

sure that it won't.

63. CHAIR: Okay. Mixbury made the same point this morning. Are those your final points?

64. MS PRENTIS: Yes, that will do.

65. CHAIR: All right. Thank you very much, Victoria. We now move on to AP4: 245, REPA and AP4:51 Sibleys Rise Residents Group with Hilary Wharf.

Residents Environmental Protection Association (REPA)

Sibleys Rise Residents Group

66. CHAIR: I hope that we don't dwell too much on tunnels because we have been around tunnels quite a lot.

67. MS WHARF: Tunnels will hardly be mentioned, you will be glad to hear. What I have done is to combine the REPA issues with the Sibleys Rise issues, both are which are petitioned and both of which have their locus accepted for AP4. What we have also done is just really taken issues where things have happened in the past couple of months and therefore they are not things that we have discussed here before. Some of them have been touched on. Some of them also have come back in the PRDs that we didn't have when we were here before in front of the Committee.

68. Could we go to the next slide? This is just a reminder of where Sibleys Rise is. It is opposite Bayleys Hatch. It is after you come up Frith Hill, South Heath Leg and they are about 250 to 350 metres from where the portal starts but not where the portal finishes, obviously, because that is another 200 metres.

69. So, that is Sibleys Rise location. There are about 100 people there. There are 44 properties, a mixture of social housing, owned and rented property. Then we also come here with REPA which is, of course, a wider collection of groups of South Heath and Potter Row, Chesham and Grims Dyke.

70. If we can go to the next slide, there will be four particular topics – of course, tunnelling, but I am not saying much more about that. On non-tunnel issues there are four points: one to do with traffic, one to do with Need to Sell, one to do with pylons

and the last one to do with noise. I suggest I move to the first one, which is the next slide, which is Need to Sell.

71. Need to Sell, as everybody knows, is not applicable where the tunnel is actually underground and bored. We know, of course, that anyone can argue proximity to the portal – you can still argue that in your case – but we are very worried, and South Heath is very worried, in particular about where the line is going to be drawn. You can see from the map there that you have the portal just to the left-hand side and South Heath with the community there, which lies immediately behind it.

72. It does remain blighted, both in construction from 2017 onwards through into operation. I believe Mike Johnstone when he was here asking for locus on behalf of Lappetts Lane, which is in the heart of South Heath there. A lady just opposite him, only just recently literally six weeks ago, had her deal collapse because of HS2 and that is, you can see, not just after the portal was announced. It is now some months afterwards.

73. The extract at the top of that slide is a letter that a number of people on that side of South Heath, the bit just behind the portal, received which said, of course, that if AP4 is adopted the property schemes would not be available in the area parallel to the tunnel and would be removed. Now, only some people received that letter. The bulk of the people from South Heath didn't. So, we have a lot of people who are actually unaware that suddenly the world is going to change for them. Many people, of course, have waited and waited before they might have put an application in hoping that there might be a tunnel that went all the way and further and so, of course, now there is a very short period because what this letter goes on to say is that there will be a three-month transaction for them and in that three months they will be able to apply under both rules. However, what we are saying is that we don't think three months is the answer. Perhaps what is most galling is that in the PRD when we put issues about Need to Sell and health and wellbeing, we were told that this is not associated with the proposed AP4 amendment. That is pretty odd bearing in mind what the letter says, which is that it is going to be removed. Need to Sell is going to be removed from many people who are in South Heath. So, there is a feeling that HS2 Limited are just brushing aside the genuine concerns of people who live there.

74. Could we move to the next slide, please? We think that there is an underlying problem, which is actually to do with the location criterion. If I can quote what Mr Strachan said last time I came here, he said, 'It may be that their houses are not as blighted as they might have previously been but that is a consequence of the benefits of change through the scheme. It does not affect the general application of Need to Sell which', he said, 'I have indicated is not geographically based anyway'.

75. The location criterion, as you know, is one of the criterion which the Need to Sell panel have to consider – it is the first one, really – and it is all about saying, 'Is the property substantially adversely affected?' It is about whether it is actually substantially adversely affected. It is not about how the market perceives it, which is of course the blight. So, it is looking at it physically. We believe that the location criteria remains flawed. The first reason is in a letter which HS2 Limited sent HS2AA a long time ago about this in which they said that the purpose of it is because the Government should not be obliged to accept an application from an unreasonable distance away. Now, given that Mr Strachan has said that it is not a geographically-based system, that seems somewhat at odds to the position that HS2 Limited have put.

