

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 Anne Mitchell

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 joint freehold owner of Pipers, Honor End Lane, Prestwood, Great Missenden, Bucks, HP16 9HG.
8. Your Petitioner rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.
9. Your Petitioner uses South Heath Frith Hill leg and Potter Row during their work as Parish Clerk to visit land that the Parish owns such as allotments, notice boards, open spaces and children's play areas in the Ballinger and South Heath Ward of Great Missenden Parish – which can be on a weekly basis. Your Petitioner also – on a personal basis - visits the Garden Centre at South Heath on a regular basis. Therefore closure of these roads will result in severe delays, and increase the time and cost taken for your Petitioner to carry out duties as Parish Clerk and access shops for up to 2 years (Frith Hill) and also the re-alignment of Chesham road B485 and Kings Lane for up to 7 years
10. Furthermore, the use of these roads by construction vehicles will increase delays, and increase the time and cost taken for your Petitioner to carry out duties as Parish Clerk and access shops for up to 7 years.
11. Your Petitioner objects to the proposed high speed train causing excessive noise, dust and light pollution destroying the peace and tranquillity of the Ballinger and South Heath Ward of Great Missenden Parish and the Chilterns AONB. The proposed train is likely to be heard and seen up to 2 km from the line across the Misbourne Valley.
12. Your Petitioner further objects to the impact that the noise and sight of the high speed train will have on the footpaths in the AONB which she enjoys on a regular basis, particularly those being diverted in the Ballinger and South Heath area.
13. Your Petitioner proposes that a fully bored tunnel under the Chilterns AONB would remove most, if not all, construction traffic and no road diversions and/or closures would be required.
14. If the Extended Chiltern Tunnel to the end of the AONB is not granted then your Petitioner proposes that the alternative Extended Chiltern Tunnel to Liberty Lane near Leather Lane is built in place of the above ground construction described in the Hybrid Bill and Environmental Statement.
15. Your Petitioner maintains that an extension to the Chiltern Tunnel is the only acceptable approach to mitigate the impact on the Ballinger and South Heath Ward of Great Missenden Parish in the AONB. However if the extension is not granted then your Petitioner requests that all of the following will be required.

- a. An alternative temporary construction route be made to access the trace such that the hilltop village roads and the B485 are not used at anytime by construction traffic.
 - b. Roads are not to be used by construction traffic including HGVs during the hours 8am to 10am and 4pm to 6pm in order to minimise the negative impacts of construction routes on free access to and from South Heath and Potter Row. A hotline should be set up allowing your Petitioner to report infringement of the restricted hours detailed above.
 - c. The speed of the train reduced to lessen the impact of noise within the AONB
16. 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.

Public rights of way (PROW)

17. Your Petitioner notes that the Hybrid Bill requires the permanent closure of many footpaths and PROWs in this part of the Chiltern AONB. These represent an important community asset and your Petitioner is a frequent user of the local PROWs for recreational, social and exercise purposes. They include footpaths through or along 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 closure or destruction of most of the PROWS in the Central Chilterns. Where some PROWs are to be re-instated the route chosen is often totally inappropriate, for example alongside steep cuttings.
18. 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.

Loss of ancient woodland and Chilterns AONB

19. Your Petitioner notes that the current above ground construction route passes through and will partially destroy three ancient woodlands Sibley's Coppice, Mantles Wood and Farthings Woods. They will be permanently lost together with indigenous flora, fauna and natural biological eco-systems and will sadly directly affect your Petitioner's use of these woodlands.
20. 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 ignore the fact that alternative construction, namely a fully bored tunnel, will preserve the Chilterns AONB.

21. Your Petitioner moved to the Prestwood area 16 years ago to find a property in the Chilterns in order to enjoy the rural country environment. 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 personally but to all current and future generations.
22. Your Petitioner is concerned that the balancing ponds, cuttings, new service roads and permanent portal buildings will ruin and not be in-keeping with the landscape of the Chilterns AONB.
23. Your Petitioner requests that the line though the Chilterns AONB is a fully bored tunnel in order to mitigate the overall adverse impact and protect the irreplaceable AONB.
24. Alternatively your Petitioner requests that the Hybrid Bill be amended to incorporate the construction of an extended bored tunnel from Mantles Wood through to Liberty Lane adjacent to Leather Lane. This will protect a further 3.7km of the AONB.
25. If Parliament accepts either of these petitions for an extended tunnel throughout the AONB then this can be taken as completely addressing your Petitioners request for an extended bored tunnel, to overcome the impacts of HS2, with the exception of our petition against unsuitable ancillary structure and for effective compensation (albeit that far fewer people would be affected).
26. 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 Petitioner in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signature of Petitioner in person



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AGAINST, By Counsel, &c.

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