

HS2 in the Chiltern District

Provisional Summary of Non Tunnel Petition Points for Chiltern District Council



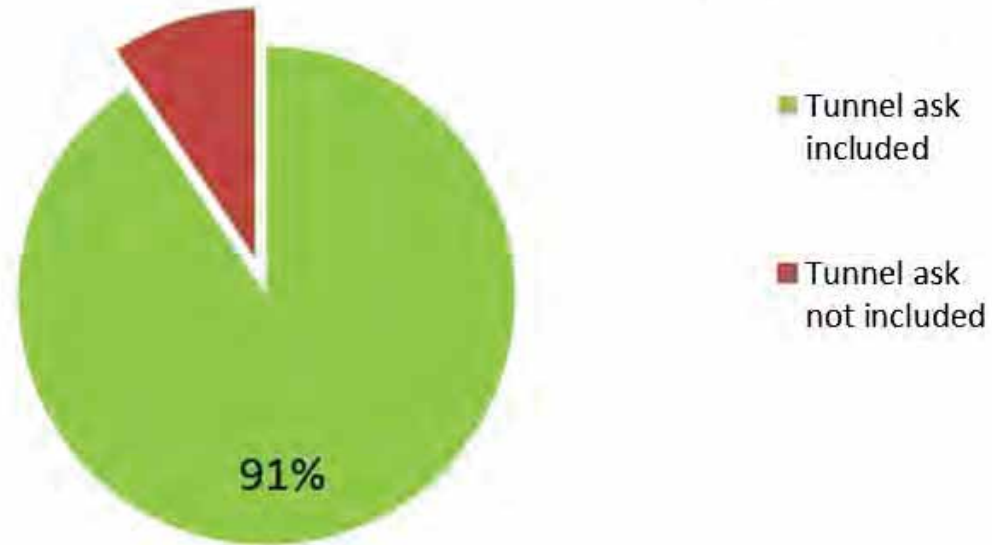
In the event of not getting an AONB edge to edge tunnel.....

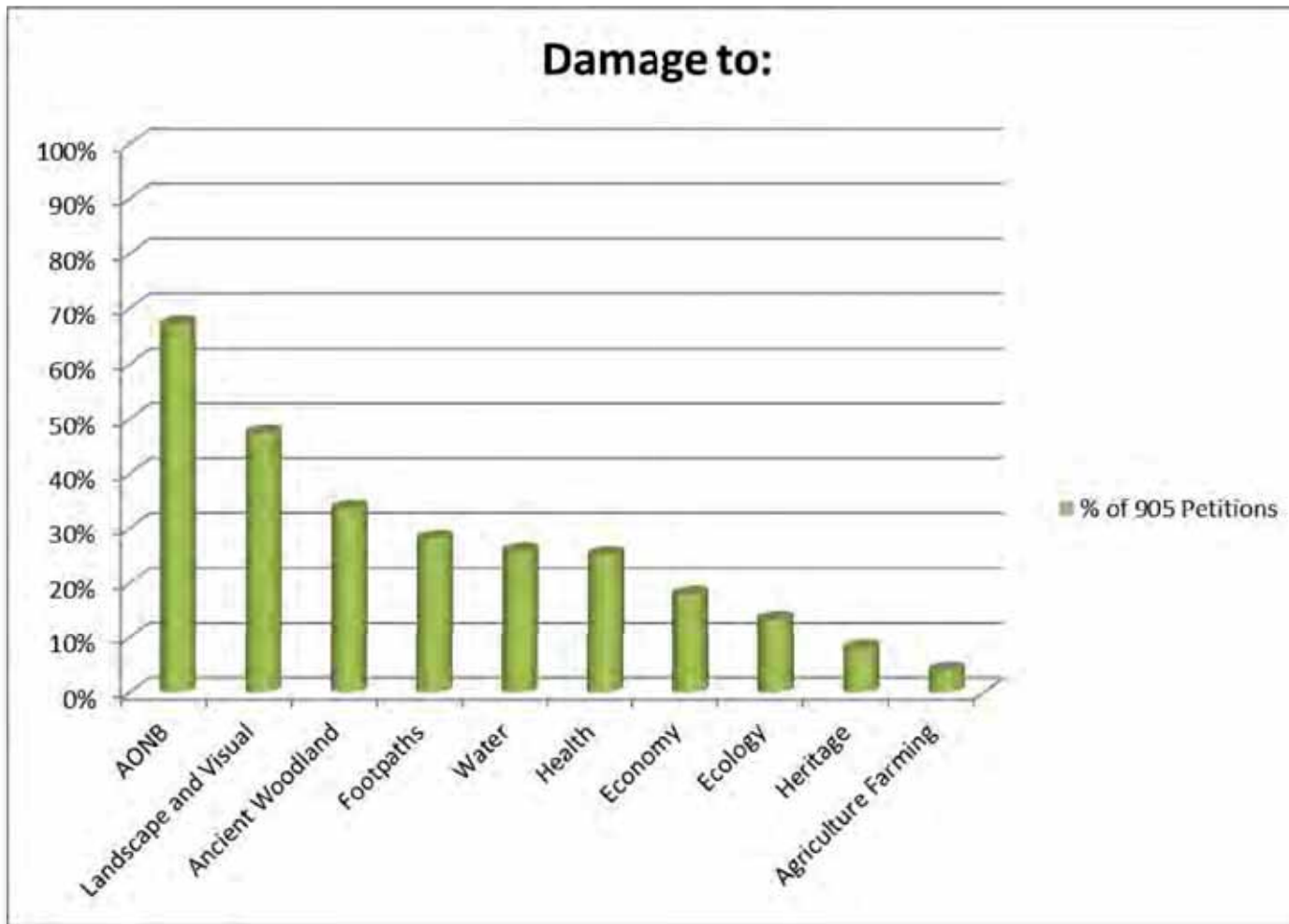
...the fact would remain that the current Bill scheme does not protect and enhance the Chilterns AONB.