76. Secondly, the judge in the case of *Helstrip v High Speed Two Limited* said that HS2 Limited seemed to be using this location criterion as a responsible attitude to not exacerbating blight. So, it was a way to control the blight. It was a way, in effect, to put a geographical limit on it. He also commented that that actually wasn't consistent with the scheme's purpose. Now, that was the EHS scheme but it is no different from Need to Sell. They both have the location criteria.

77. CHAIR: Can I ask you a question? There has to be some location. How far away from the line do you think is reasonable?

78. MS WHARF: I think it comes down to whether you are blighted or not. The market decides and the people who have the information to be able to convince the market are HS2 Limited. If HS2 Limited can't convince the market, then why should the individual be the person who suffers as a result of it, which is what is happening.

79. SIR PETER BOTTOMLEY: I think we've got your point and saying it more often doesn't add to it.

80. MS WHARF: Okay, fine. So to conclude on that I would say that the polluter is the person who should pay. They cause the market blight and they should be the people who pay.

81. If I move to the last slide on what we are asking for on Need to Sell, it is that the location criterion should be removed but failing that, if you don't remove it, then blighted homes in South Heath should be eligible so in effect we hope that you would regard South Heath as an area which is being blighted by HS2, that HS2 Limited should also actually communicate much more to the people who are there because there's an awful lot who still don't realise that it's about to be removed from them, and that if AP4 comes into existence, then there should be a report by HS2 Limited that shows the number of people who get disqualified on the location criteria but have in fact been accepted under blight. But, of course, they fail because you have to get through, usually, on all the criteria. There should be some independent scrutiny of that so the Residents Commissioner should report to Parliament on that report so that it is clear for all to see. We feel that we should not be punishing the victim on this. So, that is the first issue.

82. The second issue, which is very quick, is traffic. You have seen this before. I hardly need to say it. We all say that it is common ground that we have a problem at the Great Missenden roundabout where the haul road comes out, and locally we don't feel that road improvements at Great Missenden are the best answer or an answer. So, if we move to the next slide, what we are adding, which we didn't say before, is that what we seek is that the haul road should be moved north to the Leather Lane area where it could be north or south of Leather Lane. Of course, north of Leather Lane was where HS2 Limited did actually draw a plan for it should they have moved the tunnel, but we are saying that that is quite a separate issue.

83. We say that the benefits here are that actually, as you can see graphically from the map, it would be a direct route to the Hunts Green site, which, after all, is where the temporary dump is. It also avoids doubling back on that Potter Row section of the road because what will happen is that the lorries will dig out a lot of the spoil at the portal end and deposit it at Hunts Green temporarily. It will then be fetched back and will go back along behind the Potter Row section of that route and then be transferred, we understand, into lorries to come down that haul road. So, actually, we could avoid that

doubling back if we place the road in a better position. It clearly relieves the Great Missenden junctions and improves on the visual blight. We fully accept that it would mean a new roundabout at the bottom of Leather Lane.

84. What we have done locally is to get together with Bucks County Council and Great Missenden Council so we are trying to put forward a unified approach, a unified alternative for a better solution. You will hear about it again tomorrow. So, that is our second point.

85. The next slide, please. This is something that has taken a long time to get to this position on, which is about the pylons. You will see there on the map E235 and 8. I am not quite sure of why the numbering is that way but that is the present straight line pylons, which are in this area of the portal. Originally the position had been that two of them would be moved only temporarily and then they would be moved back again. When we got to AP4 and in fact just before, the proposal which is in the map book and the proposal in the CFA area report is that two pylons would go, E3 and E5, and they would be replaced by one taller tower, which is at E4 and shown on the map there. It didn't say that but actually you can see from the map that there would be a change of direction, which would mean that you would not have a suspension tower but a deviation tower because you are actually introducing a change of direction. Surprisingly, that is not what the Bill said.

86. If we move to the next slide you will see what the Bill said. There was an exchange of at least four or five emails to try and get an answer on why the Bill did not say what the Environmental Statement said. Eventually I got an FOI back this year which stated, 'The ES assesses one taller pylon and that is what HS2 will have outline planning permission for. However, there is flexibility in the Bill for one or two pylons but this would only be allowed if the environmental impact of the changed design did not have a significantly different impact'. So, the first question we have been trying to ask is why weren't the public consulted on it; who now actually decides whether in fact it has a significantly different impact and, if one goes to look at what the ES says about even one taller pylon, to quote the part there it states, 'One taller one may affect a wider area of the landscape than two towers.' What I don't show on the quote there is that it actually also says, 'and that one tower will be surrounded by existing woodland'. Actually, if you go back to the previous map you will see that E4 isn't surrounded by

woodland, as it is claimed but if we now move back to the next slide, we have E7 in this Hybrid Bill plan. The best that I could get is, 'Well, it's inside the limit of deviation'. That horseshoe there is not the horseshoe bund; it is the limited deviation.

