

IN PARLIAMENT
HOUSE OF COMMONS
SESSION 2013-14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION

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 South Heath Action Group

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, Mr Chancellor of the Exchequer, the Deputy Prime Minister, 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.

Who we are

7. Your Petitioner is the South Heath Action Group an organisation set up in April 2010 to protect the rights of South Heath Village and its residents through communication with HS2 Ltd. Your Petitioner is a member of Residents' Environmental Protection Association (REPA). The community of South Heath in Buckinghamshire has been adversely affected since the announcement of HS2 and will continue to be so for many years until the railway is operational and all new planting and other mitigation measures have matured and blended into the existing environment. All the properties within South Heath will be exceptionally directly and specially affected during the construction and fitting out phases of HS2 for a total of 7 years (3½ years construction and 2 years fitting out with a 2 year gap) and well beyond.
8. The South Heath Action Group has been an active member of the Central Chilterns Community Forum (CCCF), responding to all consultations, including the Environmental Statement. HS2 Ltd has met with South Heath in a bilateral on two occasions, on 23 January 2013 and again on 6 May 2014. The Group has over 70 members from roads in the heart of the community (in particular in Kings Lane). The properties within your Petitioner's organisation lie within 900m of the proposed surface construction of the line.
9. South Heath is identified in the Environmental Statement (Non-Technical summary Page 44, 7.4) as the only community in the Chilterns AONB that will suffer "*Community wide adverse effects, whereby a substantial number of local people are significantly affected by the construction of the project*". Furthermore pages 87 and 88 of the NTS also refer to the negative impact on South Heath.
10. Within South Heath itself 5 properties will be demolished and 24 lie within 120m, with a further 125 within 300m of the line. The remaining (170) do not qualify under the presently proposed lump sum compensation despite the fact they are all material disadvantaged. While there will be a 1.2km green tunnel in South Heath, the properties will lie within 1km of the portals.
11. Your Petitioner responded in detail to both the Draft and the final ES. The concerns listed below were covered in both responses.

Your Petitioner's concerns

12. Your petitioner is fundamentally concerned about the permanent change to the landscape, the views, the peace and the tranquility of the community, and the wildlife losses. South Heath enjoys direct access to its 'own' ancient woodland (with its network of footpaths) that will not only suffer direct losses and be fragmented, but the ES incorrectly describes these as temporary losses. This is much used by your petitioner's group.
13. The South Heath green cut and cover tunnel is too short to protect your petitioners from the effects of noise when HS2 is operational. There will be permanent new buildings, including an autotransformer station, and the ES records that many of your petitioner's homes lie within the Zone of Theoretical

visibility.

14. Your Petitioner is particularly concerned that the whole community of South Heath will be permanently affected by impacts that include: speed, noise; spoil; loss of ancient woodland and other flora, PRowS; loss of amenity for residents and visitors; heritage impacts; visual obtrusiveness of HS2 (including introducing balancing ponds; light pollution); loss of farmland; impacts on wildlife and habitats; air quality; property blight; limits of deviation; health and wellbeing; road safety. Similar concerns apply to the construction phase, involving over 7 years of work in the area. These negative impacts are dealt with paragraphs 33 to 61 below.
15. Your petitioner is concerned at the property blight that has existed since 2010, and can only worsen during the 7-year construction period. This has led to stress and quality of life impacts as your petitioner's members discover they cannot sell their homes and move on with their lives. Typically properties close to the line have lost a quarter of their value.
16. The construction impacts are of great concern. The South Heath community has no shops or facilities of its own and is wholly dependent on Great Missenden and beyond, which is on the other side of the A413. The sole road access to Great Missenden for most of your Petitioner's members is via the B485 (fed by Frith Hill South Heath leg (SHL), Kings Lane and Potter Row). Whilst access to Chesham is via the B485 and Amersham via Hyde Heath Road. The following construction traffic routes will suffer congestion: B485 Chesham Road, Kings Lane, Frith Hill South Heath Leg (SHL), Potter Row, Hyde Heath Road and the A413 which are all used by South Heath residents on a daily and more frequent basis to access a wide range of other communities and services.
17. The ES shows that the 2 satellite construction compounds in the area will lead to about 60 extra HGV and 420 extra LGV daily movements using the main road junction (a steep hill where the B485 joins the A413) - and this peak period will last 3.5 years. Frith Hill (SHL) itself will also be shut for up to 2 years affecting (according to the ES), over 1,900 trips that use this road daily, as well as many cyclists as it is Route 57 on the National Cycle Network. The alternative and longer route of Kings Lane is not only a construction traffic route but itself has planned diversion works. This all presents very serious disruption for your Petitioner's members, making everyday life extremely difficult if not intolerable.
18. Your Petitioner will suffer long and severe delays on a daily basis, for years not months. The ES acknowledging that Potter Row, Kings Lane, and Frith Hill SHL will suffer more than 3.5 years of HGV traffic, it describes it as "temporary". Most residents of South Heath use these roads at least twice a day, and many four or more times. Hence unrestricted access to and from the village of South Heath is vital for its residents to fulfil their basic daily needs including getting to work, taking children to school, accessing shops, the library, post office, getting to/from appointments, going to/being visited by friends and family etc - without serious cost and quality of life issues, or suffering isolation effects.
19. Your Petitioner also specifically requires unrestricted access to medical facilities in particular Stoke Mandeville Hospital and Amersham General Hospital and this will be constrained by the uses of these roads for construction traffic. There is the additional concern that emergency vehicle response times will be severely lengthened and hence compromise the health of residents.

