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. Brian Reeds.

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 Own 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 Brian Reeds and family are the freehold owner of Grass Walk, Wood Lane, South Heath, Great Missenden, Buckinghamshire HP16 0RB. This property and all those within South Heath will be directly and specially affected during the construction and fitting out phases of HS2.

8 Your petitioner's property is in close proximity to the construction of the South Heath Green Tunnel proposed within the Bill. Therefore your petitioner's residential property will be subject to intolerable noise, dust and vibrations for a total of 7 years (3½ years construction and 2 years fitting out with a 2 year gap).

9 Your petitioner's property is located 500m from the line hence outside the Homeowner Payment scheme compensation zone and although it will be severely affected by the construction phase of the railway, rendered extremely difficult to sell/ unsalable and despite having lost approximately 30% of its value will not entitled to any compensation.

10 Your Petitioner's property is in close proximity to two Construction Compounds and three major Material Stockpile Sites. It is also located some 600 metres from the track and entrance/exit portals of the proposed South Heath Green Tunnel. As a result your petitioner's property will be subject to distressing pernicious noise, dust, dirt, traffic, excess light pollution and value degradation.

- Your Petitioner's property leads into Kings Lane and then Frith Hill, Potter Row and Chesham Road. All are designated to be used under the Bill as major routes for HGV construction traffic over a period of up to 7 years. Kings Lane, Chesham Road and Frith Hill are also planned to be re-aligned and major new sections constructed (with interim closure) and/or diversions put in place. Your petitioner and family use these roads on average six times daily (leaving and returning) and as such will suffer extensive adverse time, cost, safety, stress, health and quality of life issues.

- Your Petitioner and family are daily users of the local PROW's for recreational, social and/or exercise purposes. Up to 16 PROW's are planned to be permanently affected and include Hyde Lane, Mantles Wood, Sibley's Coppice, Farthings Wood, Chapel Farm, Rook Wood, Frith Hill, Potter Row, Frith Hill Farm, Bury Farm. These are all planned within the Bill to be lost by the creation of construction compounds, material stockpiles, road closures/diversions/new constructions and track building (and operation) with the consequential loss of these vital recreational, health and quality of life facilities.

- Your Petitioner and family will also be punitively affected through a combination of

- everlasting property blight and significant loss in property value

- loss of peace, tranquillity, aesthetically beautiful rural AONB surroundings

- visual impact of road constructions, material stockpiles, construction camps, excavation equipment, HGV vehicles, rail tracks, electrified gantries, cement works, high powered night lights, metal fencing

- potential increased security risks to family and property

- increased risks of utility failures (electricity, water, communications)

- permanent loss of four ancient woodlands

- the adverse impact on indigenous flora and fauna and general ecology
- extensive travel disruption, delays and road damage
- additional detritus and litter associated with large numbers of construction personnel and heavy industrial equipment

11 Your petitioner's property enjoys a tranquil and safe location that will be spoilt during the 5½year construction and fitting out phases and once the railway authorised by the Bill is operational. The Environmental Statement accompanying the Bill states in the Non-Technical summary Page 44, 7.4 Community that "Community wide adverse effects, whereby a substantial number of local people are significantly affected by the construction of the project, are limited to the Regent's Park Estate, Camden; Park Village East, Camden; Wells House Road, Ealing; South Heath; Thorpe Mandeville and Lower Thorpe; Chipping Warden; Burton Green; Gilson; Water Orton; and the small rural community which lies between Weeford and Whittington in Staffordshire". It should be noted that South Heath is the only community in Buckinghamshire that is deemed to suffer community wide adverse effects. Furthermore pages 87 and 88 of the NTS also refer to the negative impact on South Heath.

12 Your Petitioner and family have their rights, interests and property is injuriously affected by the Bill, to which your Petitioner and family object for reasons amongst others, hereinafter appearing.

Access to Great Missenden (from South Heath and outlying villages)

13 Your petitioner and family are concerned that works authorised by the Bills proposal to close, divert and reconstruct three key local access roads linking to the principle local towns, Great Missenden, Amersham and Chesham (Kings Lane, Frith Hill and Chesham Road).

Your Petitioner and family residential property Wood Lane South Heath travel all these roads on a daily basis averaging four excursions per day to access local facilities and services such as shops, banks, post offices, main line & underground stations, medical & dental facilities, garages, pubs, hardware stores, waste disposal sites etc. The genuine hardship arising from these proposals has not been recognised within the Bill or the Environmental Statement.

Your petitioner and family requests a comprehensive community compensation scheme be formally agreed and introduced reflecting the adverse financial impact of these considerations.

Your petition and family request that the road construction/diversion works are done in a manner that always permits continuous vehicle access to the principle towns of Amersham, Great Missenden and Chesham and that plans for these are shared and agreed with the local community prior to work commencement.

Your petitioner and family proposes the Extended Chiltern Tunnel to the end of the AONB be built as this would remove most, if not all, construction traffic from the roads cited above and hence the negative impact on those residents living along the currently proposed construction routes. In addition the AONB, including three ancient woodlands would be preserved. Tunnel options are referred to in the Environmental Statement Volume 2 Community Forum Area report CFA9 Central Chilterns page 41 paragraphs 2.6.3 to 2.6.17.

