

1. Petitioner information

In the box below, give the name and address of each individual, business or organisation submitting the petition. Please note that addresses here will be provided to the Bill's promoter, but will be redacted in the version of the petition published on the Parliamentary Website.

The National Trust
Heelis
Kemble Drive
Swindon
Wiltshire
SN2 2NA

In the box below, give a description of the petitioners. For example, "We are the owners/tenants of the addresses above"; "My company has offices at the address above"; "Our organisation represents the interests of..."; "We are the parish council of...".

The National Trust

1. The National Trust for Places of Historic Interest or Natural Beauty ("the Trust") is a registered charity (No. 205846) first incorporated by the National Trust Act 1907 (the "1907 Act"). Several important powers and protections have been conferred on the Trust under the 1907 Act and other legislation. Section 4(1) of the 1907 Act sets out the general purposes of the Trust: "promoting the permanent preservation for the benefit of the nation of lands and tenements (including buildings) of beauty or historic interest and as regards lands for the preservation (so far as practicable) of their natural aspect features and animal and plant life".
2. Today the Trust protects, through permanent ownership, 780 miles of coastline, almost 250,000 hectares of land, thousands of buildings including historic buildings, tenanted properties, historic and rural communities and managed estates. The Trust ended the year 2021/2022 with 5.7 million members. Its properties attract over 20 million annual visits by paying visitors and an estimated 200 million visits to the countryside and coastline for which it cares.
3. Although the Trust is primarily focused on the special places in its ownership, its role extends to places it does not own and over covenanted land (National Trust Act 1937). Further to its wider conservation remit, it cares about other special

places, including nationally designated landscapes (such as Areas of Outstanding Natural Beauty and National Parks), and places designated for their historic and natural value.

4. The Trust is therefore a body which represents (amongst other things) amenity and recreational interests, and as set out in Part 3 of this petition, alleges that the interests it represents will be adversely affected to a material extent by the provisions contained in the Bill.
5. The Trust petitioned against the Bill when it was introduced.

2. Objections to the Second Additional Provision to the Bill

In the box below, write your objections to the Second Additional Provision to the Bill and why your property or other interests are **directly and specially affected**. Please number each paragraph.

Only objections outlined in this petition can be presented when giving evidence to the Committee. You will not be entitled to be heard by the Committee on new matters not included in your written petition.

Introduction and description of National Trust properties affected by the Bill

- (i) The Trust is the owner or part owner of two properties which will be affected by the exercise of the powers under the Second Additional Provision to the Bill (“**AP2**”) and/or in respect of which the Supplementary Environmental Statement (“**SES2**”) identifies new or worse environmental effects.
- (ii) Dunham Massey is one of the Trust’s most visited properties. The estate covers an area of 1270 hectares and includes the Grade I listed main house, set within a Grade II* Registered Park and Garden (RPG). Dunham Massey is a very popular green space close to a number of urban centres, attracting over half a million paid visitors to the core park and many more to the wider estate. As set out further below, the Trust is concerned about the use of land within the Dunham Massey Estate as a consequence of AP2.
- (iii) Tatton Park is a Grade II* Registered Park and Garden close to the proposed Manchester Spur of HS2, and within the park there are a number of listed buildings. Mostly owned by the Trust (part of the park is owned by Tatton Estates) and operated by Cheshire East Council, Tatton Park is one of the UK’s most complete historic estates. It receives around 800,000 pay for entry visitors every year and many more enjoy the park for free. Tatton also hosts major events throughout the year such as the RHS Flower Show, the income from which funds the conservation of this special place. For a number of years, Tatton Park will be at an epicentre of substantial HS2 construction activity, which will create major adverse impacts on the nearby roads. As set out further below, the Trust is concerned about the worsening of impacts on Tatton Park as a consequence of AP2.
- (iv) The Trust has been served with notices (and therefore assumes it is listed in the Book of Reference) as the owner of land which is subject to compulsory acquisition or temporary possession under the Bill as proposed to be amended by AP2.
- (v) The interests of the Trust in the properties mentioned above are specially and directly affected for the reasons set out below. Not only are the interests of the Trust as a landowner affected, but also as a body which represents amenity and recreational interests, the interests they represent being adversely affected to a material extent by the provisions contained in the Bill, for the reasons set out below.