87. So, in discussion with a variety of people it was being said to me, 'Ah, well, it's inside the limit of deviation so it's okay, we didn't have to consult on it. We could just put it in the Bill'. I think we'd say that that can't be right. In effect it's saying, 'Well, you can put what you like inside provided it's inside the limited deviation'. Surely, that isn't the principle that HS2 Limited should be following the consultation. It has taken us months just to get this distinction exposed between what was consulted on and what the Bill plan says. It really does not give residents any confidence in this consultation process.

88. If I move then to what we are asking on the pylons, as before we would say that we hope the trigger can be used to bury them underground as it has on occasions further up the line. If not, the impact should be minimised, which is keeping to a single new pylon, not taller, if possible, and also actually putting woodland round it not, as they say, 'It's already there', which it isn't, and that if they want two pylons then there should be a proper consultation as distinct from what is, we would say, I am afraid, sneaking it in. So, that is our third issue.

89. The last issue is noise. The PRD said that there are, as we know, LOAELs set and obviously 60 dB is one which is used for the individual train pass-bys, which is the peak noise. We know from what Mr Rupert Thornely-Taylor said to us as HS2AA on 12 October that it was peak noise that mattered and, as he put it, 'It's LAmax which is the most important test at night'.

90. What the PRD we received back said to us was that as required by Government noise policy, all reasonable steps will be taken to design, construct, operate and maintain the proposed scheme so that these levels are not exceeded. So, effectively they were saying they will take all the steps they can to make sure we're not higher than 60, peak noise. So, if I just look first at Sibleys, Sibleys Rise are the 66 and the 63 at the bottom there. The plus nine and the plus six just simply says how much higher are they than the LOAEL which needs to be put in the same coin as Springfield and therefore you need to take 3 dB off it, so the 66 compares with 57 and the 63 with 57. So, they are

higher. If I then go a little bit further to the properties which are immediately south of the portal, you have a 67, a 70, a 66 and a 68. Now, in all, as when I came before, I said we have 156 homes here which exceed this LOAEL. Forty-three of those are actually greater than 65 dB and 84% of those, so the vast majority, are just south of the portal. We, Sibleys, come along with REPA, and ask how can it be that all reasonable steps have been taken given the train frequency, given the fact that we have 36 per hour and given the current peak noise levels – I won't go into the argument about how you measure those – but given the number of homes affected, we would simply say that that increased depth, that extra 16 metres, or the total 16 metres depth behind the portal simply didn't bring the expected and adequate beneficial changes that we had expected and we would say that we don't think that all reasonable steps have been taken.

91. If we go to the next slide I would say just something about those reasonable steps. I believe this was referred to when we did something previous in front of the Committee here on 12 October about how, of course, it's all in the webTAG, what is regarded as reasonable, but actually the values were in what's called a revealed preference study, which was all based on one study in Birmingham in 1997 where there was a model which explained house prices and which fed in noise as one of the factors. That was in 1997 and obviously it was in a city. Alan Province who came before you just late last year for F-Tech, would say that values which come from studies older than 10 years nowadays are questionable and shouldn't be what you are using.

92. SIR PETER BOTTOMLEY: Tell Moses.

93. MS WHARF: We would say, in addition, that it is a city, even if it was 20 years ago. Birmingham is a city and this is an AONB, but people in an AONB don't regard noise in the same way. Indeed, they have sort of self-selected. They have moved to an AONB partly because they appreciate the quietness of it. So, we think that DfT and HS2 Limited are grossly underestimating the value of reducing noise and are using unrealistically low values. For example, just to reduce noise by 5 dB from 49 to 45 they value at £89 per annum per household, and there is not an awful lot you can do for that.

94. So, what we have is residual noise levels which are high and higher than the whole point of the LOAEL, which was to do with World Health Organisation limits or guidelines so that actually what has been left is a whole series of properties in this area

which are above a guideline level which has been put there and HS2 Limited are saying, 'Well, we've taken all our reasonable steps'. We don't think that sufficient reasonable steps have been taken and these wrong values are in effect giving wrong decisions.

