

IN PARLIAMENT

HOUSE OF COMMONS

SESSION 2013–14

HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION

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 GRAHAME PHILIP BUXTON

SHEWETH as follows:-

1. A Bill (hereinafter referred to as “the Bill”) has been introduced and is now pending in your honourable House entitled “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 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 are specified in clauses 1 and 2 of and Schedules 1 and 2 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 and Schedules 2 and 3 to the Bill.
7. Your Petitioner is the freehold owner / occupier of 43 Hillside, Harefield, Middlesex, UB9 6AU. This property has been the family home of your Petitioner since 1964. Your Petitioner has enjoyed a peaceful rural lifestyle with open farmland, lakes and the Hillingdon Outdoor Activity Centre (HOAC) to the rear of the property. Your Petitioner's property is situated within South Harefield, a beautiful rural location that will be devastated during the construction of HS2. Your Petitioner's property will be in close proximity to several proposed construction sites with the field immediately to the rear of your Petitioner's property being used to house construction workers. Your Petitioner's property is also in close proximity to Harvil Road and Moorhall Road which will be used as routes for construction traffic moving between these sites and is also in close proximity to land safe guarded for sustainable placement of spoil. Your Petitioner's property will be subject to at least seven years of noise, dust and vibration during the construction period. In addition, there will be considerable congestion on local roads which will mean restricted access to your Petitioner's property and difficulty getting to and from work. Furthermore, it is proposed to build a National Grid Feeder Station on farmland approximately 350 metres from your Petitioner's property. This massive building will be clearly visible. There is also a proposal to 'temporarily' realign National Grid electricity pylons for an indefinite period. The realignment will see these pylons placed close to your Petitioner's property. If HS2 is constructed your Petitioner's property will be approximately 600 metres from the railway line as it passes over a viaduct. Operation of the line will result in spoilt views, high levels of noise pollution and restricted access to country walks which your Petitioner has enjoyed over many years. Your Petitioner had also

intended to retire from work in 2021 – 2022 and move to a smaller property so releasing money to supplement his pension. Given that, at that time, he will be living in the middle of a construction site he is very concerned that when he tries to sell the property he will not be able to do so or will only achieve a sale at a considerable financial loss to himself.

8. 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.
9. Your Petitioner opposes the Bill in principle. Whilst it is acknowledged that the principle of the Bill is established at second reading your Petitioner's views are so strong they must be recorded in this Petition.
10. Your Petitioner believes that the business case for HS2 is weak and represents poor value for money to the tax payer. Your Petitioner supports the alternative to HS2 and the issue of capacity put forward by the 51m Group which can achieve the same results at a substantially reduced cost. Your Petitioner further believes that, when taking into account advances in IT, the HS2 project is already out of date before construction has even begun.

Viaduct

11. The proposed line is planned to pass your petitioners property on a viaduct approximately 940m long in the field adjacent to your petitioner's property and approximately 600m at its closest point. The route of the proposed line will continue over the Grand Union Canal and Moorhall Road in the form of an arc. This arc is in close proximity to your petitioner's property. Given that current plans envisage around 36 trains every hour travelling up to speeds of 320km per hour over large bodies of water, your petitioner is concerned about the noise pollution that will surround him which will be heightened due to the trains travelling over the water. Your petitioner believes that the promoters of the Bill have not properly considered this factor when estimating noise impacts.
12. Your Petitioner understands that it is proposed that there will be a 1.5 metre high sound barrier on each side of the viaduct where it crosses the Grand Union Canal. It is proposed that a 4 metre sound barrier will be placed on the far side as the viaduct crosses Moorhall Road. Your petitioner is concerned that this will generate even more noise pollution towards his property.

13. Your petitioner enjoys regular walks across the land adjacent to his property where the proposed viaduct will be built. Your petitioner also walks along Moorhall Road. The viaduct will pass directly overhead at a height of 15 metres. The promoters have not indicated the decibel level of the trains in this circumstance. The ES accompanying the Bill suggests 90 Db. at 25 metres. Your petitioner believes the noise level of passing overhead trains could be damaging to health and hearing, making Moorhall Road and the Grand Union Canal towpath unusable on foot.
14. The proposed Colne Valley viaduct will be clearly visible from your petitioner's property and the public rights of way and bridle paths that would not be subject to permanent closure. This will spoil the tranquil views and peaceful walks your petitioner currently enjoys from his property.
15. Your petitioner respectfully submits a tunnel in place of a viaduct would be sympathetic to the surrounding environment; remove the health implications associated with dangerous noise levels, and prevent closure of public rights of way and bridleways. If your Honourable House decides a tunnel is not an option the viaduct must be designed and constructed sympathetically and maintained visually to a very high standard i.e. by regularly funding removal of graffiti. In addition, the speed of the trains travelling across the viaduct should be reduced to a speed that does not generate a dangerous decibel level. The frequency of the trains should be reduced to allow pedestrians to pass through between intervals when noise pollution is not at its worst.
16. Your petitioner respectfully requests a bored tunnel in place of a viaduct under the HOAC lake and adjacent areas.

