

**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 Justin George Edward Hanslip

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 in common with his wife Mrs Janice Hanslip of 15 Chesham Road, Hyde End, Great Missenden, HP16 0RG.

- 8 Your Petitioner will be directly and specially affected by both the operation and construction of the proposed HS2 line. Your Petitioner lives in that part of the Chilterns Area of Outstanding Beauty (AONB) which will be directly and specially affected.
- 9 Your Petitioner is a member of the Hyde End Residents Group which is also affiliated to REPA and so is especially concerned about the impacts of HS2 on the area.
- 10 Your Petitioner's property is located on Chesham Road immediately adjacent to the junction with Hyde Heath Road. Both of these roads and the road junction are proposed to be used under the Bill as a route for construction traffic for up to 360 vehicle trips per day for up to 5 years.
- 11 Your Petitioner's property is in close proximity to two main construction compounds and is located 500 metres from the line. Therefore your Petitioner's residential property will be subject to intolerable noise, dust, disturbance and traffic disruption during the construction period and subsequently when the scheme is operational.
- 12 Your Petitioner and his wife use the local PROW's daily to exercise their dog and to enjoy the peace, tranquility and beauty of the local AONB. 16 public footpaths and three ancient woodlands will be permanently lost meaning the Petitioner and his wife will no longer have access to their local countryside walks, with the consequential loss of these vital recreational, health and quality of life facilities.
- 13 Your Petitioner and his wife are also subject to additional significant negative repercussions as follows:
- a. property blight with no compensation under the current proposals
  - b. adverse health effects due to stress and anxiety about the effects of HS2 both during construction and when operational
  - c. impact of local road constructions, construction worker traffic and excavation equipment on local roads
  - d. extensive travel disruption, delays and road damage
  - e. potential increase in crime and security risks to family and property
  - f. increased risk in road safety during the construction period
- 14 Your Petitioner and his rights, interests and property are injuriously affected by the Bill, to which your Petitioner objects for reasons amongst others, hereinafter appearing.

## **YOUR PETITIONER'S CONCERNS**

### **Construction Traffic Routes and Road Safety**

- 15 Your Petitioner is gravely concerned about the impacts of construction in terms of noise and vibration, dust, dirt and air quality and the effects that construction traffic will have on local roads which are entirely unsuitable for high volumes of traffic and HGV's especially.
- 16 Of particular concern to the Petitioner is the effect that construction traffic will have on Hyde Heath Road and it's junction with B485 Chesham Road - your Petitioner's property and garden is immediately adjacent to this road junction and only separated from the road and traffic by a hedge. Both of these roads and the road junction are proposed to be used under the Bill as a route for construction traffic for up to 360 vehicle trips per day for up to 5 years.
- 17 As a result your Petitioner's property and home life will be subject to intrusive and intolerable noise, dust, dirt, vibration and traffic congestion /access problems from the significantly increased volumes. In addition, as a result of these adverse impacts your Petitioner and his wife will be subject to the consequences of noise and air pollution on their health and wellbeing.

- 18 Your Petitioner regularly uses the narrow lanes and roads which will be affected by the construction of the proposed line particularly for access to Amersham, Great Missenden, and Chesham. This will render problematic trips for commuting, shopping, recreation and medical services. Your Petitioner will also continue to need to gain access to the A 413, which is on the other side of the proposed HS2 line, for London and all other areas. Your Petitioner further regards this network of narrow lanes in the AONB as a characteristic feature of the area which should be protected in accordance with the Countryside and Rights of Way Act 2000, and is concerned about proposals to use some of these narrow country lanes for construction vehicles and the effects of construction traffic using the A413.
- 19 Your Petitioner and his wife currently use Hyde Heath Road and Chesham Road daily as part of their route for walking their dog. Hyde Heath Road is a very narrow two lane country road with no pavements; Chesham Road is a B road with a very narrow pedestrian path on some parts. This means there are significant risks of fatality/injuries to the Petitioner and his wife from the construction traffic on these roads.

### **Construction**

- 20 Your Petitioner objects to the timing of works in the Draft Code of Construction Practice (CoCP), given the immediate proximity of the local community to the six construction compounds and the public access roads between them, that will be used by construction traffic.
- 21 Your Petitioner is concerned that the nominated undertaker's ongoing accountability is unspecified and that the Code of Construction Practice is inadequate and has no legal status, with no independent means of monitoring and assessing compliance or sanctions for breach
- 22 Your Petitioner is gravely concerned about the spoil to be excavated and arrangements for movement and storage of spoil that will create pollution and congestion.
- 23 Your Petitioner is also concerned about errors and omissions in the Environmental Statement and matters which your Petitioner understands will be clarified or corrected at a later stage and that these may call for further mitigation or remedies to be considered by the Select Committee
- 24 Your Petitioner wishes to express concern regarding the poor provision of information supplied by the promoter, including in particular errors and omissions in the Environmental Statement with Plan and profile maps remaining unavailable, and furthermore, supplementary information such as the Code of Construction Practice has remained in draft form.

