

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 Hilary Lynne Wharf

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 3, along with Schedules 1 to 4, authorise and detail the works to be done in relation to the construction and the operation of the railway (also "HS2") mentioned in paragraph 1 above, including the associated stopping up and construction of highways. The railway works themselves are detailed in Schedule 1 and referred to as "the Scheduled Works". Clauses 4 to 18 of the Bill, along with Schedules 5 to 15, deal with compulsory acquisition of land, the extinction and exclusion of rights over land and the temporary possession and use of land.
- 4 Clauses 19 to 36, along with Schedules 16 to 26, provide for deemed planning permission and deregulation, including in relation to listed buildings, ancient monuments, burial grounds, commons, water and noise.
- 5 Clauses 37 to 44, along with Schedules 27 to 29, deal with the regulation of the railway and provide for the appointment of a nominated undertaker to exercise the powers in the Bill ("the Nominated Undertaker"). Clauses 45 and 46, along with Schedules 30 and 31, make provision for statutory undertakers with Clause 47 providing a power to compulsorily acquire land for regeneration or relocation and clause 48 provides a power to carry out reinstatement works.
- 6 Other clauses within the Bill make provision for the Crown, for further high speed railway works and for the application of the Environmental Impact Assessment Regulations (defined as the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (S.I. 2011/1824) or any regulations replacing them).

**Your Petitioner**

- 7 Your Petitioner is Hilary Lynne Wharf who is the joint freeholder of Bocken, Frith Hill (South Heath Leg), South Heath, Great Missenden, HP16 9QF. The property is sited on the top of the ridge on the east of the Misborne valley about 1.5km from Great Missenden in the Chilterns Area of Outstanding Natural Beauty ("the AONB").

- 8 Bocken is a substantial property in South Heath, with an interesting history and built to take advantage of the extensive views. It has paddocks, stables, out buildings, a surfaced equestrian exercise area, a tennis court, and a residential annex occupied by your Petitioner's daughter. Bocken:
- Is within 250m of the line of HS2 (the nearest point is 200m);
  - Is just 200m from the north portal of the South Heath green tunnel (SHGT), and new permanent structures (portal buildings and an electricity substation)
  - Is on a road identified as a construction traffic route and which will also be closed between your Petitioner's property and South Heath for up to 2 years;
  - Will have spoil heaps 5m high and 250m long on immediately adjacent land, in which horses are kept
  - Will be exposed to noise, visual impacts and light pollution when HS2 is operational
- 9 At its nearest point HS2 will be in a green tunnel, but its north portal is 200m distant from the curtilage of your Petitioner's property, and the Promoter has proposed to provide no acoustic protection to the west of the line, exposing the property to unacceptable levels of noise.
- 10 Your Petitioner is a management consultant whose business is based at Bocken, but who depends on the Chiltern Line services from Great Missenden to reach London-based clients. It is a family business with the senior partners your Petitioner and her husband, with our daughter a junior partner.
- 11 Your Petitioner moved to Bocken from London with her family over 17 years ago specifically to take advantage of the benefits of the AONB, ie clean air, tranquillity, excellent walks, and pretty traffic free lanes suitable for cycling and equestrian use. She has developed the outdoor facilities of the property to match her family's needs and for weekend entertaining. The wildlife are presently attracted to the property, in particular there is barn owl, many bats, pheasants and deer: the ES specifically notes that owls and bats will be wiped out within a 3km corridor.
- 12 Your Petitioner is 61 and she and her husband are both approaching retirement age. The greater part of her personal wealth is tied up in her equity in Bocken, which is unsuited as a residence in retirement as it is expensive to run, far too large for her needs or desires, and the grounds are too difficult to maintain should your Petitioner or her husband cease to enjoy good health. In normal circumstances there is no possibility whatsoever that your Petitioner would still be living at Bocken in 2026 when HS2 is planned to be complete and your Petitioner will be 73 and her husband 75.
- 13 Your Petitioner's property is blighted by HS2, and will be seriously adversely affected by the construction and operation of HS2 on the Proposer's current plans. While the expected adverse physical effects of construction would cause your Petitioner to move from Bocken earlier than otherwise, the property is heavily blighted and selling, even were anyone to show interest, would crystallise this loss. This situation is stressful to your Petitioner and her husband.
- 14 Your Petitioner is particularly affected by the damage to the general area. She is a keen walker (accompanied by the family dog), enjoys the abundant wildlife, an enthusiastic gardener, tennis player, and enjoys the tranquillity of the numerous footpaths and quiet lanes of the area, including the nearby footpaths through the ancient woodlands of Jenkins Wood and Sibley's Coppice. She also regularly walks to visit friends in South Heath. Furthermore matters that make the area generally less attractive will impact on the value of your Petitioner's property.
- 15 Your Petitioner is a founder member of the Residents' Environmental Protection Association (REPA), which supports local groups and individuals in the wider South Heath area to try to secure more effective mitigation from HS2.