If the Extended Chiltern Tunnel to the end of the AONB is not granted then your petitioner and family propose that the alternative Extended Chilterns Tunnel to Leather Lane be built in place of the above ground construction described in the Hybrid Bill and Environmental Statement. This alternative tunnel is referred to in the Environmental Statement Volume 2 Community Forum Area report CFA9 Central Chilterns page 41 paragraphs 2.6.18 to 2.6.23

In the absence of extending the Chilterns' tunnel then the following mitigations would be needed to ameliorate the worst of the permanent effects, and your Petitioner and family requests that provision is made for:

The cuttings adjacent to the South Heath Green Tunnel should be made deeper, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection in operation to Potter Row and South Heath and the footpaths out of Great Missenden to Potter Row, and between Little Missenden, Hyde Heath and Hyde End.

Construction vehicles to avoid local villages/specific rural roads

14 Your petitioner and family are concerned about the impact of construction vehicles using Chesham lane, Kings Lane, Potter Row. Your petitioner and family residential property Wood lane South Heath connects to these roads, and therefore construction vehicles using these roads will affect your petitioner and family directly due to increased delays/ noise/ vibration/ visual impacts.

Kings Lane is in close proximity to the trace of HS2 and is a construction route and so will be exposed to the noise, vibration and dust from the construction of the South Heath Green Tunnel, and the movements of construction traffic. The trace here will be used for construction and by construction traffic for 4 years. Excess spoil will also be transported along the trace to Hunts Green.

Your Petitioner and his family use B485 and Frith Hill (South Heath Leg) for accessing Great Missenden several times a day. Frith Hill will be entirely closed for 2 years and used by unsuitable heavy construction traffic when it is open. The alternative route via Kings Lane and the B485 will be heavily congested, as they are also construction traffic routes. Other alternatives will be congested as they are also construction routes or will carry excessive traffic from those seeking a way round the congested direct routes. This will isolate the Petitioner's home from Great Missenden, the A413 and Chesham, and will make daily life very difficult.

Your Petitioner and family earnestly requests that the Hybrid Bill's plan for a South Heath green tunnel be changed to accommodate an extended bored tunnel through the Central Chilterns in order to mitigate the Bills overall punitive impact and conscientiously protect the AONB.

Given the dramatic punitive specific impact on South Heath residents your petitioner and family request the construction/extension of an extended bored tunnel from Mantles Wood through to Leather Lane (4km)

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 acknowledged substantial environmental benefits, and for no net cost can preserve a further 4km of the AONB from adverse effects – including that part in the immediate vicinity of your Petitioner's home.

In the absence of extending the Chilterns' tunnel then the following mitigations would be needed to ameliorate the worst of the permanent effects, and your Petitioner and family requests that provision is made for:

Construction noise and vibration - including that from construction traffic – lasts for years in total and so should not be allowed higher noise limits than for HS2's operation. Exposure should be monitored and enforced by the Local Authority who should have powers to stop work if limits are exceeded.

Constructing new temporary roads to access the trace directly from the A413, and prohibiting the use of all existing minor roads in the AONB to be used by construction traffic eg Potter Row, Kings Lane, Hyde Lane, Hyde Heath Road, Frith Hill South Heath leg).

Restricting HGV movements to the period 09:30 – 15:30 throughout this section of the AONB.

Additionally prohibiting HGV movements along school routes between 15:00 and 15:30.

Prohibiting any widening, straightening or enlargement of the narrow minor lanes for construction traffic.

The cuttings adjacent to the South Heath Green Tunnel should be made deeper, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection in operation to Potter Row and South Heath and the footpaths out of Great Missenden to Potter Row, and between Little Missenden, Hyde Heath and Hyde End.

Loss of ancient woodland and Chilterns AONB

15 Your petitioner and family notes that the current above ground construction route passes through and will partially destroy three ancient woodlands in Chilterns & South Heath area (CFA9). These have an irreplaceable 400-year link to the countries rich ecological past. The three ancient woodlands within ~1.5km of your petitioner's property are, Sibley's Coppice, Mantles Wood, Farthings Woods. They will be permanently lost together with indigenous flora, fauna and natural biological eco-systems and will sadly directly affect your petitioner and family frequent use of these woodlands.

Your petitioner and family are also gravely concerned about the broader potential loss or permanent damage to the Chilterns AONB. There are 33 designated AONB's in England and the Chilterns AONB is the closest to London. The primary purpose of this special recognition is to conserve and enhance the natural beauty of the landscape whilst meeting the need for quiet enjoyment of the countryside for all and having regard for the interests of those who work and live there. The Hybrid Bill fails to recognise this in a meaningful way and ignore the fact that alternative construction, namely a fully bored tunnel, will preserve the Chilterns AONB.
Your petitioner and family moved to South Heath 14 years ago to find a property in the Chilterns in order to enjoy the rural country environment in his retirement. Additionally the area was chosen, as property development appeared most unlikely. The effective destruction of this area by a major infrastructure project will destroy its tranquillity, serenity, ambiance, aesthetics, and overall natural beauty will be a tragic loss not only to your petitioner and family personally but to all current and future generations.

