

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 The Dunsmore Society

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, The Dunsmore Society, was formed in April 2007 as an environmental group wishing to preserve the beauty of the locality in and around the Dunsmore settlement. Some members are from properties on the A413 at the bottom of Dunsmore Lane, Little London, Smalldene and of course Dunsmore. The Society has been meeting and communicating directly with the HS2 Ltd team at Bilateral meetings held in Dunsmore and at CF10 (Dunsmore, Wendover and Halton) meetings. The Society has been instrumental in informing members regarding the proposed HS2 and responding on their behalf to the very many Consultations regarding it. It has worked in close co-operation with for example the Chiltern Conservation Board, and the Chiltern Countryside Group. At a formal meeting in September 2013 it was unanimously, formally agreed, that the Society would lodge a Petition regarding the HS2 Hybrid Bill, and Jennifer Irene Waller Chairman of The Dunsmore Society would be authorised to Petition on its behalf.

The Dunsmore settlement is the highest settlement in The Chiltern Area of Outstanding Natural Beauty (AoNB) located over 800ft above sea level. The settlement experiences high levels of tranquil-

ity and exceptionally low levels of light pollution. The settlement is approached only by a steep single-track road, which runs from either the A413 to the East and the Rignall Road to the West. Dunsmore has a large number of ProW running through it and attracts walkers, horse riders and cyclists, as it is located on The Chiltern Cycle Way. The Ridgeway long distance footpath runs just to the West of the settlement attracting many walkers. Many of the paths and tracks run along the ridge on which Dunsmore is situated, giving far reaching views across and along the Misbourne Valley through which it is proposed to run the HS2 line on two viaducts and an embankment. It has two spring fed ponds and a village common and is surrounded by several PRow one of which the Society was responsible in re-opening after many years.

- 8 Your Petitioner's rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.
- 9 Your Petitioner avers that the Dunsmore environment will be seriously and adversely affected during both the construction phase and then during operation.
- 10 Dunsmore is located immediately south of Wendover. It is on the ridge crest overlooking the Misbourne Valley to the East. To the West is Hampden valley and the Chequers the Prime Minister's country retreat. The National Trust Coombe Hill Property is adjacent to Dunsmore. The whole area is within the AoNB and as such a protected landscape under Section 85 of the CROW Act 2000. With HS2 this will be lost forever. Your Petitioners members have for years walked, cycled and ridden the tracks and paths around Dunsmore.

The proposed scheme will have many irrevocable, detrimental effects upon this protected landscape. The Dunsmore area south of Wendover will be your Petitioner avers the most seriously affected part of the AONB. In the Chilterns AoNB many km of the route will be on surface, embankment, viaduct, shallow cuttings or cut and cover tunnels. The line in the vicinity of Dunsmore includes two 500-metre viaducts one at Wendover Dean and one at Smalldene. The viaducts have a maximum height of 26 metres including the gantries. There is also a long embankment of up to 16 m high with gantries of 8 metres on top. Hedgerows, trees and both ancient

and more recent woodland will be destroyed. Farms and land will be taken for construction. Spoil will be dumped to create an embankment and what HS2 Ltd calls a sustainable placement at Hunts Green Farm. This dumping should not be allowed in the AONB. There is also a planned autotransformer electricity station, covering 2,200 square metres at Rocky Lane.

It would appear that the Northern section of The Chiltern AONB is being denied the environmental protection offered by way of a fully bored tunnel being provided to the Southern section. According to the Environmental Statement this decision is based on simply cost grounds and takes no account of the reduction in environmental harm and the statutory requirement to protect this landscape.

In order to appreciate the level of desecration projected to be caused by HS2 in this area your Petitioner respectfully suggests that the Select Committee visits Dunsmore where we would be happy to host them and show the full impact upon the community. Perhaps the Committee would be invited to stay by Mr Cameron at Chequers. He has so far refused the invitation to meet residents in Dunsmore. This despite his regular jaunts to Coombe Hill.

The remedy for the wanton desecration of the AONB would be a fully bored tunnel through the whole of the AONB.

