

IN PARLIAMENT
HOUSE OF COMMONS
SESSION (2013-2014)

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 Ivan Stillwell
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 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 ("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 the freehold owner of Woodside, Dunsmore, Wendover, Buckinghamshire, HP22 6QL, The Petitioner has lived in Dunsmore since 1986. The Petitioner bought the property because of its position in the AoNB, the matrix of footpaths and bridleways, the beauty peace and tranquillity.
The Petitioner is a member of The Dunsmore Village Hall Association and The Dunsmore Society and they have engaged with HS2 Ltd. at Bilateral and Forum meetings and has been engaged in the consultations.
- 8 Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
- 9 Your Petitioner avers that he is already currently affected, suffering blight, and will continue to be severely affected both in the construction of and operation of the proposed HS2 railway.

Current and future problems injuriously affecting your Petitioners

Your Petitioner is 59 years old. The intention on his retirement was to sell Woodside and move further from London, to a cheaper area and a house more suitable as he and his wife get older. Monies for retirement would have been released by the house sale. His property is now blighted because of HS2 and would not be able to sell at a pre-blighted price if at all. Consequently he has been injuriously affected by HS2. The Compensation scheme does not cover him. Prior to HS2 properties in Dunsmore were much in demand and as a consequence properties reached a premium price.

The Petitioner appreciates that he could be accused of being a NIMBY for objecting to HS2 as he lives in the affected area. He reiterates the reason he has chosen to do this is that since a child he has travelled to Wendover Woods and Coombe Hill from Hertfordshire and London to enjoy the areas charms, as did his father and grandfather before him. Judging by the occupancy of local rural car parks many thousands of others still do this today. Why do HS2 Ltd believe they have a moral right to destroy these charms at a stroke denying future generations the ability to benefit from them? Your Petitioner is concerned that his Rights under Article 1 of The First Protocol of the Human Rights Act will be breached.

His retirement plans are now in jeopardy and it has also seriously reduced the value of his children's inheritance.

Problems in the Construction and Operation phases injurious to the Petitioners. Your Petitioner avers that he will be seriously and adversely affected during both the construction phase and then during operation.

The impact of noise, vibration, and light pollution, including electric sparking on health, from the high frequency of trains is considered by the Petitioners to be totally injurious especially for him in retirement.

The Petitioner is a Principal Solution Architect and travels to work in London, by train from Great Missenden. He also travels extensively to other parts of the UK. He will be injuriously affected by the serious disruption of traffic and substantial delays caused by the daily addition of 300 HGV's envisaged by HS2Ltd using the A413, B4009 and the A41 during construction.

The proposed closure of Smalldene Lane will mean that all vehicles will have to use the Dunsmore Lane junction with the A413, this junction was not given special analysis by HS2Ltd during the Environmental Statement despite comments in response that the traffic flows asserted by them are completely wrong.

The congestion will have a detrimental effect on the delivery of Emergency Services to Dunsmore. As the petitioners house is surrounded by woodland and there is an adjacent wooden house he has an increased risk of house fire.

Your Petitioners currently enjoys little light pollution. The need for powerful lighting on the construction site and the construction camps will have a negative impact on his enjoyment of "dark skies".

Noise from construction and operation will destroy the tranquility of the Dunsmore environment. The unique position of the settlement, on the ridge overlooking the proposed line, make it particularly vulnerable. HS2 Ltd, noise assessment has not taken into account the topography of the valley or the tranquility levels. HS2 have repeatedly ignored requests to assess baseline noise levels, and although acknowledging that noise will be an issue in the valley have chosen to ignore it.

The Chilterns AONB would be permanently and irrevocably scarred by the construction of two viaducts and an embankment with heights ranging from 10 to 18 metres and the associated catenary. The line would be visible from numerous viewpoints around Dunsmore. The cumulative effect would be overpowering and would destroy what is a Nationally Protected landscape and the area we are in will be irrevocably vandalised. Your Petitioner will be adversely affected in his recreational activity of cycling the local bridleways. It will no longer be a quiet healthy relaxing pursuit as he will be cycling through in effect a giant construction site.

The effect of a maximum 36 x 400 meter trains per hour will totally destroy the tranquility of the AONB and its environs. As mentioned above the AONB, and particularly Dunsmore, enjoys relatively high levels of tranquility and it is a matter for regret, that, despite requests to HS2Ltd they chose not to undertake any sound surveys here, this, despite us having a private study done to establish a baseline level of noise. HS2Ltd have admitted that, as our settlement is located above the line we would experience serious aural and visual disturbance yet have not produced any solution to this problem. The issue of night-time maintenance and

track grinding is also an area of great concern to your Petitioners.

During operation the noise will be every 90 seconds and will vary according to the trains position either on a viaduct or passing along the embankment. This fluctuation has been shown in studies to present more annoyance and associated health risks than a constant loud noise.

10. Remedies

This area is recognized as one of the few remaining really peaceful quiet and tranquil retreats within easy access of North London and the major towns of south Buckinghamshire and Hertfordshire. In the wooded bottoms you can still find areas to walk or ride where there is no traffic noise and little aircraft noise.

It seems to me a ridiculous proposition to route HS2 through the Chiltern AONB without protecting these tranquil places by tunnelling it deep underground. The whole point of an AONB is that it should be protected by government otherwise there is no point in them existing at all and all our lives will be diminished as once gone they can never be replaced.

I fully understand and support that the country has the right and need to build infrastructure that it deems essential for the future of the UK economy.

Exchanging a priceless environment for lowering the construction costs to achieve the economic gain seems to me out of balance. I would like to see the Chiltern AONB protected from HS2 by constructing it in a deep bored tunnel across its extent.

I would stress again that the Chilterns are an area of immeasurable recreational value to London which will only increase in the future as the population of London grows.

Please come up with a plan that does not destroy one of the few remaining tranquil areas that exist close to London.

In the light of all the issues above your Petitioners assert that the only acceptable form of mitigation in this area would be a fully bored tunnel throughout the AONB. HS2 Ltd. have acknowledged that this is technically feasible.

Failing the above, the 2 viaducts and embankment should be totally enclosed as per ARUP concept. Screening must be with mature trees.

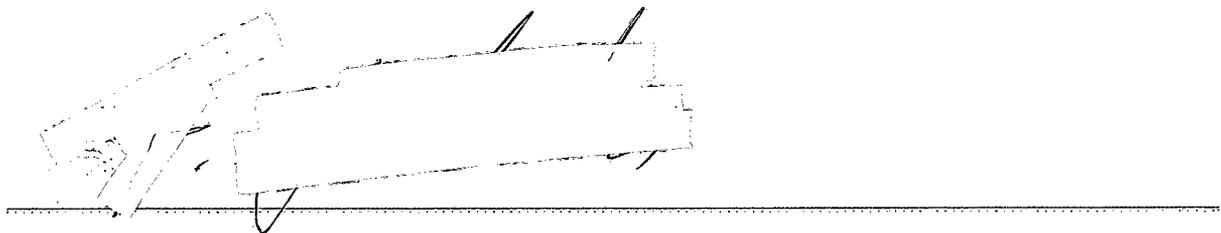
There should be a legally binding Code of Construction Practice.

11. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property 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 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 Petitioner will ever pray, &c.

Signature of Petitioner in person,



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AGAINST, By Counsel, &c
Ivan Stillwell



Tel: [redacted]
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