**Your Petitioners' concerns, objections and request for alteration of the Bill**

- 16 Your Petitioner will suffer a range of severe and adverse effects by reason of the Bill. Your Petitioner requests that a fully bored tunnel is built to traverse the entire of the AONB. This

would address all your Petitioner's concerns, and will greatly reduce the adverse impacts on the AONB.

- 17 Your Petitioner is gravely concerned about the permanent damage to the Chilterns AONB. There are 33 designated AONB's in England, and the Chilterns is the closest of these to London. They are designated under the provisions of the Countryside and Rights of Way Act (2000), in order give them permanent statutory protection against any development that would damage their special qualities, thus conserving a number of the finest landscapes in England for the nation's benefit. AONBs have a national status akin to a National Park.
- 18 The primary purpose of this special recognition is to conserve and enhance the natural beauty of the landscape whilst meeting the need for quiet enjoyment of the countryside for all and having regard for the interests of those who work and live there. This Bill does not appear to recognise this as a responsible, and consequently fails to make appropriate efforts to conserve the Chilterns AONB. Your Petitioner understands that the use of a hybrid bill as the vehicle for gaining planning consent relieves the Promoter of the need to give the AONB the protections that would otherwise be necessary.
- 19 Currently less than half the AONB is in a bored tunnel, and HS2 bisects the AONB at its widest part.
- 20 Your Petitioner supports the view of the Environmental Audit Committee, who are concerned that important environmental protections are avoided by using the hybrid bill process (eg not doing an Strategic Environmental Assessment). she believes that the disapplication of the CROW Act for the AONB is another example that requires correcting by Parliament, and this has clear implications for how HS2 should be mitigated.
- 21 Your Petitioner requests that Parliament instruct the Promoter to afford the Chilterns AONB all the benefits that the CROW Act would otherwise require were planning consent granted by another vehicle, which inescapably would mean that HS2 should traverse the AONB in a bored tunnel for its entire length.
- 22 Your Petitioner requests
  - a. **HS2 run in a bored tunnel for the full extent of the AONB**, either as proposed by Chiltern District Council, or as proposed by CRAG (and recognised in the ES as being both technically feasible and environmentally superior to the present proposals). Your Petitioner is of the view that while these fully bored solutions may cost more than the Promoter's proposals, they are fully justified by the environmental benefits.
  - b. If Parliament does not agree to either of these bored tunnelled solutions for the whole of the AONB, your Petitioner requests the **4 km South Heath Chilterns Tunnel Extension (SHCTE)** proposed by REPA between Mantles Wood and Leather Lane, and as referred to in the ES<sup>1</sup>, but extended to Leather Lane<sup>2</sup>.

This proposal would replace the 1.2km South Heath green tunnel and two cuttings, and is recognised by HS2 Ltd as being technically feasible and environmentally preferable. It would preserve a further 4km of the AONB for current and future generations, preventing permanent severe detriment to the residents in this area. HS2 Ltd acknowledges that SHTCE would provide reduced landscape and visual effects for South Heath and the AONB, benefits for ecology and biodiversity, reduced operational noise impacts, reduced construction impacts and agricultural land take, and has community benefits. It would also preserve your Petitioner's property from the worst impacts of HS2.

Your Petitioner believes that such a short extension of the bored tunnel to Leather Lane costs no more than the scheme presently advanced by the Proposer in the Bill, in engineering costs and land purchase and compensation costs. This is before taking into account the extensive environmental benefits. It would also not extend HS2's overall period of construction.