20. Your Petitioner and his interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

Requested mitigation

21. In order to protect South Heath your Petitioner proposes the Extended (fully bored) Chiltern Tunnel to the end of the AONB be built as this would remove most, if not all, the adverse environmental impacts of the proposed surface route in the AONB (of cuttings, viaducts and green tunnels), by preserving four ancient woodlands, the footpaths, wildlife habitats, views, and tranquil settings. It would also largely remove the construction traffic from the local roads cited above and hence the negative impact on those residents living along the currently proposed construction routes and the adverse impacts on local businesses. Tunnel options are referred to in the Environmental Statement Volume 2 Community Forum Area report CFA9 Central Chilterns page 39 paragraphs 2.6.3 to 2.6.17.
22. Alternatively, at minimum, the properties and residents of South Heath would not be subject to the adverse effects of HS2s proposals if the alternative Extended (bored) Chilterns Tunnel to Leather Lane (proposed by REPA) 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 (but now extended to Leather Lane).

Construction routes

23. The use of village roads (Kings Lane, South Heath Frith Hill leg/Potter Row) is wholly inappropriate as construction routes used by HGVs and other contractors' vehicles. Their immediate proximity of more than 75 dwellings will lead residents to unnecessarily suffer excessive noise, dust and disturbance.
24. The roads referred to in paragraph 23 were never designed or built for the use of HGVs and in many places the road width will not permit passing of HGVs.
25. The roads referred to in paragraph 23 are used daily by school buses for collection and set-down of young pupils. The cross roads at the junction of the Ballinger Road/Kings Lane/Potter Row is a 'blind' junction and extremely dangerous at present without additional construction vehicles. Safety considerations have been ignored in selecting these routes for construction traffic. Furthermore walkers and cyclist both local and visitors use these roads and they will no longer be safe when used by large volumes of construction traffic.
26. The inappropriateness of these routes has been made known to HS2 Ltd on many previous occasions in Community Forum meetings and written submission to HS2 Ltd. No alternatives routes have been considered or discussed with residents.
27. Transport of spoil from Mantle's Wood to Hunt's Green - Material excavated from the Mantles Wood area will be transported along the construction trace haul road to the sustainable placement area at Hunts Green farm. There will be an at-grade crossing of the B485, which will need traffic control (presumably traffic lights). This further exacerbates the huge negative impact on South Heath in

terms of road congestion and noise, dust and dirt.

28. Your Petitioner requests that Kings Lane and Frith Hill (SHL) are not used as a construction route and that the alternatives given in paragraphs 29 to 31 are considered sequentially.
29. Your Petitioner proposes the Extended (fully bored) 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.
30. If the Extended Chiltern Tunnel to the end of the AONB is not granted then your Petitioner proposes that, at minimum, the alternative Extended (bored) Chilterns Tunnel to Leather Lane (proposed by REPA) 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 (but now extended to Leather Lane).
31. Alternatively your Petitioner requests that if a bored tunnel is not accepted by parliament then a newly constructed temporary service road directly from the A413 just north of the proposed South Heath Green Tunnel (North) Satellite Compound should replace the use of local construction routes, and better serves the construction of this part of the railway and removes the very severe impact on the residents of South Heath.
32. For the foregoing and connected reasons your Petitioner respectfully submits that, unless the Bill requiring the use of Frith Hill (Chesham leg - B485), Frith Hill (South Heath Leg), Kings Lane and Potter row as construction routes is amended as proposed above, then the Bill affecting your Petitioner, should not be allowed to pass into law.