Problems caused by the Construction Phase: -

1. The views to the east of Dunsmore across the valley will change from the current protected landscape into a nightmare of cranes and construction. Spoiled for future generations to enjoy. The replacement of the much loved protected landscape for a jungle of concrete, and fixed and moving steel.
2. The chalk dust from the construction will be of great nuisance when we have Easterly winds and it is inconceivable that the whole construction area can be kept damp to prevent the dust traveling large distances from the site.
3. Your Petitioner objects to the use of a so-called "sustainable placement" in the AONB at Hunts Green Farm across the valley from Dunsmore. Such placement will have negative visual impacts and change the character of the area.

4. Your Petitioner objects to the use of balancing ponds in The Chiltern AONB as these once again will drastically alter the unique character of the area, not being a natural feature of The Chiltern landscape.
5. Dunsmore is an area relatively free from light pollution and the need for powerful lighting on the construction site and the construction camps will have a deleterious effect on the "dark skies" currently enjoyed in the settlement.
6. Your Petitioner will find the increased noise level injurious and as this Petition is being written the external sound level is 39.5 db resulting from a singing blackbird. It would otherwise have been quieter.

Problems caused during operation of HS2: -

Your Petitioner avers that the operation of HS2 following the completion of the proposed scheduled works would have the following permanent effects:

1. Your Petitioner's views of The Chilterns AONB would be permanently scarred by the construction of two viaducts and an embankment with heights ranging from 10 to 18 metres and the associated catenary on top of that. The line would be visible from numerous viewpoints around Dunsmore destroying a protected landscape under section 85 of The CROW Act 2000.
2. The effect of trains up to 400 metres long running at least every 2 minutes will totally destroy the tranquility of Dunsmore and its environs. As mentioned above Dunsmore enjoys relatively high levels of tranquility and it is a matter for regret that despite repeated 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 at meetings in Dunsmore, 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, save a rather flippant throw-away line by Mr Cowie that excess spoil could be used to construct a large bund around the settlement a la ancient hill-fort!

Remedial Measures: -

HS2 Ltd has attended bi-lateral meetings with The Dunsmore Soci-

ety and residents. Residents have also attended the CFA 10 meetings. At these meetings it was made clear to HS2Ltd that the only mitigation to protect the AoNB in this area and for the residents of Dunsmore was to lower the line into a fully bored tunnel through the whole of the AoNB, to run to a position North of Wendover. This, HS2Ltd have admitted in the Environmental Statement is technically possible but rejected on cost grounds. At the initial Wendover HS2 Roadshow Professor Andrew McNaughton HS2 chief engineer acknowledged the desecration that HS2 would bring to the AoNB. He advised your Petitioner to seek a fully bored tunnel through the whole of the AoNB, as it would be the only truly non-evasive mitigation for the AoNB.

All people affected regardless of distance from the line should be fully and fairly compensated for their loss; the current scheme is totally inadequate and unfit for purpose.

At the bi-lateral meetings Dunsmore Society members, made it clear, that if the option of the fully bored tunnel were not to be enacted then in order to protect both the AoNB and the settlement of Dunsmore, a fully enclosed structure similar to the Arup concept enclosure was required on the 2 viaducts and on the embankment to ensure people would neither see nor hear the trains. This proposal is discussed and dismissed by HS2Ltd in the Environmental Statement; this illustrates the complete lack of understanding of HS2Ltd regarding the natural environment and their responsibilities under The CROW Act 2000. They behave as though they have only a duty to produce an Ultra High Speed Railway and can thus totally ignore any environmental legislation nor bear any responsibility that they may have to preserve the natural environment. Witness their approach to the problems caused to Barn Owls, they accept eradication of those birds living near the line and have a "solution" of putting nest boxes 1.5 Km from the line in the hope that some birds might think to use them.

All Pylons should be removed and the cabling placed underground to minimise the cumulative effect on the valley.

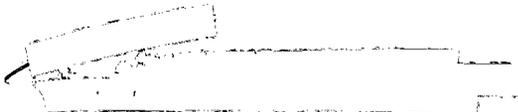
There are other clauses and provisions of the Bill, which, if passed into law as they now stand will prejudicially affect your Petitioners and their rights; interests and property and for which no adequate

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.

Signed on behalf of The Petitioner


(Chair of Dunsmore Society)

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(LONDON-WEST MIDLANDS)
BILL

PETITION OF THE DUNSMORE SOCIETY

AGAINST, By Counsel, &c
The Dunsmore Society
Jennifer Irene Waller (Chair)