Air Quality / Pollution

17. Your petitioner enjoys living in a rural environment with the use of surrounding open green space, public footpaths, bridleways and woodland. Your petitioner is very concerned that the air pollution generated during the construction period of at least seven years, further aggravated by the disproportionate and large amount of construction proposed for such a small area in South Harefield, will increase the risk of ill health for the Petitioner and all the other residents of Harefield.
18. Your Petitioner requests that before construction there should be an air quality baseline monitoring study benchmarked against the Air Quality Standards Regulations 2010 and a copy of the report should be provided to Hillingdon Council.

19. In addition, your Petitioner requests that Hillingdon Council should be provided with funding to undertake responsibility, compliance and enforcement for the monitoring of air quality in accordance with binding mitigation plans and that the results of monitoring are made publicly available.
20. Further, your Petitioner requests that, in respect of the operation of the railway, your Honourable House consider a tunnel instead of a viaduct to reduce the risk of ill health and amount of ongoing air pollution.

National Grid Realignment

21. Your petitioner is concerned about the realignment of the National Grid bringing electricity pylons closer to your petitioner's home for the purpose of constructing the HS2 viaduct. HS2 Ltd have not consulted or made it clear to your petitioner when this work will start only that it will need to commence prior to the beginning of construction in 2017. HS2 Ltd have not indicated in any public document how close to your petitioner's home the electric pylons will be placed or consulted with your petitioner. HS2 Ltd have not made any reference to how temporary (or permanent) this arrangement will be. Your petitioner is concerned about an increase in noise and dirt when this work starts and an increase in risk to health and noise pollution once in place. Furthermore, the National Grid will have a significant negative impact on the view enjoyed by your petitioner and all his neighbours.
22. Your petitioner respectfully submits that a tunnel in place of a viaduct would prevent the need to realign the National Grid. If your Honourable House decides a tunnel should not be an option then consideration should be made to realign the National Grid away from your Petitioner's home.
23. In order to minimise the impact of the proposal, your petitioner respectfully requests that prior to construction, your petitioner and other local residents, particularly from Hillside, should be consulted meaningfully and have access to detailed plans outlining when the grid will be moved and the exact positioning of it and the reasons why this is the preferred position. It must be placed and screened as sympathetically as possible to cause minimum disruption to your petitioner and other residents while at the same time being sympathetic to the local environment.

Structural Design – National Grid Feeder Station

24. Your petitioner is concerned about the proposal to construct a permanent National Grid feeder station and access road on land adjacent to his property. Your petitioner

is concerned about the design and height of the National Grid feeder station which is outlined in London – West Midlands Environmental Statement Volume 2 / Map Books CFA7 / Colne Valley. The height or design of the construction has not been made public. Your petitioner is concerned that this structure will be clearly visible from your petitioner's home, and surrounding footpaths used by your petitioner, and that it will look out of place in the surrounding environment. This will have a significant negative impact on the landscape, and ruin the natural beauty of the local environment. Your petitioner is concerned about the noise and air pollution during construction and noise pollution thereafter during the operation of the station.

25. Your petitioner respectfully requests this structure is constructed a much further distance away from Hillside and the petitioner's home and sympathetic screening, mainly trees are planted around it to minimise the adverse visual impact which would be much more in keeping with the local surroundings. If your Honourable House decides this is not an option then can consideration be made that in order to minimise the impact of the proposal, your petitioners and other local residents, particularly from Hillside, prior to construction must be consulted meaningfully on the detailed drawings and plans for the National Grid Feeder Station. It must be designed sympathetically to fit in with the surrounding environment, and be maintained to a high standard. Visual screening must be put in place, and this must also be maintained to a high standard, in order to minimise the noise pollution generated by it.

Construction Traffic

26. Your petitioner's house in Hillside is situated between two streets, The Furrows leading onto Harvil Road and Dellside leading onto Moorhall Road. These two roads give your petitioner access in and out of Harefield and allow access to the South of the Borough. Your petitioner is concerned about the adverse impact construction traffic will have on the accessibility to everyday and essential services. Your petitioner uses Harvil Road and Moorhall Road to commute by car and / or bus for work and to access services offered in Uxbridge and surrounding towns. Construction traffic will result in considerable delays and cost affecting your petitioner's daily commute to work and access to essential services. Construction sites are proposed along Moorhall Road and Harvil Road. Sites are also proposed in Ickenham and Denham. Your petitioner is concerned that access in and out of his property will be severely and adversely impacted by the volume of heavy goods vehicles due to the presence of the construction sites and their presence could increase the risk of road traffic accidents causing further misery.
27. Due to a change of employment your petitioner will regularly use the U9 and 331 bus services. Part of the U9 route runs along Harvil Road and the 331 runs along

Moorhall Road. Your petitioner is very concerned that this facility will be withdrawn or disrupted for a number of years due to the delays that will be caused by construction traffic. There are no other alternative routes for this service in South Harefield.