### **Noise and Pollution**

- 25 Your Petitioner is extremely concerned that due to the close proximity of his property to the construction route, the line and two main construction compounds, he and his wife will be unable to enjoy the day to day use of their property and garden or enjoy undisturbed sleep due to the excessive noise, vibration and pollution from construction works and traffic and subsequently the operation of the scheme.
- 26 As a result of these adverse impacts your Petitioner and his wife will also be subject to the consequences of stress, noise and air pollution on their health and wellbeing.
- 27 Inadequate and mistaken information on noise effects has been provided in the ES and your Petitioner disagrees with the assessment which accepts thresholds higher than the World

Health Organisation guidelines say have deleterious health and well-being impacts. Furthermore the detailed analysis of noise that HS2 Ltd has undertaken demonstrably underestimates the severity of noise, because it contains methodological and calculation errors; it also does not comply with National Policy Guidelines, and ignores the fact many of your Petitioner's members are in particularly quiet areas

### **Property Blight and Compensation**

- 28 Your Petitioner's property is located 500 metres from the line, where it runs on the surface between the Chiltern Tunnel North Portal and the South Heath Green Tunnel. Also as previously stated in paragraph 10 your Petitioner's property is on a construction route. Your Petitioner does not qualify for compensation.
- 29 Your Petitioner's home is now permanently blighted and has been since 2010. The blight impacts on the value of his home and his ability to sell. It is causing your Petitioner and his wife great anxiety and stress, and the compensation arrangements are wholly inadequate in addressing the problems.
- 30 Your Petitioner and his wife wish to move house because they are unable to cope with living through the nightmare of HS2. They have been trying to sell their home at a huge personal loss - despite being marketed significantly below market price for over 6 months (to May 2014) it has so far proved impossible to sell.

### **Footpaths/Public rights of way (PROW)**

- 31 Your Petitioner and his wife use the local public footpaths daily to exercise their dog and to enjoy the peace, tranquility and beauty of the local AONB. Up to 16 PROW's will be permanently lost so the Petitioner and his wife will no longer have access to their local countryside walks, with the consequential loss of these vital recreational, health and quality of life facilities.

### **Ancient Woodlands & AONB**

- 32 Your Petitioner is concerned about the long term damage and permanent injury from visual and acoustic impacts in the AONB of the operation of the line between Mantles Wood and Wendover, and it's supporting infrastructure and furniture. The destruction of ancient woodlands (that represents 30% of all the losses to ancient woodlands on the line), the loss of farmland and landscape, the proposed new dump of spoil at Hunts Green Farm, the embankments and viaducts across the valley, the permanent stopping up and re-routing of PROW, all add up to a severe impact on this area of the Chilterns AONB.
- 33 HS2 crosses the widest part of the AONB and less than 50% is in a bored tunnel. Between Mantles Wood and Wendover, Buckinghamshire, the proposed route is on the surface and includes sections in shallow cuttings, on two viaducts, on embankments and in two green tunnels. This area is designated as an Area of Outstanding Natural Beauty under Section 85 of the Countryside and Rights of Way Act 2000 (CROW Act) and is further protected under the National Planning Policy Framework and the European Landscape Convention.
- 34 Your Petitioner is concerned that the Promoter of the Bill has ignored the obligations to protect the AONB, and cannot understand how they consider that the proposed surface route of the line for this area meets the requirements to protect and preserve the tranquillity of the area and the beauty of its landscapes. The special qualities of the AONB generate over 50 million visits a year by visitors from London and other areas. Your Petitioner requests that changes be made to the Bill to ensure the fullest possible protection of this part

of the AONB, both during and after construction, this being a special requirement exclusive to this area. No other part of the line is within the AONB or has the statutory protection afforded to the AONB.

35 Your Petitioner is gravely concerned that line will create an unacceptable visual impact along the AONB section of the line from Mantles Wood to Wendover. The raised embankments and viaducts plus the overhead lines and gantries together with the light pollution and other ancillary structures will constitute a major permanent eyesore along this section of the AONB.