95. On our last issue then, what we ask for is that there is a reconsideration of the portal end mitigation, which might be putting retained sides in, having barriers both sides, a longer horseshoe – you saw the horseshoe there – or taller, better sited barriers. We are not being specific. What we want is that the end product on the peak noise is better, that there should be realistic values used for noise nuisance and that there should be an independent approval body of the all reasonable steps to be able to give residents the confidence that actually everything has been done which should have been done.

96. I apologise for repeating one again, but in the PRD we were told that tunnel boom is well understood and that HS2 Limited can design out the effects. If that is true, then surely they can give us a guarantee that if it happens they will be able to be held to the figures that we have been given because if it is well understood and it can be designed out then there should not be any issue about giving that guarantee, yet the guarantee has not been given. So, we feel we are left with just a lot of reassuring sounding words rather than mitigation that actually bites.

97. Finally, just to summarise our asks, we hope at minimum that you will go the extra mile with the tunnel and we don't think that AP4 has brought the adequate beneficial effects that we noted your Committee said originally in August that you would be seeking to see demonstrated here. We ask that on the traffic issue the haul road is moved north to Leather Lane; on Need to Sell that the location criteria could be set aside and that blighted homes, at least in the South Heath area are able to stay eligible. We say that if pylons are not buried we simply do not understand why the actual proposal has not been consulted on. It has just been slipped in via the Hybrid Bill. On noise, we would like you to see that all reasonable steps are actually reasonable, which we don't think is the current position. Thank you.

98. CHAIR: Okay. Mr Mould?

99. MR MOULD QC (DfT): I am in your hands on the traffic point. I have already indicated some of the broad context for that but I know that Buckinghamshire County Council are coming in tomorrow to make the case for a different approach to the haul

route. If you're happy to wait, we'll respond in one go on that through Mr Smart.

100. CHAIR: Okay.

101. MR MOULD QC (DfT): Yes. On the NTS, what the Secretary of State has said – and the letters to residents living close to the line in South Heath bear this out – is that he would expect to change the areas shown on the plans which relate to the Rural Support Zone and the Home Owner Payment Zones in the event that the extended tunnel is brought into the Bill through the adoption of the AP because his policy is that he doesn't intend that those who's properties enjoy the protection of a bored tunnel, that they should be able to claim under the Voluntary Purchase Scheme or indeed receive a payment under the Home Owner Protection Zone.

102. The Need to Sell policy – he's always made clear that one of the considerations expressed as a criteria that would govern the decision on an application for Need to Sell is whether the property in question benefits from the presence of a bored tunnel because the expectation, you may feel reasonable expectation, is that that property will enjoy a satisfactory level of protection both during construction and operation by the fact that the railway is in a tunnel underground rather than at the surface and that the market – it could be expected to be reassured by that fact. What he has indicated is that he will not make a decision on those changes until, as I say, a decision has been made by the House as to whether the AP4 extension should be incorporated into the Bill. And obviously that necessarily follows this Committee's final report and the Government's response to it. And indeed, strictly speaking, I think it must follow Third Reading, because it's at that stage that the –

103. SIR PETER BOTTOMLEY: In the Commons rather than in the other place?

104. MR MOULD QC (DfT): In the Commons, yes. I think the expectation would be that once the Bill, assuming that the Bill receives a Third Reading with this amendment to its provisions, that it will be very unlikely for a change to that state of affairs to emerge from its process in the other place.

105. SIR PETER BOTTOMLEY: If you can see into the Secretary of State's mind – why – it's understandable why the rough justice of a number of metres should apply to the Home Owner Payments and the Voluntary Purchase – it's not obvious why any

distance criterion needs to be brought in on the Need to Sell.

106. MR MOULD QC (DfT): There isn't I think a distance criterion. What there is – it's a different – it's a more specific, more focussed criterion which is precisely that where properties are located such that they can expect the benefit of the railway being both constructed and operated under ground that then there is a reasonable expectation that their market value is unlikely to be affected. Now, here, we have that – sorry, you were going to go on.

107. SIR PETER BOTTOMLEY: I was just going to say – isn't it easier to stick to the question of – if you decided that you Need to Sell, whether there's blight, whether there's significant blight? Because if the home is protected by the bored tunnel, it's then possible to say that the level of blight should not be significant.

108. MR MOULD QC (DfT): Well, that's true. You would expect, following it through, you'd expect that to be the answer that the market gives. Here of course there's a degree of transition because we're moving, assuming that matters proceed as is currently proposed, we're moving from a world in which a certain number of properties in South Heath are, under the Bill scheme, exposed to surface working to create a cut and cover tunnel.