Your Petitioner and family earnestly requests that the Hybrid Bill's plan for a South Heath green tunnel be changed to accommodate an extended bored tunnel through the Central Chilterns in order to mitigate the Bills overall punitive impact and conscientiously protect the AONB.

Given the dramatic punitive specific impact on South Heath residents your petitioner and family request the construction/extension of an extended bored tunnel from Mantles Wood through to Leather Lane (4km)

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 acknowledged substantial environmental benefits, and for no net cost can preserve a further 4km of the AONB from adverse effects – including that part in the immediate vicinity of your Petitioner's home.

In the absence of extending the Chilterns' tunnel then the following mitigations would be needed to ameliorate the worst of the permanent effects, and your Petitioner and family requests that provision is made for:

the cuttings adjacent to the South Heath Green Tunnel should be made deeper, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection in operation to Potter Row and South Heath and the footpaths out of Great Missenden to Potter Row, and between Little Missenden, Hyde Heath and Hyde End.

Public rights of way (PROW)

16 Your Petitioner and family notes that the Hybrid Bill requires the permanent closure of many of South Heaths footpaths and PROWs. These represent an important community asset and your petitioner and family are a very frequent user of the local PROWs for recreational, social or exercise purposes. They include Hyde Lane, Mantles Wood, Sibley's Coppice, Farthings Wood, Chapel Farm, Rook Wood, Frith Hill, Potter Row, Frith Hill Farm, Bury Farm. Many are through four nationally designated ancient woodlands. The Hybrid Bill requires either closer or destruction of most of the PROWS in the Central Chilterns. Where some PROWs are to be re-instated the route chosen is often total inappropriate.

Your petitioner and family requests that the Bill be amended to protect and preserve these PROWs by the construction of an extended bored tunnel through the Chilterns area of outstanding natural beauty. It should be noted that the proposed South Heath green tunnel only re-establishes one PROW when completed (6 years) later.

In the absence of extending the Chilterns' tunnel then the following mitigations would be needed to ameliorate the worst of the permanent effects, and your Petitioner and family requests that provision is made for:

the cuttings adjacent to the South Heath Green Tunnel should be made deeper, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection in operation to Potter Row and South Heath and the footpaths out of Great Missenden to Potter Row, and between Little Missenden, Hyde Heath and Hyde End.

Noise, dust, dirt and light pollution

17 Your petitioner and family are gravely concerned and seriously threatened by the implicit noise dust, dirt and light pollution by the construction proposals within the Hybrid Bill and Environment Statement. It will effectively turn this area of AONB into an industrial wasteland.

Your petitioner's property is approximately 300 metres from the proposed line and on a construction route that will be diverted. Material stockpile sites, major construction satellite compounds, cutting excavations, a green tunnel construction, major soil and spoilage excavations/dispersals/removals, construction traffic and the actual high speed rail track building and electrification will all lead to excessive noise dust and light pollution. This is particularly poignant given that your petitioner's dwelling is located in a peaceful, tranquil designated Area of Outstanding Natural Beauty (AONB) in the Central Chilterns.

In addition the proposed South Heath green tunnel once operational could greatly adversely exacerbate noise at the entry/exit portals due to high impact compressed air turbulence/sonic boom caused by 220mph high speed trains entering/exiting all tunnels. No information has been provided by HS2 Ltd as regards the noise impact created by trains entering and exiting these tunnel portals.

Considering the foregoing your petitioner and family are also gravely concerned about the welfare, health and safety of his family who have already been living with and endured the stress, anxiety and concerns associated with this project for over 4 years and continue to do so.

Your Petitioner and family earnestly requests that the Hybrid Bill's plan for a South Heath green tunnel be changed to accommodate an extended bored tunnel through the Central Chilterns in order to mitigate the Bills overall punitive impact and conscientiously protect the AONB.

Given the dramatic punitive specific impact on South Heath residents your petitioner and family request the construction/extension of an extended bored tunnel from Mantles Wood through to Leather Lane (4km)

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 acknowledged substantial environmental benefits, and for no net cost can preserve a further 4km of the AONB from adverse effects – including that part in the immediate vicinity of your Petitioner's home.

In the absence of extending the Chilterns' tunnel then the following mitigations would be needed to ameliorate the worst of the permanent effects, and your Petitioner and family requests that provision is made for:

the cuttings adjacent to the South Heath Green Tunnel should be made deeper, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection in operation to Potter Row and South Heath and the footpaths out of Great Missenden to Potter Row, and between Little Missenden, Hyde Heath and Hyde End.

18 For the foregoing and connected reasons your Petitioner and family respectfully submit that, unless the Bill is amended as proposed above, clauses so far affecting your Petitioner and family should not be allowed to pass into law.

19 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and family their rights, interests and property [delete as necessary] and for which no adequate provision is made to protect your Petitioner.

YOUR PETITIONER 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 Petitioner 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 Petitioner will ever pray, &c.

Signed

_____

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL
(LONDON-WEST MIDLANDS)
BILL

AGAINST, By Counsel, &c.