Therefore many topics would need to be considered by Committee.



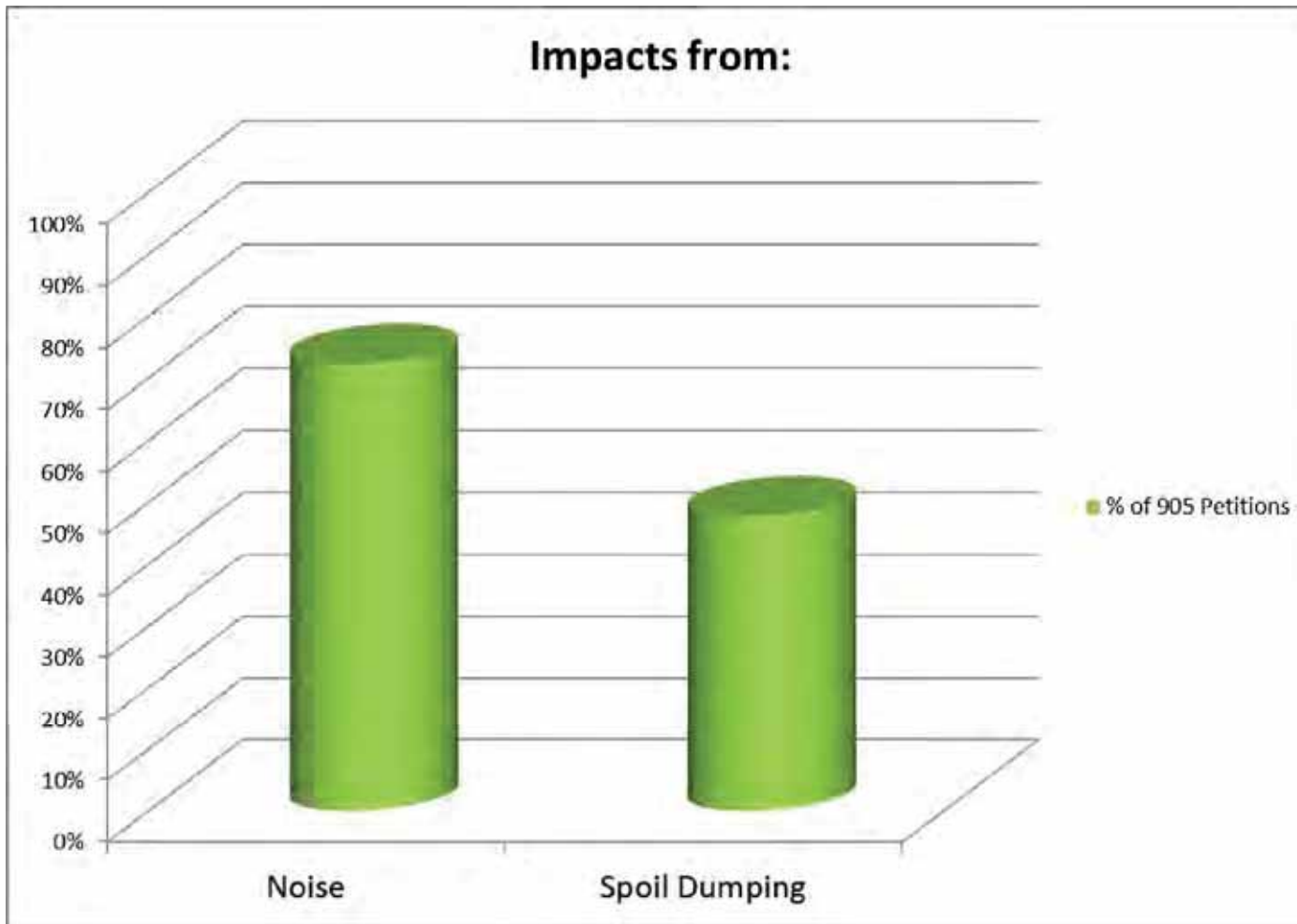
Of 905 petitions





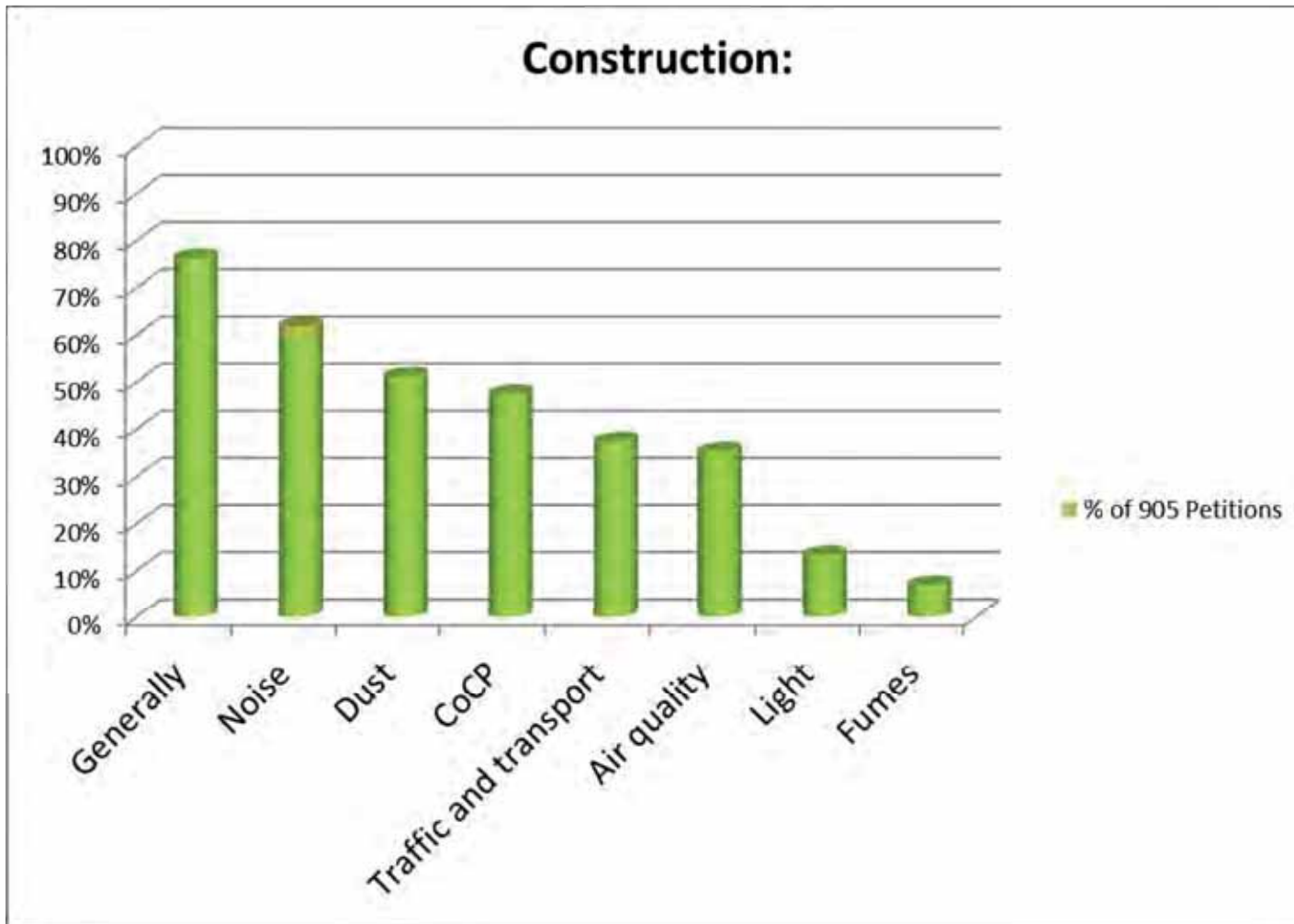
Petition points themes





Petition points themes





Petition points themes



CDC, BCC and AVDC will between them cover:

- Landscape and the AONB
- Ancient woodland loss and biodiversity
- Public rights of way
- Traffic (local issues)
- Heritage
- Balancing ponds
- Lighting
- Sustainable placement/ waste
- AONB Design
- Deficiencies of ES
- Code of construction and heritage memorandum
- Water resources / Flooding
- Construction
- Ecology
- Community impacts & engagement
- Land acquisitions
- Planning
- Local site specific issues



In the event of not getting an AONB edge to edge tunnel.....

...Some 'themes' will be points of principle and dealt with on a route wide basis by lead Councils.

....Other points will be reflected by way of local example by the Buckinghamshire Councils

The balance of this is still being finalised.



Failure to recognise the designated AONB (All)

- This is relevant to many of the themes where the status of the AONB has not been adequately reflected and will in the main have been covered in the case for an edge to edge tunnel.
