

**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 NORMAN GRAINGER DENNIS & CAROL PATRICIA DENNIS

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 Petitioners are the freehold owners of The New House, Slade Oak Lane, a country lane in Higher Denham South Bucks. We have lived in the same property for the last 30 years following our marriage in 1984 having taken a great deal of time to find such an idyllic country setting overlooking green fields but with good rail connections into London and close to the main motorway routes. Our 3 children have enjoyed growing up in the local area and have taken full advantage of the local amenities in the area. As young children, our 2 sons became competent sailors at the local Hillingdon Outdoor Activities Centre (HOAC) and our daughter enjoyed weekly local horse riding lessons and hacking out across the local fields and bridleways. Over the years, all the family have enjoyed walking and bike riding in and around the local area and in retirement your Petitioners take great pleasure from regularly walking the local footpaths and bridleways. Your Petitioners' property will not be demolished as a result of the Bill but is located within 2 miles of the line and will only be approximately 350 metres from the Heathrow Spur when it is constructed. Your Petitioners' property is also on a country lane that is only half a mile before a junction to the A412 North Orbital Road which will be used by construction traffic during the construction of the Scheme.

8. Your Petitioners and their rights, interests and property are injuriously affected by the Bill, to which your Petitioners object for reasons amongst others, hereinafter appearing.

9. GENERAL OBJECTIONS

Your Petitioners oppose the Bill in principle. While your Petitioners acknowledge that the principle of the Bill was established at its Second Reading, your Petitioners' views on the subject are so strong that they must be recorded in this petition. In the view of your Petitioners, the Bill's Promoters have not demonstrated a credible economic, strategic or environmental case for the proposed railway; that the powers sought in the Bill are excessive and that the environmental, social, economic and health impacts of the project have not been properly assessed.

Your Petitioners object to the way public consultation has been undertaken and reported prior to deposit of the Bill. Information provided by the Promoter has been piecemeal, incomplete, at times misleading, at times erroneous, and often difficult to access. Your Petitioners have attempted to engage with the Promoter during the Community Forum process, but have not had the majority of their questions answered or their concerns and suggestions addressed. As a consequence, your Petitioners feel that they still lack information about important aspects of the proposed scheme and its construction that are likely to have adverse impacts on our lifestyle.

COLNE VALLEY VIADUCT

Your Petitioners regularly walk or bike along the Grand Union Canal and surrounding lakes that will either be within sight or earshot of the proposed Colne Valley viaduct. According to the published plans the viaduct will be 15m above water and ground level, with overhead catenation adding to its height and visual impact. Most of the viaduct will cross these lakes, and your Petitioners believe that these bodies of water will amplify the noise of passing trains, especially after they emerge from the tunnel portal at Ickenham. Your Petitioners believe that the promoters of the Bill have not taken this sufficiently into account in assessing noise impacts.

Your Petitioners request that if the existing route is to be retained, a tunnel is constructed under the Colne Valley to create a continuous underground, unobtrusive link between north-west London and mid-Buckinghamshire, extending beyond Amersham to the Vale of Aylesbury. This would also avoid irreversible damage to the Chilterns Area of Outstanding Natural Beauty (AONB), which many of your Petitioners use for recreation.

In the event that your honourable House were to decide not to require a tunnel, your Petitioners request that the train speed on the viaduct be reduced to a level that does not generate a dangerous decibel level as trains pass overhead, taking into account the fact that on some occasions trains might be passing in both directions simultaneously.

Your Petitioners further request that the hours of operation and maintenance be curtailed to provide an acceptable period of night-time quiet for residents living nearby.

Your Petitioners further request that the Promoter be required to monitor noise levels during operation and enforce limits that comply with the World Health Organisation's recommendations on best standards.

#### LAND ACQUISITION

Your Petitioners are concerned about the powers to acquire land compulsorily as set out in clause 4 of the Bill, and believe that the powers sought exceed what is required to achieve implementation of the project. Your Petitioners believe that the powers under clause 47 to acquire land for regeneration and other purposes are unprecedented, unnecessary and only serve to create additional blight.

Your Petitioners seek an assurance that the Secretary of State will acquire no greater amount of land than is reasonably required for the construction and operation of works authorised by the Bill. Your Petitioners respectfully request that clause 47 be removed from the Bill.

#### IMPACTS DURING THE CONSTRUCTION PERIOD

The Colne Valley has been designated by the Promoter to be the location of what your Petitioners believe is the largest concentration of construction works of any designated rural area along the first phase of the proposed railway between London and the West Midlands. The Colne Valley workings would include five main construction compounds, seven satellite compounds, two worker accommodation sites, five electric stations and sub-stations, six diverted Public Rights of Way and sixteen stockpiles of construction materials. In effect, the Colne Valley would become the 'dumping ground' for all the material to be excavated through the two tunnel portals, near Ickenham and Chalfont St Peter, on either side of the valley, and the construction of the planned viaduct across the lakes of the Colne Valley Regional Park and the Mid Colne Valley Site of Special Scientific Interest (SSSI). Your Petitioners regard this as a disproportionate and unnecessary burden for the Colne Valley to bear, and by the middle of the next decade your Petitioners feel this

attractive region would be unrecognisable if the project is allowed to proceed, in its present form.