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<sup>1</sup> Volume 2 CFA 9 para 2.6.18, page 41/42, ES, November 2013

<sup>2</sup> Also in the ES Volume 2 CFA 9 para 2.6.5, page 39, option (d). In April 2014 REPA obtained further material from HS2 Ltd allowing them to modify their proposal to go a further 400m to Leather Lane.

- c. If the Bill is not altered to provide at least this minimum bored tunnel extension to Leather Lane, **numerous mitigations will be required to ameliorate the worst effects of the Proposer's present scheme**, that would be costly of both time and money. The costs of these mitigations to the proposed surface construction route mean that the minimum 4km extension your Petitioner proposes will achieve both a substantial saving and far superior environmental mitigation. These additional costs also mean that the additional costs of the fully bored solutions are also less.
- 23 Your Petitioner particularly objects to all the impacts of the surface works and operation of the railway within the Chilterns' AONB between Mantles Wood to Leather Lane, to the works (2/1, and 2/13 to 2/21), objects to the land acquisition and its designated uses, the highways and electrification changes, as listed in Schedule 1, 3, 4 and 5 of the Bill, in the parishes of Little Missenden, Great Missenden, Chartridge and the Lee, and the clauses of the Bill which would authorise these works, acquisitions, land uses and changes.
- 24 The main concerns are:
- a. The long term **damage and permanent injury from visual, landscape and acoustic impacts of HS2** on the AONB. As Volume 2 of the ES records (at para 2.3.22) "*Given that the landscape condition is good, the tranquillity is medium, and the character is of national value, the resulting sensitivity to change of the AONB is considered to be high*". South Heath is not currently in a transport corridor (the A413 and Chiltern rail line are 1.5kms distant). The Zone of Theoretical visibility (ZTV) in the ES shows the huge impact HS2 will have, from east of South Heath to across the Misbourne valley up to 2kms away. There will be unsightly gantries, portals, cuttings, miles of metal security fencing (an eyesore as the few photo montages show (eg LV-01-040), unnatural balancing ponds, and bunds: these will despoil the AONB. The impact on your Petitioner's property will be particularly severe.
- b. **Noise emanating from trains** speeding along cuttings and the noise boom on entering the green tunnel, destroying the tranquillity of the area and of your Petitioner's property in particular, especially early in the morning and late at night. The green tunnel is too short to provide adequate protection to your Petitioner (together with much of South Heath – and the entire of Potter Row, Cudsdens Court and Hyde End). There is an absence of acoustic shielding for your Petitioner's property because the Promoter feels it is unnecessary to reduce exposure to noise to World Health Organisation (WHO) levels, or to provide proper protection to isolated properties, or to preserve the tranquillity of the area.
- Pass-by noise in your Petitioner's paddocks** (at more than 70db) will render exercising horses dangerous, and render the quiet enjoyment of the extensive out-door facilities of your Petitioner's property (patios, formal gardens, tennis court and paddock) impossible. Your Petitioner's husband suffers slight hearing impairment which means the noise will make normal conversation outside difficult. The footpaths bisected by HS2 – in particular to rear of the property will be similarly ruined.
- Noise from HS2 inside your Petitioner's property will disturb sleep** – particularly in summer (with windows open) - which results in adverse health and wellbeing effects. The Promoter has not proposed mitigation to ensure that peak noise is within WHO guidelines.
- The Promoter's approach to noise is defective and not compliant with national policy.
- c. The **permanent loss of the local ancient woodlands**, hedgerows, natural habitats for wildlife, areas of green space, views and tranquil surroundings. The line will cause habitat severance. Land will be taken for the erection of permanent buildings and an auto transformer substation to support the railway. Such structures will be about 200m from your Petitioner's property.
- d. **Permanent change in character** of the area (the narrow winding lanes) and loss of amenities - footpaths in nearby Sibley's Coppice lose their character and will be subject to groundbourne vibration; the footpaths from Great Missenden to Potter Row become exposed to excessive noise; the one passing through Jenkins Wood is diverted to follow

the trace; the footpaths in the Hyde end area are diverted and exposed to excessive noise; and the footpath to Little Missenden is permanently closed. Your Petitioner frequently uses the Great Missenden-Potter Row footpath (by arrangement with a neighbour to cut round the intervening field), but this would cease to be a pleasant walk or suitable for exercising the dog.