- A more distinctive and sensitive approach to the Chilterns AONB is essential which needs to result, as far as is possible, in enhancement of the beauty of the (natural) landscape, heritage assets within it, and its subsequent enjoyment by users/ visitors, avoiding urbanisation of the countryside.



Community & Businesses (All)

- HS2 should use best endeavours to mitigate and minimise the impact in the AONB and Chiltern District for our communities.
- We strongly support BCC in asking HS2 to set up a Community & Environment Fund, of £1M per km ,to provide residents, other public bodies, charities and other organisations with a positive lasting legacy to recompense for some of the years of disruption and negative impacts caused by the construction of HS2 and this should be in addition to the replacement of any community facilities likely to be lost.



Community & Businesses (All)

- HS2 should use best endeavours to protect residents from inconvenience and adverse impacts during the construction period from construction sites and related activities particularly in the many highly impacted communities e.g. Cudsdan Court.
- HS2 should properly assess the impact on businesses of the construction and operation works in relation to pedestrian and vehicular traffic flows, safety aspects, damage to highway and loss of parking and to put in place appropriate mitigation.
- HS2 should develop in partnership with CDC and BCC, a business relocation strategy for affected businesses.
- HS2 should provide funding for an Economic Development Officer to promote economic development in the area for a minimum period of 7 years.

Community & Businesses (All), (N Warwick lead)

- In respect of business rates, the councils will be seeking funding to compensate business for the loss of revenue during the construction period by providing a reduction to their business rates payments. This can either be by payments made to the Council to apply to offset the reduction in income on its business rates account, or via the Government making an equivalent s31 grant to the authorities receiving funding from the business rates. The Council would also seek the agreement of the Government to reducing its business rates baseline to reflect lower rating valuations.