Your Petitioners request that the best available means for minimising noise, vibrations, dust and light pollution during construction and operation are utilised. Your Petitioners further request that monitoring equipment for noise, vibrations and pollution are installed at sensitive points for the duration of construction, with clear noise and pollution thresholds stated. If monitoring shows that the permitted levels have been exceeded, your Petitioners request that work should cease immediately and not resume until noise mitigation devices have been installed in affected properties.

#### VISUAL IMPACTS

Your Petitioners are concerned about the visual impacts of the construction camps and other installations in the Colne Valley, as well as the loss of ancient woodland, flora and fauna that would be necessary for construction to commence. The visual impact would be particularly acute in the Mid Colne Valley SSSI, the outstanding scenic setting of the Colne Valley, an area regularly used for recreational purposes by your Petitioners.

Your Petitioners request that tree planting is carried out prior to construction to ensure some level of screening of the construction works. This planting should, as far as possible, be in keeping with the surrounding environment, although the Petitioners regret that replacing ancient woodland is impossible: there is no mitigation for the loss of this resource.

In the event that the Promoter of the Bill decides to proceed with construction of the Colne Valley viaduct, your Petitioners request that they and other local residents should be consulted meaningfully on the detailed drawings and plans for the structure. The published plans indicate that the viaduct's design would not be in keeping with the surrounding environment, and will have a significant negative impact on the landscape. Your Petitioners request that the structure must be designed in sympathy with the land and water it crosses, and be maintained to a high standard throughout its life. Visual screening should be put in place, and this must also be properly maintained.

#### TRAFFIC CONGESTION

The Promoter intends to have uninterrupted access to every major road and some minor roads in the Colne Valley for its heavy construction vehicles. Your Petitioners believe that in an area where peak period traffic levels are already problematic this will result in severe traffic congestion and disruption to local public transport

services across a wide radius. Your Petitioners property is in close proximity to the A412 North Orbital Road which it is understood will be used intensively by heavy goods vehicles from the construction compound adjacent to Old Shire Lane and satellite compounds in Denham and Harefield. Works traffic from Martin Baker, a large manufacturing site at the end of Lower Road, Higher Denham, joins Slade Oak Lane where it becomes Old Rectory Lane up to the main A412 junction. This traffic already causes traffic congestion at the A412 junction backing up into Old Rectory Lane, necessitating traffic lights at peak periods.

The additional construction traffic will create intolerable delays for commuter traffic throughout the day and will affect the daily school run, bus services and emergency vehicles, and increase the danger to pedestrians and cyclists. Your Petitioners already use and plan to make more use of the 581 and the 331 local bus services which will no doubt suffer from a deterioration of service.

Your Petitioners request that the Promoter of the Bill pay for the construction of a link road from the opposite end of the Martin Baker manufacturing site to the A413 Amersham Road. Martin Baker have already received approval for this work a few years ago but found it too expensive to carry out the construction.

Your Petitioners ask that the Promoter be required to give an undertaking that construction traffic is managed in such a way that at least one public transport route through the Colne Valley is kept clear of construction traffic at all times of the day and night to allow bus services to maintain their existing timetables. Your Petitioners ask that they be consulted meaningfully about any proposed diversions to local bus routes.

Your Petitioners ask that the Promoters be required to give an undertaking that construction traffic movements will be restricted to a level that does not adversely affect response times for emergency vehicles. This could be done by capping the number of movements permitted in a 24-hour period and the number of local roads affected at any one time.

Your Petitioners further request that any damage to roads caused by heavy good traffic during the construction period should be repaired immediately at the expense of the nominated undertaker. After construction, any diverted roads should be returned to their original state and position, as far as possible. Your Petitioners request that a hotline is established to enable road-users to report any damage to the carriageway, and the highway authority should have full access to all such reports, to ensure that complaints are addressed within a reasonable period of time.

## RAIL

Your Petitioners regularly rely on the Chiltern Lines service between Denham or Denham Golf Club stations and Marylebone Station in Central London. Your Petitioners request that Chiltern Lines passenger services be protected throughout the period of construction, and the frequency of local services increased, if possible, to compensate for disrupted road journeys during the construction period.

## RIVERS AND FLOODING CONCERNS

The low-lying Colne Valley, which includes the floodplain of the Rivers Colne and Misbourne, is periodically prone to flooding. During the winter of 2013/14 record water levels were recorded in both rivers, but this was not taken into account by the Promoter's Environmental Statement, which relied on readings taken by the Environment Agency in 2001. Your Petitioners request that the water levels of both rivers are continuously monitored throughout the construction period and beyond.