Temporary/permanent road closures, diversions & construction

33. Your Petitioner is gravely concerned and affected by the proposed closure, diversion and reconstruct of three key local access roads namely Frith Hill, B485 Chesham Road and Kings Lane, as these roads are the only routes available to residents to reach Great Missenden, Amersham and Chesham (Kings Lane, Frith Hill and Chesham Road). See ES Volume 2 CFA9 2.3.50
34. Your Petitioners travel all these roads daily to access local facilities and services such as shops, banks, post offices, main line & underground stations, medical & dental facilities including Stoke Mandeville and Amersham hospitals, library, garages, restaurants, pubs etc.
35. Road closures, diversion and reconstruction will lead to longer journey times, increased risk of accidents and penalise residents going to and from work, school etc.
36. Your Petitioner commences all longer journeys (outside the immediate area) by using the local roads that will be adversely affected by the construction of the

railway. They are the three principal exit/entrance access routes to his property and restrictions and delays to emergency services may also be affected.

37. Your Petitioner is concerned that the village of South Heath will lose its identity, ambience, and rural nature. There may also be an increase in dilapidations, as properties like Annie Baileys, become empty and unmaintained. A consequent impact of empty dwellings and construction camps is increased crime and squatters. Property blight will be exacerbated and continue for many years after construction.
38. Your Petitioner requests that one of tunnel options (see paragraphs 29 and 30) be implemented in place of the surface route described in the Hybrid Bill in order to mitigate the overall punitive impact on South Heath and protect the AONB.
39. Your Petitioner further requests that a comprehensive community compensation scheme be formally agreed and introduced to recompense the residents of South Heath. Additionally a village fund provided by the Proposer should be implemented for allow provision of new village facilities and cleaning and repair of properties and the environment necessary due to the construction of HS2.

Public rights of way (PROW)

40. The Environmental Statement (volume 2 CFA 9 2.3.51) identifies 6 footpaths either in or in very close proximity to South Heath that will require realignment. This will render these footpaths out of bounds to South Heath residents for up to two years hence your Petitioners will no longer be able to walk these footpaths for leisure and dog walking. Furthermore the footpath connecting Little Missenden and Hyde End will be permanently stopped.
41. Your Petitioner at present enjoys the peace and tranquillity when walking for exercise in Sibley Coppice, South Heath's ancient woodland. This will be denied during the construction of HS2.
42. Your Petitioner 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. This will no longer be within an ancient woodland.
43. If the route is not placed in a fully bored tunnel beneath the Chilterns AONB then your Petitioner requests that no PROWs are diverted alongside the line and when any PROW is in close proximity of the line that it is shielded for train noise by the highest level of noise barriers. Where reinstated footpaths cross the line your Petitioner requests that these be green bridges to allow wildlife to cross the line safely.

Noise, dust, dirt and light pollution

44. Your Petitioner is gravely concerned by the high levels of noise dust, dirt and light pollution that will be generated by the construction of the railway. This will lead to a hostile and unhealthy environment for South Heath residents.
45. At least 10 properties are directly adjacent to the material stockpile between Cudsdens Court and Frith Hill (SHL) and will be directly affect by noise and

dust. Similarly the material stockpile adjacent to the South Heath Green tunnel (North Portal) is very close the same Frith Hill residents affected by the other stockpile.

