

1820

**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 Emma and Lewis Johnson

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 Springs and Springs Cottage, Lower Hartwell, Aylesbury, HP17 8NR (your petitioners' property). Your Petitioners' property is a grade II listed 15<sup>th</sup> century hall house approximately 500 metres from the proposed HS2 line with grounds within approximately 400 metres of the proposed line situated in an extraordinarily quiet hamlet of 6 houses and a farm all of which are listed buildings. This peaceful hamlet is currently surrounded by fields scattered with mature trees and home to an abundant amount of wildlife, including protected species. A single track no through road exiting onto the A418 is the only access to your petitioners' property.
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. Your petitioners are extremely concerned about the impact of the construction works and operation of the train line and the effect will have on both their day to day lives and your petitioners' property. The issues which are most concerning to your petitioners are the levels of noise, vibrations, visual impact and dust which will lead to a lower quality of life and possible structural damage to your petitioners' property.

Access to and from your petitioners property during construction also causes concern. The only route to exit your petitioners' property is direct access onto the A418 which can already take some time due to congestion during peak hours. The additional traffic expected during construction will have a serious adverse impact on the petitioners' daily commuting time to and from work and general access to the property

The loss of ancient woodland and wildlife habitats is a cause of worry for the petitioners. HS2 is proposing to remove and not replace ancient woodland in Rifle Spinney. The petitioners are also concerned about the general loss of wildlife habitat and the impact on specifically the heronry adjacent to Hartwell House lakes and bats roosting in Lower Hartwell.

10. It is requested by your petitioners that noise, vibration, dust, water levels and water quality are monitored during and after construction of the train line and that any damage to your petitioners' property caused by the construction or operation of the train line will be fully compensated and corrected. It is further requested that the construction is limited to normal working day hours (weekdays 9am – 5pm). Your petitioners also request assurance that there will not be an increased flood risk caused by the construction and that the petitioner will be compensated for any increase in insurance premiums as a result of flood risk or increased vibration levels.

Your petitioner requests that the proposals for the train line show respect to the historical significance and value of Hartwell House and Lower Hartwell and its surroundings. This can be achieved by the National Trusts proposal for a land bridge, included as option 2 in their response to the Environmental Statement consultation. A land bridge will also help to mitigate the levels of noise, vibrations and visual impact. Your petitioner is required to respect the historical significance of your petitioners' property as dictated by its grade II status, irrespective of costs and your petitioner asks that HS2 is required to do the same.

Financial compensation is sought if access to the property is impacted and commuting to and from work is adversely impacted as a longer commute may mean alternative accommodation is needed for week days during construction. Your petitioner also requests that the impact of construction traffic is fully assessed and controls and mitigations are put in place before the construction work starts

Your petitioner requests that habitat compensation should be like-for-like, with no net loss of habitat of comparable ecological value, and that a net gain in biodiversity/habitat compensation is delivered. This must be delivered as close as possible to the site of loss in locations that will not be further impacted. Planting mitigation should be carried out in advance of vegetation removal, so that habitats

reach their functional maturity before the original habitats are lost. Such planting should be discussed and agreed with residents and the National Trust and be compatible with the earlier proposed land bridge.

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 EMMA JOHNSON

A rectangular box redacting the signature of Emma Johnson, with a handwritten signature visible below the box.

LEWIS JOHNSON

A rectangular box redacting the signature of Lewis Johnson, with a handwritten signature visible below the box.

IN PARLIAMENT

HOUSE OF COMMONS  
SESSION 2013-14

**HIGH SPEED RAIL (LONDON - WEST MIDLANDS) BILL**

PETITION OF EMMA AND LEWIS JOHNSON

Against the Bill – On Merits – By Counsel &c

Emma and Lewis Johnson

[Redacted signature block]