- e. The creation of a **permanent new 40 hectare land fill** site within the AONB and nearby to South Heath at Hunts Green, with all the issues as to how the 2 million tonnes of spoil will be transported there, and the loss of this land for farming. The Promoter's approach to waste management is not compliant with national policy.
- f. The **loss of the amenity of the gymnasium** on Frith Hill and pub/restaurant on the B485, both within walking distance, which will be demolished to make way for HS2.
- g. The Bill allows for the **line to be raised by up to 3 metres more**, and this would worsen noise and light pollution.
- h. That the opportunity presented by **moving the national grid pylons** (and then returning them to their original alignment) is wasted when the power cables could be re-sited underground.
- i. The **potential acquisition of land** and use for its development and regeneration (under clause 47 of the bill) which are unnecessary and will further increase blight if this is used to create new development. Your Petitioner asks that they be removed from the Bill.
- j. In the construction period – in total lasting over seven years in this area – **serious road congestion** will make access to Great Missenden and the station very slow at peak times, making commuting into London time consuming. This will not only affect your Petitioner, but may others in the vicinity of HS2 in this general area where there is a network of small rural lanes that are unsuited to construction traffic and unable to carry any volume of diverted traffic. The Promoter's analysis of traffic is seriously defective. Increasing the difficulty of commuting is particularly unwelcome towards the end of your Petitioner's career, when making working more arduous may require retiring earlier than planned.
- k. During construction **footpaths are either diverted or the nearest ones, through Sibley's Coppice, closed for 2 years**. Of the 11 footpaths that currently cross the line in the area only 7 remain as footpaths. It will be difficult to take exercise, walk dogs, or enjoy the countryside.
- l. The **closure during the construction period of Frith Hill (SHL)**, (which is the direct access from your Petitioner's property) for 18 months to 2 years., which will isolate of the community of South Heath from Great Missenden (on which South Heath) depends. This will close the route that your Petitioner walks to visit friends, making this impractical except by car via a different route and slow.
- m. The **permanent and temporary loss of agricultural land** to the South Heath area, as a result of the wide area of land-take required for the surface construction proposals, and to provide the proposed environmental mitigation.
- n. Permanent **damage to the viability of South Heath home based businesses**, including that of your Petitioner's, that will not be able to withstand the costs and difficulties imposed by the lengthy construction period.
- o. **Loss of businesses to Great Missenden**, on which South Heath (that has no facilities of its own) depends, as many will not be able to withstand the sustained period of construction works affecting the area that will cause loss of trade.
- p. **Extensive and damaging impacts from the construction traffic and construction works** spread over 7.75 years: traffic congestion, noise, dust and safety risks in the Petitioner's immediate vicinity. Safety risks from heavy vehicles using unsuited roads. This is a particular problem for children, the elderly, cyclists, pedestrians other vulnerable users.
- q. **Emergency services** being unable to provide a timely response due to road congestion, closures, and diversions during the years of construction works – which is a particular

worry for the elderly (a classification which will apply to your Petitioner before HS2 is completed).

- r. **Anxiety and stress affecting your Petitioner's health and well-being** from worry about property blight having impacted on the value of her home and her inability to sell it and retire to a smaller more suitable property, both now, during the construction period, and thereafter due to the close proximity of the proposed line. Your Petitioner knows that she is far from alone in suffering these issues. The Promoter made no assessment of health issues as part of the Environmental Statement.
- s. **Dust blown from the adjacent construction spoil dumps** (along the west side of your Petitioner's paddock and the road. While the ES calls them "temporary" they will be there for many years. This will have health impacts, and affect the quality of life (especially the usability of outside spaces at your Petitioner's property), and create work and cost from dust on exterior of the house, cars etc). Again this will be a common problem in the broader South Heath area.
- t. It being **impossible to find out what some key impacts of HS2** would be. Common responses from HS2 Ltd are that the details are not yet worked out, or the answers are in the ES. The latter sometimes proves false. The ES is indigestible; hard to follow; lacks sufficient visualisations; relies on highly technical appendices that omits key information eg from where the railway is visible (the ZTV excludes gantries, the horizontal and vertical profile of the railway was omitted as the profile maps were not released for the ES, and the height of bunds remains undisclosed).
- u. The **absence of enforcement mechanisms**, should impacts prove worse than anticipated, or as set out in the Code of Construction Practice (which is only in draft).