109. SIR PETER BOTTOMLEY: Well, might it be sensible to think, and if one puts oneself in the mind of the Secretary of State, to say: assuming the additional provision goes in the Bill, the level of blight on a number of homes, and Sibleys Rise may be an example of that, would be significantly reduced. To ease the transition, I'm going to set a time limit, rather than a distance limit, and say that – it seems to me what he is saying – that as from the three months or it may be, the assessors will say we're going to treat this as a bored tunnel, whereas at present they treat it as though it's not.

110. MR MOULD QC (DfT): And that's exactly the position at the moment.

111. SIR PETER BOTTOMLEY: If that's all it is, I think then there isn't a big argument and it's a question of whether three months is reasonable.

112. MR MOULD QC (DfT): Yes. That's precisely where we are. And I know he's been at pains not to anticipate the change in such a way as to deny the opportunity for

the market to do that.

113. SIR PETER BOTTOMLEY: So it's not disallowing the possibility of an application.

114. MR MOULD QC (DfT): No.

115. SIR PETER BOTTOMLEY: It's just saying that you'll have to treat it, be assessed on the bored tunnel rather than on –

116. MR MOULD QC (DfT): From the point at which he makes the change to the policy.

117. SIR PETER BOTTOMLEY: So, it's a time rather than a distance?

118. MR MOULD QC (DfT): Yes, yes. So, in a nutshell, at present, nothing has changed. All that is being said is that you can anticipate that I shall make this change in due course, when matters as regards the nature of the Bill Scheme are clearer.

119. CHAIR: It's also the case that every time we've heard an argument for a tunnel, the petitioners are arguing that there will be savings in terms of compensation for housing and everything else and therefore if there are no savings in that way, the argument for a tunnel starts to reduce because you end up building tunnels and compensating.

120. MR MOULD QC (DfT): Thank you. The next question related to the – to do with the pylons. The short answer, I think, to Ms Walsh's point is that AP4 plans show, as I understand it, a single pylon in substitution for the two pylons that were shown on the Hybrid Bill plans. And AP4 – my instructions are that the AP4 change is to authorise the construction of a single pylon for the reasons that are set out in the accompanying text in the report. What I am also told is that as a general rule the cost of underground is about ten times the cost of providing an overhead pylon and when one's dealing with what is in relative terms a fairly minor change – I'm not diminishing the fact that it will have an impact on the locality in an area that is sensitive – but we do have to realign this pylon run in order to allow the railway to be built. And the question is whether the impact is so great and the impact so adverse of that change that it justifies increasing the cost of that particular work by a factor of ten.

121. CHAIR: Is it true that moving a pylon costs three quarters of a million to a million?

122. MR MOULD QC (DfT): Ah –

123. CHAIR: And if so, if you start to bury one you've got to bury several.

124. MR MOULD QC (DfT): Yes.

125. CHAIR: In which case you actually end up with a bill – it would be cheaper to tunnel the rest of the route than to bury pylons.

126. SIR PETER BOTTOMLEY: – depends on his assessment of the cost of the rest of the pylons.

127. CHAIR: Yes.

128. MR CLIFTON-BROWN: I mean, at the time it won't cost ten times in this case because you're having to take pylons down and the wires down in any case, so you've got that cost come what may. And at a time when the government are giving grants for burying some lines in AONBs it would seem a sensible opportunity here to consider burying them underground.

129. MR MOULD QC (DfT): Well, I take that point. And that's something that's being considered. Indeed, I've asked that question myself. But, it's fair to say also that there is a programme of work for the purposes of proceeding with undergrounding in sensitive areas and this particular area is not on that programme. So, it's consistent with that overarching programme – the priorities that have been set out there – that we shouldn't spend extra money of the sort that I've mentioned. I can't give you an actual pounds, shillings and pence, but as I say, if you assume it's ten times as much and the cost of providing the additional pylon will certainly be measured in at very least the tens of thousands. And to spend that money undergrounding this very short section, in the context of this railway – that's the judgement that's been made. Yes.

130. SIR PETER BOTTOMLEY: It might be that if some of the detail – which should be interesting – isn't known today – that we could have some briefing or description of what actually is the policy of undergrounding these cables in some sensitive AONBs,

who's budget is, and whether explicitly they didn't consider this, and if so why didn't they?