28. Your petitioner submits that if a tunnel were constructed in this area, the construction sites would not be necessary and therefore construction traffic will be reduced, alleviating the above concerns and the related knock on affects to surrounding areas.
29. If your Honourable House decide against a tunnel, your petitioner submits that construction traffic should only be allowed to use one of the two roads at any one time. Your Petitioner also requests that hours for the movement of construction traffic are limited to between 08:00 hrs – 17:00 hrs Monday to Friday with limits on the number of lorry movements and the size of vehicles with strict enforcement being applied. In addition, binding mitigation measures should include traffic management plans to be agreed between the nominated undertaker, Hillingdon Council and other relevant local authorities and the highway authority to be monitored and enforced by environmental health officers.

Sustainable Placement

30. Your Petitioner is very concerned that it is intended to use the area of South Harefield over a long period for the disposal of spoil resulting from tunnelling in other areas. Your Petitioner lives close to Park Lodge Farm on Harvil Road and its surrounding countryside and woods. This land has been safeguarded for the sustainable placement of spoil. Your petitioner is concerned because the safeguarded area is very extensive. Your petitioner is also concerned that the volume of HGV traffic will be further increased when the disproportionate amount of spoil is transported to Harefield. The height they propose to dump the spoil, at 3 meters, is a cause for concerns regarding the risk of flooding close to the petitioner's property in an area that is already prone to flooding. The dumping of spoil on South Harefield puts a further unfair burden on an area that is already facing devastation. The petitioner is concerned this area will not recover from the dumping of spoil and that it may be contaminated with toxins.
31. Your petitioner respectfully requests that the HS2 Ltd reconsider and give more thought to their decision as to where to dump the spoil. The spoil could be transported by rail and placed in an area where it would cause no adverse effect. This would also alleviate traffic, noise and dust pollution.

Compensation

32. On the 9th April 2014 the Government published an "improved" compensation and assistance package. Even though your Petitioner has made clear via the Compensation Consultation and through his MP the mass disruption, pollution and devastation he believes will affect South Harefield, your petitioner, it would seem, is not entitled to any compensation which he considers to be very unfair. As previously explained, your Petitioner is very worried that, on his retirement in 2021, he will not be able to sell his house without making a substantial financial loss as he will be living in the middle of a building site.
33. As previously mentioned, a tunnel in place of a viaduct to the rear of your Petitioner's property would reduce the negative impact. If your Honourable House decides a tunnel is not an option your petitioner asks that the compensation and assistance package is reviewed to ensure that your petitioner and neighbours are adequately compensated for years of blight and stress that will be the consequence of HS2.
34. In particular your Petitioner respectfully requests that the Bill should be amended to ensure your Petitioner and others outside of the safeguarded area who are injuriously affected and adversely affected by loss of value in their property should be entitled to compensation.
35. Your Petitioner requests that the voluntary purchase scheme announced on 9 April 2014 should be extended to all properties outside of the safeguarded area and should not be limited to rural areas. This is especially relevant to your Petitioner's property which is situated in a rural area within the green belt but is part of Greater London and is thus considered to be an urban area.
36. Your Petitioner requests that the home owner cash payments should be extended to all areas within the vicinity of the proposed railway line and the payment should be calculated so that all diminution in value is compensated for.
37. Your Petitioner submits that the Bill should be amended to ensure that your Petitioner is entitled to claim compensation where their property is not compulsorily acquired for, among other matters, structural damage to the property, settlement impacts from noise and dust, impacts on visual amenity, interference with access, interference with supplies of service and for injurious affects caused by the construction and operation of the high speed railway and associated development. Your Petitioner requests a provision to enable such claim to be made separately from any claim for compensation in respect of the acquisition of land or interests under the powers of compulsory acquisition in the Bill.
38. Your Petitioner requires an indemnity from the nominated undertaker that the proposed works will not be of long term or irreversible detriment to the land and interests of your Petitioner. Such indemnity would also remedy any damage, claims,

demands, proceedings, costs, expenses and disruption arising from the construction and operation of the high speed railway and associated development.

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

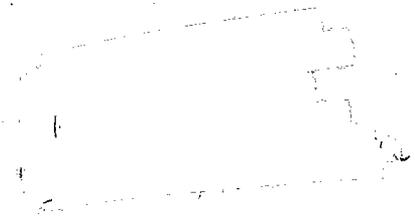
40. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and his rights, interests and property and for which no adequate provision is made to protect your Petitioner.

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 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

GRAHAME PHILIP BUXTON.



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HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL

PETITION OF

Grahame Philip Buxton

Against the Bill - On Merits - By Counsel &c

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]