25 Your Petitioner requests that the following alteration be made to the Bill:

- That the AONB be protected from these effects by amending the Bill so the line passes **throughout the AONB in a bored tunnel**, as proposed by the Chiltern District Council or by extending the present Chiltern tunnel proposals by adopting the CRAG T2 proposals. The latter is referred to in the ES (CFA 9 Volume 2 para 2.6.8, page 40) and accepted as both feasible and environmentally preferable. Either of these options would substantially remove the adverse effects complained of in this petition and the need for the proposed remedies otherwise required.
- If Parliament declines to require a bored Chiltern Tunnel throughout the AONB, which is the primary alteration to the Bill your Petitioner seeks, your Petitioner requests that the **bored Chiltern tunnel is extended (as in the REPA proposal) at minimum to Leather Lane** as referred to in the ES (CFA 9, Volume 2, para 2.6.18, page 41/42) but extended to Leather Lane<sup>3</sup> It is feasible in engineering terms and environmentally preferable, and will address, many, but not all, of the concerns above. REPA contend that it is cost neutral and will not delay the project's completion.
- If even this is not granted by Parliament, then **numerous individual mitigations of the adverse impacts are necessary**, all of which will cost time and money. Your Petitioner expands below on the individual adverse impacts that concern it and to which it objects, and the mitigation that would be required for each, if the bored tunnel proposals are rejected.
- Your petitioner also requests that measures be taken and changes be made in the Bill and the Code of Construction Practice (or by obtaining binding undertakings from the Promoter) to address the various concerns of your Petitioner listed above.

#### **Breakdown of mitigation required if your Petitioner's preferred tunnel solution is not adopted**

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<sup>3</sup> A Leather Lane end point was initially referred to in the Draft ES as option (d) CFA 9, Volume 2, para 2.6.5 page 28 and again in the ES (at para 2.6.5, option (d), page 39). Leather Lane is 400m further north than Liberty Lane, and REPA adopted this new Leather Lane end point for its proposal in April 2014 following receiving information from HS2 Ltd on its practicability.

- 26 Your Petitioner affirms that the 'green route' promoted by Chiltern District Council (amongst others) and the 'CRAG' bored tunnel option (outlined on pages 39 to 40 of Vol2, CFA9 of the Environmental Statement are the only acceptable approaches to mitigate the impact on residents in the area and the AONB. However if full tunnelling under the AONB is not accepted by Parliament, the 'REPA' tunnel that extends the bored tunnel to Leather Lane addresses most of your Petitioner's and South Heath's local issues, but not those in the AONB north of Leather Lane. If none of these three options for more extensive bored tunnelling is accepted then all the numerous individual items of mitigation will be required, as set out below.
- 27 Your Petitioner requests that provision is made for:

#### Addressing permanent issues

- a. **The cuttings adjacent to each end of the South Heath Green Tunnel should be made deeper**, and return to the levels originally proposed by the 2011 consultation, with continuous full height (5m) high specification sound barriers (both sides of the line to protect residents and footpaths) immediately adjacent to the track to reduce noise, and with bunds to conceal the line and the gantries where appropriate. Furthermore the South Heath Green Tunnel should be extended to provide better protection to residents – including your Petitioner – and the footpaths out of Great Missenden to Potter Row, and to Hyde End.
- b. HS2 Ltd should adopt **standards of noise exposure that in all cases meet World Health Organisation guidelines, but are set at a quieter level to maintain the tranquillity** of the AONB. Exposure limits should apply to all properties and their gardens, and to footpaths, (with no rights of way routed alongside the railway, as is currently planned). Noise should be reduced to the lowest practicable level to minimise its impact on the AONB, its residents and visitors. In the absence of a bored tunnel it is not clear how ground-borne vibration from the green tunnel can be remedied eg for footpath users in Sibley's Coppice.
- c. That HS2 is placed **in fully retained cuttings** to reduce land take of gardens, ancient woodland and farmland. While no land is taken from your Petitioner, the enjoyment of the surrounding area is affected by such a wide land-take, and in so blighting the area which impacts on the value of your Petitioner's property.
- d. That the **power for the contractor to raise the line by up to 3 metres is removed** for the AONB section of the line, especially for the cuttings either side of the South Heath green tunnel where the line has already been raised from the alignment originally proposed.
- e. That provision is made for **constructing green bridges** across the line where they are established rights of way, in order to retain trees and shrubs and permit wild life access. This affects those to the north and south of the green tunnel.
- f. **Compensatory planting commence at the earliest opportunity**. Mature trees (able to grow to at least forty feet high) should be planted over the South Heath green tunnel to emulate the previous character, and for screening new building eg portal buildings and autotransformer. Funding for maintaining the planting should be provided in perpetuity. Where planting is compensatory for loss of ancient woodland it should adopt the 30:1 ratio supported by the Woodland Trust and not 4:1 as currently proposed
- g. That the **speed of the trains be reduced to 300km/h** as per the recommendation of the House of Commons Environmental Audit Select Committee Report - but permanently - in order to help reduce the environmental impact to your Petitioner and the AONB.
- h. That the **line of route be reconsidered to exploit the greater curvature** possible with a 300km/hr maximum line speed, compared to the current 400k/hr. This should then allow the routing to be within existing transport corridors (rather than more than 1.5km distant from even the nearest "A" road).

- i. That **arrangements be made for the spoil to be removed** from the area by rail or pipeline, and there be no land-fill within the AONB. Your Petitioner points out that, if any one of the three tunnel proposals your Petitioner has raised are adopted, then the amount of spoil generated in the AONB will be very substantially reduced and there would be no requirement for a land fill site at Hunts Green.
- j. That in relation to the balancing ponds and other water management measures, that **alternative techniques are considered** in consultation with the local authority, and that if necessary waste water is tanked and then removed for sustainable disposal
- k. That **property blight (when the railway is operational) is compensated** by extending the compensation available under the Land Compensation Act 1973 to cover all losses not just those relating to nuisance. The blight in the construction period (and in the 17 years from 2010 until one year after operations in 2027) is discussed in para 19 below
- l. That **all ancillary structures (eg transformer stations, portal buildings) be of such a design to blend into the environment** and be suitably screened from residents, visitors and walkers. Screening should be put in place to the west of the portal. Security fencing should be sympathetically designed to blend-into the landscape.
- m. That the **pylons are removed and the power lines are reinstated underground**, (as proposed for other parts of the line) rather than moved and then re-instated on the surface, as proposed
- n. That a **Community Fund be established** to pay for creating local facilities (replacing those lost) and financial support be available to maintain and re-establish retailing and other services in Great Missenden.

#### Addressing construction issues

- 28 Your Petitioner requests that the Nominated Undertaker or Promoter be required to mitigate the construction issues, by giving the Code of Construction Practice legal effect, with independent assessment of compliance and punitive sanctions for breach. The Code should specify the need for all work, facilities and construction, to be to the best available standards and techniques, so that the highest technically achievable levels of environmental protection are implemented for the construction and operation of HS2. Mitigations should include:-
- a. Properties in the South Heath area, including your Petitioner's, are significantly blighted from the prospect of HS2, and this is likely to worsen when construction is underway. To address this:
    - i. The proposed '**need to sell**' **scheme should be amended** to cover anyone wishing to sell their property if it is blighted - irrespective of financial status; or
    - ii. Alternatively, the **property bond as proposed by HS2 Action Alliance** should be implemented;
    - iii. **All those remaining who suffer the impacts of construction** should be compensated.
  - b. Construction noise and vibration – including that from construction traffic which will affect your Petitioner and much of the area adjacent to the trace and temporary spoil heaps – lasts for years in total and so it **should not be allowed higher noise limits** than for HS2's operation. Noise exposure should be monitored and enforced by the Local Authority who should have powers to stop work if limits are exceeded.
  - c. Constructing **new temporary roads to access the trace directly from the A413**, and prohibiting the use of all existing minor roads in the AONB to be used by construction traffic eg Potter Row, Kings Lane, Hyde Heath Road, Hyde Lane and Frith Hill (South Heath Leg). In addition:
    - i. Prohibiting HGV movements outside the period 09:30 – 15:30 throughout this section of the AONB (eg on the A413 and B485).