Air quality (Camden, CDC, AVDC)

- Air Quality is a route wide theme being led by the London Borough of Camden.
- However, it is still clear that there are many potential impacts on air quality through transport and rail – running in Buckinghamshire.
- A number of locations are just below Air Quality Management Area designation thresholds and HS2 are likely to create new exceedances.
- Before this occurs, we would seek an undertaking that HS2 will contribute towards the required air quality action plans.
- Limitations in 'study areas' for air quality, do not take account of displaced local traffic.



Air quality (Camden, CDC, AVDC)

- HS2 appear not to have undertaken **any** air quality monitoring in the Districts and have not adequately utilised existing monitoring data to consider localised hotspots or existing failures of air quality standards. This applies to Air Quality Strategy Objectives but also EU Limit Values. With the European Commission having launched legal proceedings against the UK for failing to tackle air pollution, HS2 has not clearly stated how they will ensure that EU limit values will not be breached or indeed where exceeded, are not made worse.
- The impact of the loss of trees and vegetation in relation to existing air quality has not been considered. We therefore ask HS2 to undertake to use bio screening or green walls to reduce particulate levels around construction zones and the additional planting of species that specifically remove air pollutants from ground level.

Air quality (Camden, CDC, AVDC)

- We ask HS2 to undertake to fund or carry out additional comprehensive monitoring in relation to nitrogen dioxide and particulates before any preparatory works commence, during and after construction. This could be through the wider use of passive diffusion tubes and or continuous monitoring for nitrogen dioxide, acting as a proxy measure for particulates. It is important to commence the monitoring prior to any preparatory works commencing at sites to be agreed by the Local Authority. The Districts may be able to undertake this on HS2's behalf with reasonable costs recharged. Where standards are breached or look to be breached, HS2 would be expected to develop precautionary mitigation measures. These could then be added to the relevant LEMP documentation.

Cultural heritage (CDC)

Camden will be leading on route-wide heritage issues

The issues to be covered by Camden have, however, yet to be finalised, and CDC may wish to pursue heritage issues of particular reference to this rural District and its AONB context. These may include:

- The need for particular regard for heritage settings as part of the special rural landscape, with due care to ensure appropriate design for mitigation and railway features
- Provision of appropriate sound insulation adequate to encourage continued use of heritage assets in an otherwise tranquil setting
- Provision for the preservation of listed buildings that may become unviable because of blight from the railway

Cultural Heritage (CDC)

CDC will also wish to raise local concern regarding particular sites, including:

- Omission of affected listed buildings from Table 2 of Schedule 17 of the Hybrid Bill, and provision for monitoring
- Safe guarding for the listed Granary at Lower Bottom Farm
- Heritage assets along Potter Row – if it is decided that Potter Row may be used as a construction route, provision should be made for the monitoring and repair of non-designated historic cottages that stand close to the road-way.
- The desirability of avoiding spoil placement at Hunts Green Farm.



Ecology (BCC)

We support BCC and others in relation to impacts on ecology and biodiversity including but not limited to:

- Seek to address gaps in survey data and robustness of information
- Cumulative Impacts having been inadequately considered in the AONB
- Impact and destruction of ancient woodlands. (Some 14 hectares of irreplaceable woodland will be lost from the AONB)
- Loss of hedgerows and habitats
- Impact on water resources including impact on rivers
- Clear imbalance in the application of biodiversity offsetting

Landscape, townscape and visual assessment (BCC, CDC, AVDC)

- Substantial harm to the character of the natural beauty of the landscape in the AONB and failure to conserve or enhance the AONB, through an engineering led approach.
- In the absence of the extended tunnel, HS2 are asked to provide an undertaking to agree to setting design principles with the Councils that would underpin a revised approach to how the railway and associated works are integrated into the landscape.
- HS2 is asked to adopt the principles set out in the partnership document 'A landscape-led approach to HS2' by Land Use Consultants.