131. MR MOULD QC (DfT): I can certainly provide you with that information.

132. SIR PETER BOTTOMLEY: And whose budget it comes from as well.

133. MR MOULD QC (DfT): Yes, it will be National Grid I would expect.

134. MR CLIFTON-BROWN: It was a limited offer and it was bidding process.

135. MR MOULD QC (DfT): I think it's probably National Grid who are responsible for it. The other point I should just remind you, I think we've had this before, if you're going to underground a pylon you have to have a compound at each point where the wires come down in order to provide safety. So, in terms of the visual impact on the AONB, it shouldn't be assumed that it's all one way, as it were. There's always a balance in these matters. Anyway, I'll make a marker on that point.

136. SIR PETER BOTTOMLEY: Actually Hillary Wharf made two other points. One is whether the pylon would be in the woods and the second one was what height it had to be.

137. MS WHARF: And also why the Hybrid Bill plan has actually got two on it, not one.

138. MR MOULD QC (DfT): Well, I've dealt with that. Well, the AP4 scheme makes clear what is now being proposed and –

139. MS WHARF: Well, the FOI response that I show on the slide says quite clearly to me that: 'The flexibility is there in the Bill,' it says. And either the FOI response was correct or incorrect. But, it says there's 'flexibility in the Bill for one or two pylons'. And they could have two if it didn't have a significantly different impact. That's the answer that we've been given. And if you look up the Bill plan, that's what you see.

140. SIR PETER BOTTOMLEY: Maybe, as there's a day off tomorrow, we can hear a bit more in response.

141. CHAIR: Yes.

142. MR MOULD QC (DfT): Can I? At the risk of prolonging the agony, I was just going to read out what you'll find at the top of page 20 in the Community Forum Area report for AP4. 'A realignment for 400kV overhead electricity line to the west of South Heath which includes the replacement of two pylons with one tall pylon'. So, that's the current proposal.

143. CHAIR: Okay.

144. MR MOULD QC (DfT): But I'll move on to the next point, which was noise. I mentioned this morning what Mr Thornely-Taylor said about the LA_{max} night time index. And what he said in effect was that in achieving the night time LOAEL of 40dBA Aeq, the night time LA_{max} LOAEL of 60dB LA_{max} was really the key driver because to achieve that, it was in order to achieve the 40dB you'd need to achieve the 60 in any event. But, bear in mind, the key point in response to the petitioner's point is this: the night time lowest observed outburst effects level threshold of 40dB LAeq, 60dB LA_{max} is a criterion that applies for the hours from 11.00 p.m. in the evening until 7.00 a.m. in the morning. It is irrelevant to the major, by far the major part of the operational day of HS2, which runs during the course of the day – I think the start-up is about 6.00 a.m. until just after midnight. It does extend into the night time period to that limited extent. But, the LA_{max} figures that you see on the evidence sheets that have been provided, they're not LA_{max} night time of Scheme A predictions, they're LA_{max} predictions covering the full calendar operation, if you will, of HS2. And so, Ms Wharf is not comparing like with like.

145. We are confident, as you know, of designing the railways so as to achieve the LOAEL criteria in those cases where we've shown you on the plans the extent, the predictions. We've acknowledged that there are some areas where the performance of the railway is expected to exceed the LOAEL level, largely in relation to isolated dwellings, close to the railway line in the countryside and the continuing design objective of using what reasonably practicable measures we can in terms of the design of trains and the possibility of sound insulation to dwellings, reviewing – as appropriate – the performance, the height, the extent of physical barriers, all of those matters are going to be focussed upon, whether there is a case – a case in terms of cost and benefit – for doing more in those areas that I've just identified. I've been through this many times before but it's the same answer, I'm afraid, because the question really raises nothing

new. And so, unless there's anything more I can help you with on that, that's my response to that point.

146. CHAIR: Okay, brief final comments?

147. MS WHARF: I think I just, I mean on the noise, I'd say 156 homes. It is a lot of homes. I don't think there's any dispute from the promoter that there is those 156. It's straight off their tables, it's not numbers we've done. I think some of them are in large numbers. I mean Sibleys Rise itself, you've got 25 at 66 and 19 at 63. So, it's not just the odd property. It's not just an isolated property. And I think that as far as South Heath and as far as REPA is concerned, we still don't feel that all reasonable steps have been taken. That's all. That's the position.

148. CHAIR: Okay. You know you can only do your personal petition?

149. MS WHARF: Yes.

150. CHAIR: Some of the issues are similar to the ones you've raised –

151. MS WHARF: Exactly. That's why I wanted to do that one first.

152. CHAIR: Okay.

153. MS WHARF: Thank you. The petitions that I actually cover, although I don't mention some of them, is my own, Hilary Wharf, my husband's, Bruce Weston, my daughter, Miranda Weston, Party Experience – which doesn't exist anymore, so time's moved on, Wharf Weston and my mother, Sheila Wharf.