46. In dry weather these stockpiles will be a source of airborne dust and impact on the lives of not only those residents close to the stockpiles but also all the residents of South Heath. This is particular true for those suffering from respiratory diseases.
47. Your Petitioner requires that these stockpile be managed throughout their existence such that dust cannot be emitted, and that there is a 200m buffer from residential property and ancient woodland.
48. 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. Over 100 properties are identified in the ES as suffering noise from the construction works in Kings Lane, Sibley's Rise and Bayleys Hatch in particular. This is particularly poignant given that South Heath is located in a peaceful, tranquil designated Area of Outstanding Natural Beauty (AONB) in the Central Chilterns.
49. 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 225mph 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. At the north portal to the South Heath green tunnel, the proposed line runs into a shallow cutting which further exacerbates noise for residents in Sibley's Rise, Bayley's Hatch and Frith Hill. Furthermore once operational, properties at Cudsdens Court, Bayley's Hatch and Bury Farm will be affected by arcing from the pantographs, which will be particularly disturbing in the early hours of the morning or night time.
50. If no tunnel is built through the Chilterns AONB your Petitioner requests that porous tunnel portals are built to the highest international standards in order to reduce the noise impact of frequent high speed trains. In addition to high quality sound reducing portals tunnel, the track-side adjacent to exit/entrances should be fitting with effective noise barriers both sides of the line of at least 5m height. These should continue in the cuttings to the north and south of the green tunnel, protecting the residents and footpath users.
51. Considering the foregoing your Petitioner is also gravely concerned about the welfare, health and safety of the residents of South Heath 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.
52. Your Petitioner requests that the route be altered to an extended bored tunnel through the Central Chilterns in order to removed the noise, dirt and dust associated with the construction of the above ground route in South Heath
53. Alternatively, given the severe adverse impact on South Heath residents your Petitioner requests the construction/extension of an extended bored tunnel from

Mantles Wood through to Leather Lane (4km).

54. Your Petitioner requests a comprehensive community compensation scheme be formally agreed with residents and introduced before construction commences. This must reflect the adverse impact of the current above ground construction route on South Heath residents. These should include the provision of the highest level of soundproofing and ensure that light pollution is kept to a minimum. Where light pollution is unavoidable it should be shielded to reduce the effect on South Heath.

Permanent visual and audible impacts

55. The construction and operation of HS2 will have adverse visual and audible impacts on South Heath namely re-built road, new service roads, tunnel portal, auto-transformer station, gantries and sound barriers. When HS2 is operational, the additional structures required, as above, together with new portal buildings will significantly alter the nature of the neighbourhood and will not be in-keeping with the Chilterns AONB
56. Your Petitioner requests that all existing roads are returned to their current status (i.e. country roads); all new service roads are built to blend into the rural environment; all new structures are designed and built to reflect the character of those already in the AONB; tunnel portals are disguised and essentially hidden from view; the portal buildings and autotransformer are shielded from view; gantries are not visible and all noise barriers whilst being of the most effective possible are sympathetic to the environment. Furthermore, any noise from the auto-transformer station (South Heath green tunnel, Northern portal) cannot be heard 50m from the installation.
57. Your Petitioner requests that the limits of deviation to be amended to exclude any increase in the elevation of the track. The track should be as low as possible within in the AONB to ensure that it cannot be seen and with appropriate noise mitigation cause minimal disturbance
58. The Environmental Statement Volume 2 CFA9 9.5.1 states that the relocation of overhead power lines and pylons will be a permanent effect arising during operation.
59. Your Petitioner requests that all overhead power be routed underground in the environs of South Heath and throughout the Chilterns AONB.

Loss of ancient woodland, farmland and Chilterns AONB

60. 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 country's rich ecological past. The three ancient woodlands are within ~1.5km of South Heath. They 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 directly reduce the recreational value of these woodlands. The loss of farmland up to ~33ha is permanent and although some will be used for replacement planting it changes the landscape forever and will never replace the ancient woodlands.

59. Your Petitioner is 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 ignores the fact that alternative construction, namely a fully bored tunnel, will preserve the Chilterns AONB.
60. Many of the residents value South Heath for the rural country environment and the tranquillity of the village. 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 the current residents of South Heath but to all current and future generations.
61. Your Petitioner requests that the line through the Chilterns AONB is a fully bored tunnel in order to mitigate the overall adverse impact and protect the irreplaceable AONB.
62. Alternatively your Petitioner requests that the Hybrid Bill be amended to incorporate the construction of an extended bored tunnel from Mantles Wood through the Chilterns AONB area to Leather Lane. This will protect a further 4km of the AONB
63. 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.

Support for other petitions

64. Your Petitioner supports the submissions for fully bored tunnels throughout the AONB as petitioned by Chiltern District Council, The Chiltern Conservation Board and the Woodland trust. In principle all these petitions not only preserve the Chilterns AONB but also protect the village of South Heath.

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.

Dr S C W Hook

Mrs C E Rainsford

Mr T M Johnstone

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

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