Landscape, townscape and visual assessment (BCC, CDC, AVDC)

- We seek a more distinctive and sensitive approach to the Chilterns AONB landscape which results, as far as is possible, in enhancement of the beauty of the (natural) landscape, heritage assets within it, and its subsequent enjoyment by local communities and visitors, avoiding urbanisation of countryside with respect for the natural contours of the existing landscape
- We seek sensitive integration into the historic and natural landscape and reduced visual impact of the railway and all buildings, structures (including gantries etc.), telecommunications and other equipment, lighting, boundary treatments and hard surfacing is the minimum requirement for the AONB



Landscape, townscape and visual assessment

- There should be no sustainable placement (dumping) within the AONB, other than that which forms a necessary and integral part of any mitigation landscaping approach. Any such works should take account of ecological concerns and provide for a range of habitat creation options and landscape mitigation planting within the specific landscape settings
- The rural landscape setting of buildings and farmsteads of heritage importance (and their curtilages) in the vicinity of the railway where it is open or in cutting should be better protected
- The detailed routing and form of public rights of way and people's enjoyment of the countryside should be better integrated into any mitigation
- HS2 should consider opportunities for the undergrounding and mitigation of pylons and cables as they arise or that may support other national initiatives in the AONB



Traffic and transport (BCC)

- The impact of traffic from construction in the AONB and Chiltern District will be significant.
- Many roads and proposed routes are actually narrow tracks and not suitable for HGV traffic e.g. Leather Lane and Potter Row
- The use of temporary haul routes should be utilised to safeguard them and prevent irreparable damage.
- The use of the trace and rail should be utilised in the first instance.
- A number of sensitive junctions are identified and we fully support BCC in its petition points.

Artificial Lighting

- CDC has concerns about the use of artificial lighting at construction sites within their area and once operational the lack of detailed information about permanent lighting installations which could impact on the AONB.
- The Planning Memorandum makes it clear that class approvals may be given for a number of generic construction matters including artificial lighting. There remains concern that such a Class Approval would not be appropriate in the AONB. Accordingly the Council seeks to ensure that Class Approvals are not given for such works in the AONB. Furthermore, the use and timing of the operation of lighting should be minimised in the more rural locations in the District. CDC is looking for the issue of lighting to be addressed in an integrated manner with other issues through agreement with HS2 on principles for a revised landscape approach.

Waste and Material Resources (All)

The Chiltern District would see immense landscape re-sculpting as a result of dumping. We therefore strongly support BCC in asking for:

- HS2 to produce a clear Waste Strategy that uses, and adheres to the principles of the Waste Hierarchy.
- The scheme should not include 'sustainable placement' sites as these are at the bottom of the waste hierarchy.
- Alternatives may include mineral voids, other infrastructure schemes and other beneficial reuses.
- Targets of 90% for recycling and reuse - Precedent set by Crossrail and East West Rail and shows that these targets are too low as each of these schemes are achieving a considerably higher rate of reuse. HS2 should provide a higher target and explain how that target has been calculated.

Water resources and flood risk assessment (BCC/AII)

- The Councils remain concerned about the impact of HS2 on groundwater.
- Groundwater modelling to date does not provide re-assurance.
- There are approximately 13 drainage and 2 balance ponds shown on HS2 maps. These are alien features in the AONB and will have an environmental impact of their own which has not been adequately assessed.



Specific Sites (CDC)

Amersham Vent Shaft

- CDC has particular concerns about the shaft and construction materials stockpile that are intended to be located in Amersham and are not convinced that the location next to Amersham Hospital and Crematorium is appropriate.
- CDC asks HS2 that the stockpile is relocated to another more appropriate site in the vicinity. In addition CDC seek an undertaking that Whielden Street will not be closed even temporarily during the construction period and that should this become unavoidable even temporarily during the construction period that access to the hospital will be maintained throughout the construction period.

Specific Sites (CDC)

A number of further locations and heritage sites impacted by HS2



Vertical Limits (All)

The Nominated Undertaker is empowered under the Bill to construct any of the scheduled works within the limits of deviation shown on the deposited plans and would be empowered to deviate vertically upwards to any extent not exceeding 3 metres from the level shown for the work in question on the deposited sections. Furthermore, the Nominated Undertaker would be empowered to deviate vertically upwards by any extent in respect of works authorised by the Bill which are not scheduled works. The Councils consider that the upward limits of scheduled works should be limited so that only 1 metre's latitude is allowed in the AONB and that suitable limits should be imposed in respect of other works.