The River Misbourne is a rare chalk stream that flows through the Colne Valley from the Chilterns to the River Thames. Your Petitioners are concerned about the possible impact of widespread construction that could exacerbate both flood risk and damage. For instance, it is planned to dump millions of cubic metres of spoil from the tunnels on safeguarded farmland in the valley. It is feared that these heaps will create additional problems in the surrounding areas by forming new drainage channels. Your Petitioners believe that Higher Denham and the 'island' of Willowbank near New Denham would be especially vulnerable to rising river levels

The water table in Higher Denham is so high that Old Rectory Lane is often prone to flooding and earlier in 2014 suffered from long periods of significant flooding causing long traffic delays. Furthermore significant potholes appeared in Old Rectory Lane and Slade Oak Lane due to the flooding and this added to the problems and traffic congestion

Your Petitioners are also concerned about the possible contamination of local drinking water and would request that adequate provision is made for regular monitoring with a remedial plan in place to deal with any problems. Furthermore your Petitioners request that groundwater measurements are regularly taken especially in the Higher Denham section of the river Misbourne with funds set aside for immediate remedial work and road resurfacing as necessary.

Your Petitioners are concerned about the potential negative impacts that the planned diversion of the River Colne would have on local ecology. Your Petitioners regularly walk along the banks of the river to enjoy its wildlife and ecology and

request that an alternative scheme is put in place that would obviate the need for the River Colne to be diverted.

#### ECOLOGY AND ANCIENT WOODLAND

Your Petitioners are concerned about the loss of ancient woodland and harm to biodiversity that will result from the Bill as currently proposed, and the impacts of construction works and other proposed activities on ancient woodland. This is an irreplaceable natural resource of great importance for its wildlife, soils, recreational uses, cultural value and the contribution it makes to our diverse landscapes.

Your Petitioners are particularly concerned about adverse impacts of the Bill on Northmoor Hill Wood, Battlesford Wood and Little Halings Wood, all of which lie on the fringes of Denham and would be significantly reduced or fragmented by the construction of the railway, as presently planned.

Your Petitioners ask that the Bill should not become law unless proposals are brought forward which significantly reduce the extent of loss of ancient woodland. Your Petitioners further request that greater compensation should be provided than is presently proposed for the loss of ancient woodland.

#### RECREATIONAL LOSS

Your Petitioners believe that the footpaths, canal towpath and nature reserves in the Colne Valley Country Park will be permanently affected and depleted by the construction and operation of the railway. The Park itself will suffer such damage as a consequence of the years of noise and pollution, to become a lesser attraction in the future. This important recreational amenity will be severely depleted by the Promoter's project, especially in connection with the Hillingdon Outdoor Activities Centre (HOAC), which is used by adults and children from a wide area, for both recreational and educational purposes. As mentioned earlier, our children have fond memories of the pleasure when learning to sail at the Centre and we plan to offer the same opportunity to our two grand children when they become of a suitable age. HOAC's Principal has reported that the Centre would be unviable after construction begins, because of its proximity to the Colne Valley viaduct.

Your Petitioners request that the owners and operators of all community amenities which are severely diminished or rendered unviable by the project, arrangements are made, before the construction period begins, to relocate them to acceptable, alternative sites or provide adequate financial compensation at the cost of the Promoter.

## HEALTH ISSUES

Your Petitioners believe that the creation of dust, noise, poor air quality and 24-hour working will inevitably lead to severe sleep deprivation for the elderly, infirm and children with asthmatic and respiratory problems. Whilst your Petitioners currently enjoy good health, the many years of construction and ongoing noise and poor air quality are likely to have an adverse impact and the stress that is caused likely to contribute to ill health in the future.

Your Petitioners request that health and stress clinics are established in Denham and Harefield to monitor and treat those who suffer illness, physical or mental, during the construction period and beyond.

10. Your Petitioners object to the powers that are proposed to be provided by the Bill to the Secretary of State and the Nominated Undertaker and respectfully submit that the Bill should be amended or undertakings should be required so that HS2 Limited, the Secretary of State and/or the Nominated Undertaker must review the construction strategy for the project and its related works by considering their cumulative impacts on communities. The Secretary of State and or Nominated Undertaker need to suggest necessary changes from the results of that review before works design and construction strategies have been finalised or construction contractors employed.

Your Petitioners request that if the existing route is to be retained, a tunnel is constructed under the Colne Valley to create a continuous underground, unobtrusive link between north-west London and mid-Buckinghamshire, extending beyond Amersham to the Vale of Aylesbury. This would also avoid irreversible damage to the Chilterns Area of Outstanding Natural Beauty (AONB), which many of your Petitioners use for recreation.

11. For the foregoing and connected reasons your Petitioners respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioners, should not be allowed to pass into law.
12. 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 Petitioners in the premises as your Honourable House shall deem meet.

AND your Petitioners will ever pray, &c.

Signed: Norman Grainger Dennis  
Carol Patricia Dennis



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PETITION OF NORMAN GRAINGER DENNIS & CAROL PATRICIA DENNIS

Against the Bill – On Merits – By Counsel &c

Mr Norman Dennis & Mrs Carol Dennis