- ii. Prohibiting HGV movements along school routes between 15:00 and 15:30.
  - iii. Excess spoil that is removed along the trace to not interfere with the traffic on public roads that bisect the trace (that are themselves currently specified as construction routes eg the B485, Frith Hill (South Heath Leg)) by using traffic management, but have a grade separated junction (to either have construction traffic go over or under the road).
  - iv. Constructing a temporary bridge for Frith Hill (SHL) to avoid its lengthy planned closure and isolating your Petitioner from South Heath and South Heath from Great Missenden. Your Petitioner, like many in the locality, uses this route daily.
- d. **Prohibiting any widening, straightening or enlargement** of the narrow minor lanes for construction traffic.
  - e. **Operating a 'Park and Ride' scheme** to transport construction workers along the trace, and supporting this by not providing parking for contractors at the construction compounds.
  - f. **Dust exposure limits to be specified, monitored and enforced** by local authorities (funded by the Promoter), with powers to stop works if exceeded. Special attention to be paid to the spoil heaps and impacts of the strong winds experienced at the elevation of South Heath.
  - g. Spoil heaps to be **more than 200m from residential** properties.
  - h. That contractors in the AONB be **required to restore the land and temporary access roads** after use to acceptable AONB landscaping, and that local authorities be given the power to inspect such works and if necessary sanction contractors
  - i. The Nominated Undertaker must be responsible for **maintaining the quality of all roads** used during and after construction, so that the roads are returned to their original size and character, and all damage repaired.
  - j. That the Promoter provides **an air ambulance with crew** on standby during working hours, to ensure that medical emergencies receive a prompt response.
  - k. A **hotline should be set up** allowing road users to report any damage to the road, their property, or other related matters, and the highway authority should have access to all reports, to ensure these are addressed and remedied in a reasonable length of time.

#### **Reserved the right to raise other matters**

- 29 The points made above are in relation to the Bill as published for 2nd Reading and are without prejudice to your Petitioner's right to petition further and separately in relation to any additional provisions introduced to that Bill in future. Further your Petitioner has had great difficulty understanding the Bill, including its Schedules, alongside the Deposited Plans and Sections and the ES, which is deficient and in error in various ways. Your Petitioner is concerned that she may have missed a material point on which she would wish to address the Select Committee. Your Petitioner also wishes the ES to be corrected and then be permitted to raise further issues of concern on those matters which are corrected, or on which additional information is provided, eg road congestion, visual intrusiveness, waste management and noise. The points made above are without prejudice to any such further points.

#### **Conclusion**

- 30 Your Petitioner supports the petitions for a longer bored Chiltern Tunnel that extends throughout the AONB. Such tunnels are being petitioned by the Chiltern District Council, Chiltern Ridges Action Group (CRAG). If neither is accepted by parliament your Petitioner supports the extended tunnel proposed by the Residents' Environmental Protection

Association (REPA). The CRAG and REPA tunnels are described in the ES Volume 2 CFA9 at pages 39-42 (albeit that the REPA proposal is now slightly extended to Leather Lane).

- 31 If Parliament agrees a fully bored tunnel throughout the AONB then this addresses your Petitioner's concerns with the exception of those concerning unsuitable ancillary structures (eg vents) and effective compensation (albeit that far fewer people would be affected). If Parliament only agree the extended bored tunnel (proposed by REPA) additional mitigations will be required north of the new north portal at Leather Lane.
- 32 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
- 33 There are other clauses and provisions of the Bill which, if passed into law as they now stand will prejudicially affect your Petitioner, her rights, interests and property, and your Petitioner's area, and for which no adequate provision is made to protect them.

YOUR PETITIONER therefore humbly prays 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 by :

Hilary Lynne Wharf

Bocken  
Frith Hill  
South Heath  
Great Missenden  
Buckinghamshire  
HP16 9QF

IN PARLIAMENT  
HOUSE OF COMMONS  
SESSION 2013-14

HIGH SPEED RAIL  
(LONDON-WEST MIDLANDS)  
BILL

PETITION OF Hilary Lynne Wharf

AGAINST, By Counsel, &c.

Hilary Lynne Wharf,