Council Resources Impact (All)

- The Councils remain concerned that additional burdens will be placed upon them in relation to HS2



HS2 Local Authority Noise Consortium

Summary Overview of Generic Route wide Sound, Noise and Vibration (SNV) Petition Points Currently Under Discussion

July 2015



HS2 Local Authority Noise Consortium (LANC)

- 13 no. supporting members
- Generic Routewide Issues on Sound, Noise and Vibration (SNV)
- Operational SNV - CDC Lead Authority
- Construction SNV – LB Camden Lead Authority
- Operational SNV is current area of focus
- Residential areas only

Progress to Date

- Petition Management Meetings ongoing and include:
 - LANC Lead Authorities
 - HS2 Representatives
 - Experts for both parties
- Reviewing and modifying Information Papers (IPs) (E20,E21,E22 and E23)
- Exchange of other information
- LANC finalising it's Position Statement
- LANC Drafting Assurances for consideration
- Discussions ongoing



The Three Key Discussion Categories

- Interpretation, and integration, of National Noise Policy (in EIA and IPs)
- Appropriate designation of 'Observed Adverse Effect Levels'
- Uncertainty and risk to stakeholders post Royal Assent



Discussion Category 1: National Noise Policy

- LANC considers that there is inconsistency between the Draft General Principles document of the Environmental Minimum Requirements the ES and its interpretation in the Information Papers
- HS2 must apply its Information Papers commitments to individual receptors
- LANC Challenges HS2's view that residential outdoor living spaces and gardens attract less importance than dwellings in current assessments
- Ambient noise change is not addressed in the Information Papers, and yet is a primary basis for identifying impacts and effects in the EIA
- LANC is not satisfied with the current proposed mechanism for assessing what constitutes, and how far the Nominated Undertaker will be required to pursue, reasonable mitigation



Discussion Category 2: Observed Adverse Effect Levels (LOAELs and SOAELs)

- HS2 justification for some of its adverse effect levels makes reference to World Health Organisation 'WHO' guidance
- HS2 only considers noise from the new scheme in the Information Papers
- WHO advises that guidance applies to total ambient noise
- More favourable to HS2, and is being challenged
- Notwithstanding above, day-time 'LOAEL' of 50 dB $L_{pAeq,16hr}$ being challenged
- For some residential areas evening noise impacts unlikely to be adequately accounted for
- Concern over route-wide application of a single suite of effect levels



Discussion Category 3 : Risk and Uncertainty to Stakeholders Post Royal Assent

- General principles of the EMRs do not protect residents from any non-significant adverse effects becoming worse than those reported in the ES, post Royal Assent
- LANC seeking assurances that '*all reasonably foreseeable circumstances*' are used by HS2 in demonstrating compliance with commitments
- Human response to high speed railway noise may not be adequately addressed by available evidence pertaining to conventional railways and other transportation sources
- HS2 to cater for new evidence during detailed design



Discussion Category 3 : Risk and Uncertainty to Stakeholders Post Royal Assent

- Appropriate technical information required at Schedule 16 submission stage to demonstrate that all effects are no worse than as described in the ES when the Bill was deposited.
- Post completion commissioning surveys:
 - Crucial to LANC and, if final terms are acceptable, could preclude further challenge on the development and implementation of the prediction models used
 - HoC Select Committee interested in proposals for continued noise monitoring
 - Draft Framework in preparation by HS2 and LANC
 - LANC requires surveys prior to bringing into use
 - Must compare predicted train passby noise (and vibration) with actual noise (and vibration)
 - Local Authority to input to identifying survey locations
 - Must address ongoing operational maintenance

Noise Next Steps

- Continuing engagement with promoters on operational noise and vibration prior to Chiltern District Council's later appearance
- Continuing engagement with promoters on construction noise and vibration prior to LB Camden's appearance
- Attempt to reach a common position on areas of disagreement