36 Your Petitioner chose to live in the Chilterns in order to enjoy the rural country environment whilst commuting to London. The effective destruction of this, with its tranquillity, serenity, ambiance, aesthetics, and overall natural beauty will be a tragic loss not only to him personally but to all current and future generations

### **Anxiety & Stress**

37 Considering all of the aforementioned your Petitioner is 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.

### **REMEDIES / MITIGATIONS REQUESTED**

38 Your Petitioner requests that measures be taken and changes be made in the Bill or the Code of Construction Practice or by obtaining binding undertakings from the Promoter to address the various concerns of your Petitioner as listed above.

39 Your Petitioner requests that the AONB be protected from these effects by amending the Bill so the line passes throughout the AONB in a bored tunnel, as proposed by the Chiltern District Council<sup>1</sup> or by extending the present Chiltern tunnel proposals by adopting the CRAG T2<sup>2</sup> proposals. The latter is referred to in the Environmental Statement and accepted as both feasible and environmentally preferable. Either of these options would substantially remove the adverse effects complained of in this petition and the need for the proposed remedies otherwise required.

40 Your Petitioner requests that, if the proposal for a full tunnel throughout the AONB is rejected, then the Chilterns' bored tunnel should be extended at minimum for 4kms from Mantles Wood to Leather Lane. The South Heath Chilterns Tunnel Extension<sup>3</sup> (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.

41 In the absence of extending the Chilterns' tunnel then your Petitioner requests that provision be made for the following mitigations:-

42 That the nominated undertaker be required to mitigate the remaining nuisances, by giving the Code of Construction Practice legal effect, with independent assessment of compliance and sanctions for breach. The Code should specify, in all cases, the need for work, facilities

<sup>2</sup> <http://www.thelee.org.uk/HS2%20storage/Proposals%20for%20the%20Chilterns%20Tunnel%20Extension%20Dec%202013.pdf>

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<sup>3</sup> <http://www.repahs2.org.uk>

and construction, to be to the best available standards and techniques, and to the highest standard of construction and operation of the railway and its associated developments. The Code should be so amended to enforce the following measures:-

- a. Constructing new temporary roads to access the trace directly from the A413, and prohibiting the use of all existing minor roads in the AONB by construction traffic e.g. Hyde Heath Road, Chesham Road, Frith Hill (South Heath leg), Hyde Lane; Potter Row, Kings Lane
- b. Restricting HGV movements to the period 09:30 – 15:30 throughout this section of the AONB
- c. Prohibiting any widening, straightening or enlargement of the narrow minor lanes for construction traffic.
- d. That the contractors should be required to construct the railway to ensure that during construction and operation of the line noise, dust and vibration is minimised and monitored and that air quality is maintained
- e. Operating a 'Park and Ride' scheme to transport construction workers along the trace, and enforcing this by not providing parking for contractors at the construction compounds.
- f. That contractors in the AONB will be required to restore the land and temporary access roads after use to acceptable AONB landscaping and that local authorities be given the power to inspect such works and if necessary sanction contractors
- g. During construction, the nominated undertaker must be responsible for maintaining the quality of all roads used during and after construction, so that the roads must be returned to its original size and character, and all damage repaired by the nominated undertaker.
- h. In the absence of the temporary service road to the A413, then as a minimum your Petitioner requests that Hyde Heath Road is deviated west to join B485 Chesham Road near to Hyde Lane.
- i. Also that sound insulation is installed in the Petitioner's property to mitigate the significant increase in road noise that will occur during the construction phase particularly.
- j. Prohibiting the use of all existing minor roads in the AONB by maintenance vehicles e.g. Hyde Heath Road, B485 (Chesham Road/ Frith Hill) Kings Lane, Hyde Lane, re-routing the maintenance traffic south from Mantle's Wood directly to the A413, rather than north to Hyde Heath Road and west to the B485 (Chesham Road/Frith Hill) so avoiding the villages of Hyde Heath and Hyde End.

- 43 That property blight is compensated by extending the HS2 voluntary purchase scheme up to at least 1 kilometre and amending the "need to sell" scheme so that having sufficient financial resources should not disqualify an applicant who otherwise has a reason to move. The scheme should also include the purchase of properties at the price they would have achieved but for HS2, where people wish to sell but are prevented from doing so because of HS2. They should not need to demonstrate a compelling reason (e.g. job relocation, ill health) to qualify but merely a desire to move for personal reasons. The Hyde End area itself should be recognised as a community suffering blight.

- 44 For the foregoing and connected reasons your petitioner respectfully submits that, unless the Bill is amended as proposed above, then the Bill affecting your Petitioner, should not be allowed to pass into law.
- 45 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 prays 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, or Agent for the Petitioner]

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

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL

PETITION OF Justin George Edward Hanslip

Against the Bill – On Merits - By: Justin George Edward Hanslip