154. Time has actually moved on quite a lot since we petitioned and it's, 2014 now seems a long time ago. And some of it's in the pictures below – ambulances are featured unfortunately quite big time in our lives, both with my husband, with the life threatening episode, and also with my mother, who is now just out. But she has been in and out more than eight times in as many months. We have also, wanting to downsize, my daughter's got her first home, and we have facilities and particularly horses which is something I'm going to talk about on our property. So, the two big issues are the Need to Sell circumstances that I find myself in but also the adverse impacts which come as a result of AP4 which we think could be much reduced in respect of our own property.

Much was done under the REPA and Sibleys one in terms of the detail. So, that was I thought why important I wanted to do it first. The main asks are going to be in relation to Need to Sell where we're in that sort of ageing stage of life category and as far as mitigation for our own property is concerned, it's both as a home and also a place with horses. And the items would be obviously additional tunnelling but then things to do with noise, things to do with pylons and moving the haul road.

155. HS2 Ltd did come and visit last October. No extra mitigation was considered. It was made clear that we would be in a Need to Sell circumstance and that we were also looking for better mitigation for property. If I can just then go through, on the next slides, if I can just go through four which has some pictures, allow us just to see where we are. Bocken, which is the name of our property, is down there on the left hand side. You can see the house. There's also a coach house. And you can see the horse arena which is there, and the stables, which you can't really see, but they're on the side here. Now, going first, sort of due north, we have our usual footpath which gets closed. We have obviously behind us there the eight-year construction haul road. When we come to look at other maps, you'll see that actually it's greyed here –

156. SIR PETER BOTTOMLEY: Are we talking about mitigation or are we talking about Need to Sell, Reasons to Sell?

157. MS WHARF: Yes.

158. SIR PETER BOTTOMLEY: Your Reason to Sell – have you put in an application?

159. MS WHARF: Yes.

160. SIR PETER BOTTOMLEY: Well, I think we ought to let that be determined rather than you putting to us what you put in the application.

161. MS WHARF: Yes. I've got two separate issues. One is it was the Need to Sell which was only very brief, but it's the point that actually the property itself is substantially blighted and we believe more could be done –

162. SIR PETER BOTTOMLEY: So reduce the blight whoever owns it?

163. MS WHARF: Reduce the blight, whoever owns it. And actually it effects the value considerably because it's also a horse property and so it has problems. You can almost see it from – we've got a construction road behind us, we've got a permanent access road 30 metres from us, we've got a portal about 350 metres from us. It was under 300, it's now probably about 350. We've got two big compounds. And then of course we've got the traffic issues going the other side. So, we feel we're pretty squeezed on all sides.

164. SIR PETER BOTTOMLEY: If you look at P14499(3)?

165. MS WHARF: 144 – sorry, I don't –

166. SIR PETER BOTTOMLEY: P14499(3).

167. MS WHARF: Yes.

168. SIR PETER BOTTOMLEY: The yellow we can ignore because that's removed by AP I think. And we can see the portal, which is like an extension of that red line on the boundary.

169. MS WHARF: Yes, yes. And that's the safeguarded land obviously in grey. You can see there the house – we have that on two sides of us.

170. SIR PETER BOTTOMLEY: So, I think it might be sensible if you just briefly mention what you think could be mitigating features.

171. MS WHARF: What could be mitigated? Yes.

172. SIR PETER BOTTOMLEY: There's no point filling out what caused the blight because that should be reasonably clear to most of us.

173. MS WHARF: Yes. So if I move to – can we just turn through the slides so that I can?

174. CHAIR: Okay.

175. MS WHARF: Because it's probably, if we go back to, well, the point on this one was this shows pre-AP4 and post-AP4, so the purple was where the property is and you can see here the horseshoe, the horseshoe bund that there is. You can see the

construction road here. And you can see the permanent access road which is now much nearer. So, if you say what could be done in order to improve the blight circumstance? That horseshoe bund could be longer so that actually there could be greater protection for the property. There could be barriers that do something about this construction road. As you'll see, directly opposite from where the horse arena is, it's not even in a cutting. The road is actually at grade there on this section. And one of the reasons, and if you just think back to the previous slides, one of the reasons why the noise levels are presumably so high behind the south end of the portal is because the horseshoe bund is not providing the same degree of mitigation as you see perhaps where those barriers on the east side. There are no barriers on the west side and I had later slides where I'm told in the PRD it is because there is no adverse effect. We would dispute that there's 'any adverse effect' because we believe there is an adverse effect.

