioner.

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



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