

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 MR KARL NEILSON

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.

Your Petitioner

7. Your Petitioner lives in the Chilterns Area of Outstanding Natural Beauty (AONB), and will be severely affected throughout the construction and operation of the HS2 railway. Your Petitioner and family have lived here for over 9 years.
8. Your Petitioner is the freeholder of 2 Prospect Cottages, Oxford Street, Lee Common, Great Missenden. The village of Lee Common will be severely affected by the construction and operation of HS2. It is situated high in the Chiltern hills, away from any major transport routes. It depends on access to the facilities of Great Missenden. The HS2 line tears a route through the hills separating it and associated villages from the town centre of Great Missenden. All existing pathways and road connections to the centre will be affected during construction. Your Petitioner fears the impact on travel to work for himself, to school for his family, and the long term effect on

everyday life. Your Petitioner's family life and mental well being will be damaged should HS2 be built according to it's proposed plan.

9. Your Petitioner chose to live and start his family in the Chilterns AONB specifically for it's peace and tranquility. Your Petitioner places a high value on it's wildlife, ancient woodlands, pathways, and breathtaking views. The AONB is protected for all of this things.
10. Your Petitioner, and family, frequently walk the ancient woodland of Mantles Wood and Sibley's Coppice, which will be destroyed by HS2. Your Petitioner uses all of the pathways of the Misbourne Valley, and enjoys it's unique rural character. These will all be devastated by HS2, and the AONB ruined for all future generations.
11. Your Petitioner relies on the local road ways to travel to work, and his family to get to school and surrounding areas. The impact of construction work will be huge. The local roads will become very congested, especially given some of the construction routes proposed by HS2 will become near impassable when HGV's become regular users. For example, Your Petitioner and family uses Frith Hill to access Great Missenden frequently every day. In the near future this use will increase when his children attend a school there. It is proposed that Frith Hill is closed for 2 years. As a consequence all alternative routes will become heavily congested. Aside from what will be more than an 'inconvenience', Your Petitioner's home and village will become isolated from Great Missenden during construction and effectively severed by the line on completion.
12. Your Petitioner and their 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

13. Your Petitioner is devastated by the huge damage HS2 will do to the Chilterns AONB. Ancient woodlands will be destroyed, and the landscape redrawn with the creations of cuttings, viaducts, and embankments. New man made hills created by millions of tonnes of spoil will loom over the horizon, and the unique rural character ruined. On completion high speed trains will zoom through the hills, forever disturbing the local wildlife, and bring noise to what was once quiet. HS2 crosses the AONB at it's widest part.
14. Your Petitioner notes the Chiltern Hills is a designated Area of Outstanding Natural Beauty (AONB), and is afforded protection under the National Planning Policy framework, the European Landscape Convention, and the Countryside and Rights of Way Act.

15. Your Petitioner has read and responded to the HS2 Environmental Statement. HS2 has been planned for without affording the AONB the mitigation it's protected status entitles it to.
16. Your Petitioner is concerned that without proper mitigation, the Chilterns AONB will no longer be an outstanding area of natural beauty. It will be lost to future generations, and no longer enjoyed by present ones. A special place will be gone forever. As urban areas can only continue to grow, AONB's will only ever become more important. Our children's children will question why we chose to destroy one like this.
17. Your Petitioner is concerned about the noise from the railway across the landscape, it's pathways, it's woodlands, and it's homes and gardens.
18. Your Petitioner is concerned by the damage caused to wildlife, and the loss of natural habitat. The huge loss of ancient woodland will disrupt it's unique eco systems, and impact hugely on reliant living creatures.
19. Your Petitioner is concerned by the huge impact on the mental well being of the residents of the AONB. For four years HS2 has dominated their lives, causing great stress and fear. Without a spade in the ground their quality of life has been eroded.
20. Your Petitioner is concerned by the property blight on all homes in the area. The AONB is reliant on people like Your Petitioner who make a lifestyle choice to move to the AONB. This choice will not be made when the character of the AONB is so affected by HS2, and it loses it's unique appeal to potential home buyers from outside the area. Your Petitioner's home is outside the area eligible for statutory compensation, yet it is usual in a market that if the number of potential buyers fall, then so do prices.
21. Your Petitioner's road is, like all roads local to it, unlit by street lights. The night sky is completely dark, in a way that must be unique so near to London. HS2 service and maintenance depots along the line, as well as the line itself and associated security lighting will create a new 'sodium haze', thus ruining the landscape at night as it does at day.
22. Your Petitioner is concerned by the dangers to road users caused by construction traffic. The local roads are rural and most have no pavements. The AONB attracts a huge number of cyclists to it's cycle ways and ramblers too as they walk from path to path. The construction traffic presents a major danger. My young children will not be able to cycle near their home until construction is completed, as Your Petitioner will deem the danger too great.

Suggested Mitigation

23. 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.
24. Your Petitioner requests that the AONB be protected from these effects by amending the Bill so the line passes throughout the AONB in a fully bored tunnel. Your Petitioner requests that you consider the tunnel proposal from Chiltern District Council, or the CRAG T2 proposal as referred to in the Environmental Statement. Both have been shown to be feasible, and cost effective. A bored tunnel will mitigate all Your Petitioner's concerns. It will protect and preserve the AONB for future generations. It will afford the AONB the mitigation it's protected status should entitle it to, and which has thus far been ignored.

Objection to the Proposed Route and Speed

25. Your Petitioner requests that in the event a fully bored tunnel is rejected, that the route and decisions about the operational speed of the trains is questioned. The route was determined by the high speed required of the trains. This determined a straight line route through the AONB. Had a slower train speed been advanced, then the route could have been more flexible. It could have followed existing transport corridors, and followed a much less environmentally damaging path through the AONB. Given the continued shift in the argument for the line, with 'capacity' issues now being key, Your Petitioner requests that the route be examined for less damaging alternatives away from the AONB with the adoption of a lower top speed. This would fulfil the capacity requirement, and mitigate the AONB.

Compensation

26. Your Petitioner requests that in the event a fully bored tunnel is rejected, and the railway continues to be routed overland through the AONB, that a new comprehensive compensation package is introduced. The existing compensation is restricted to those who live in close proximity to the line. It fails to acknowledge the very real issue of property blight on the local community. Your petitioner would like compensation to reflect the fact that all home owners in affected communities are blighted. As stated in Your Petitioner's concerns all homeowners have suffered a reduction in the value of their homes due to the damage to the AONB caused by HS2. It's construction and operation will greatly affect the perception of the area as a potential home for buyers who live outside the area who wish to live and enjoy life in the peace and tranquility of the Chiltern Hills. These buyers are

key to the local market. Your Petitioner requests that compensation is paid to all households in local villages, regardless of distance from the line, if the entire area has been blighted. In Great Missenden as a whole this is easy to prove through conversations with local Estate Agents, and evidenced by home valuations.

27. For the foregoing and connected reasons your Petitioner respectfully submit that, unless the Bill is amended as proposed above, so far affecting your Petitioner, should not be allowed to pass into law.
28. There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner and their 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.

Witness

[Handwritten signature]

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PETITION OF MR KARL NEILSON

Presented by Mr Neilson, Member of Parliament for
North East Derbyshire

OF MR KARL NEILSON

2. PROSPECT COSTS

LEE COMMON

GRETTINGWELL

EMAIL: karl@neilson.co.uk