176. SIR PETER BOTTOMLEY: So, you're asking whether it would be sensible to have barriers on the west side?

177. MS WHARF: Some form of barriers and improvement on the horseshoe bund.

178. CHAIR: Right.

179. MS WHARF: Actually, on this one, you can't see, but the properties either side, or the properties on this side, all have land taken, they will have blight notices accepted. And I think this does actually become another problem because as houses get blight notices accepted they don't perhaps put the same case in to be able to say actually we don't think that the value of this property is being protected appropriately because it just gets bought. I have a later slide which was to do with the pylon and obviously one of the pylons comes right on to the perimeter here and it is right behind the next door neighbour's house and he probably is not concerned.

180. SIR PETER BOTTOMLEY: Can I help you and help ourselves by saying that in effect you're saying that the promoters: As you own some of these properties, and you may end up owning mine, should you be thinking of your own commercial self-interest as well as environmental –

181. MS WHARF: Yes. But it's also, if you don't ever end up owning mine I've got to somehow make a case to somebody who comes across the threshold who says:

Please, what mitigation are HS2 Limited putting in? And when I say: Well, actually, they're not putting anything in, anything extra than what's on here, then there's another reason they walk out the door.

182. If I could just go to perhaps the horses?

183. SIR PETER BOTTOMLEY: We've had quite a lot of horses the last year and a half. If you go on to your page 16, which actually has what you're after.

184. MS WHARF: Page 16.

185. SIR PETER BOTTOMLEY: We don't have to go through pylons again.

186. MS WHARF: Well, the reason why I wanted to mention about the horses, we did actually study the Wendlebury case, the Wendlebury stables case and also what was being said in the PRD back to us, which is that horses usually become accustomed. Now, that's not the same to saying they 'will' become accustomed. It's just saying they 'usually' become accustomed. In the Wendlebury case example there was no rapid onset because it wasn't next to a portal. The whole point is we are actually in a situation not only of having a construction road behind us but also having a portal to the right of us, to the east of us. And so the rapid onset of noise is an issue and I think that's generally accepted that for horses it can be. And there aren't many situations like that on the whole of the HS1 line.

187. SIR PETER BOTTOMLEY: Okay.

188. MS WHARF: So, I think to be told by HS2 Limited they weren't going to do anything else because they don't see there's a problem didn't seem very satisfactory.

189. CHAIR: Okay.

190. MS WHARF: I'd like to go to the noise impact slide because there is something different that HS2 Limited told me that cannot be correct.

191. CHAIR: Very material? Or not?

192. MS WHARF: It was slide 10. This one. Yes. we were told in the documentation that HS2 Limited provided, that we would have this highest monthly rate, this average,

of 55dB and it was to do with MPATS. And MPATS is the auto-transformer station. That can't be correct because it's over a kilometre away so there was no way that was right. Eventually, we were told: 'No, that was a typographical error and it had to be the South Heath cutting'. I think what I would make the point there is that HS2 Limited do make errors and it concerns us that a lot of it is just taken as they must be right and it must be us that are wrong. I even question whether it would be the South Heath cutting. I questions wouldn't it actually be the portal works but that was as far as I could get. And I would say we were given no peak noise either for construction works. And actually the whole point about construction works, as anybody would know if you've got a road being done right near you, the noise changes. The noises can be very loud; they can suddenly start up. There's no information about when that would happen and again I couldn't tell anybody coming round to say: You can put your child on that horse there and feel that will be a safe thing to do. It just wouldn't be.

193. So, if I then went to, yes, the last, I think you were saying slide 16?

194. SIR PETER BOTTOMLEY: 16.

195. MS WHARF: 16. Sorry, 15. 15 has something unique. 15. The sightlines from our house. There is a lot made about how actually this permanent access road's going to be a cutting. It's actually in the cutting so that it's seen from our house.

196. SIR PETER BOTTOMLEY: Because you look down the cutting?

197. MS WHARF: We look down the cutting. And I've done a bit more work on looking at 1B and 2B, which were other documents in HS2s. And 1B is at 184 metres above sea level. 2B is at 177. And then when you get to the line it's 170. Our house is about 192. You go upstairs, maybe you're 196. So, we look right down on that. I'm not saying I know what the answer is. I'm simply saying that actually we found ourselves positioned in a rather difficult place in relation to the HS2 line.

198. CHAIR: Okay.

199. MS WHARF: I will now go to 16.

200. CHAIR: Okay? You've been through most of these anyway. Shall we get Mr Mould to answer them?