1. Dunham Massey: Temporary possession of inalienable land

Issue

- 1.1. All of the land owned by the Trust at Dunham Massey and which is affected by AP2 is held by the Trust in accordance with the provisions of section 21(2) of the National Trust Act 1907, meaning that the Trust has determined that that land is proper to be held for the benefit of the nation and shall be inalienable. In turn, that means Dunham Massey is afforded special protection in other legislation. For instance, wherever inalienable land of the Trust is subject to compulsory acquisition, and the Trust maintain an objection to that acquisition, then the instrument that authorises the compulsory acquisition becomes subject to Special Parliamentary Procedure. Parliament has acknowledged the very special nature of the Trust's inalienable land on a number of occasions, including in the Planning Act 2008, preserved by the Growth and Infrastructure Act 2013.
- 1.2. Over 14.5ha of land owned by the Trust at Dunham Massey would become subject to powers of temporary possession as a result of AP2. The plots of land in question are numbered AP2-1 in the parish of Dunham Massey, AP2-2, AP2-10, AP2-13, AP2-15 and AP2-19 in the parish of Little Bollington and AP 2-95 in the Metropolitan Borough of Trafford. AP2 would have the effect of listing all those plots in Schedule 16 to the Bill (temporary possession and use of land: table of land). The purpose for which temporary possession may be taken for plots AP2-10, AP2-13, AP2-15 and AP2-19 is stated to be "for the purpose of and in connection with the diversion or installation of or works to utilities apparatus", in the case of plot AP2-1 and AP2-2, it is also for the purpose of provision of access for utility works and for Plot AP2-95 it is "for the purpose of and in connection with a worksite and access for construction".
- 1.3. The Trust understands that the reason for the inclusion of the land in Schedule 16 is to enable the nominated undertaker or the relevant statutory undertaker to restring existing overhead power lines, required as a consequence of a proposed rerouting of a diversion of those lines elsewhere. That rerouting is referred to in the HS2 Phase 2b SES2 and AP2 ES as a revised National Grid 400kV overhead power line diversion near Ryecroft Covert Local Wildlife Site – work AP2-006-006. The Promoter has indicated that land owned by the Trust will only be required temporarily.
- 1.4. Although it appears that temporary possession may only be needed for the restringing works, the catch all phrase "or otherwise for Phase 2b (Crewe – Manchester) purposes" in paragraph 1(1)(c) of Schedule 15 to the Bill means that temporary possession could be taken for a wide range of other purposes, and therefore potentially for very long periods of time.
- 1.5. In practical terms, three farms on the Dunham Massey estate could be adversely affected by AP2 with the most severe impacts likely to be at Stamford Farm, which is a tenanted farm.
- 1.6. As drafted, AP2 could result in the disruption of the operation of Stamford Farm for significant unknown periods of time, severing land and making some areas

inaccessible, severely restricting the ability of the Trust's tenants to move livestock and significantly impacting their ability to cut enough silage.

- 1.7. The proposed area of the restringing work also lies within the impact risk zone for the Dunham Park SSSI and the River Bollin passes through the area of works.

Solution

- 1.8. The Trust seeks an assurance that the powers of Schedule 15 to the Bill to take temporary possession of the Trust's land at Dunham Massey land will only be exercised for the purpose of restringing the existing overhead lines and for obtaining access to do so.
- 1.9. The nominated undertaker should be required, in carrying out the works on the Trust's land and elsewhere, to minimise the amount of vegetation to be removed noting the role the existing vegetation plays in contributing to the setting of the RPG; screening features such as pylons and roads from the RPG; and providing habitat and floodplain management. Where vegetation which makes such a contribution or such provision is removed, then this should be compensated by new planting, the details of which should be discussed with the Trust.
- 1.10. The nominated undertaker should be required to minimise the amount of inalienable land to be used and this should include a reassessment, in consultation with the Trust, of the number of access points required from the A56 when carrying out detailed design.
- 1.11. The Promoter should enter into an Agreement with the Trust and its tenants about how and when the land will be used, to include a definition of the works, duration of works, management of environmental impacts of the works, definition of completion, restoration plan, hand-back procedure, notice periods and farm management matters including but not limited to fencing, livestock gates and access.
- 1.12. In respect of notice periods and contents of notices (and other matters relating to temporary possession), the Promoter should confirm that the assurances provided to the National Farmers Union in relation to agricultural land will be applicable to the Trust as owner of agricultural land, together with other relevant assurances given to the NFU.
- 1.13. The Promoter should agree that it will enter into access agreements for the tenants of the Trust on reasonable terms which ensure that reasonable access is maintained across occupied land throughout the construction period to prevent severance and to ensure uninterrupted access to residential buildings. The Trust supports the points made by the National Farmers Union in relation to access agreements/licences in its petition against the Bill on this subject and seeks confirmation that assurances provided to the NFU will apply in relation to agricultural land owned by the Trust.
- 1.14. The Promoter should agree to engage meaningfully with the Trust in advance of entering Trust land, so that the Trust is able to comment on the detailed plans and the points raised above, so including on the amount of land to be used and the proposed extent of the removal of vegetation (if any).

2. Dunham Massey: Inalienable land subject to permanent powers

Issue

- 2.1. Two of the plots of inalienable land owned (or part owned) by the Trust in the parish of Little Bollington (AP2-6 and AP2-8) are not to be included in Schedule 16. Instead, they are to be included in Schedule 12 (Highways: restrictions on powers to use subsoil and acquire land). The effect of this is that the plots are subject to permanent acquisition, but not if the surface of the land is comprised in a highway. The Trust has made enquiries of the highway authority and has been informed that plot AP2-8 is not part of the highway. The Trust objects to inalienable land being acquired and is concerned that plot AP2-8 and other inalienable land may have inadvertently (given the Promoter's verbal assurances to the contrary) been included in the scope of the permanent compulsory acquisition powers of clause 4 of the Bill.

Solution

- 2.2. AP2 should be amended so as to ensure that Plot AP2-8 in the parish of Little Bollington is not subject to permanent compulsory acquisition, whether or not it forms part of the highway.
- 2.3. The Promoter should provide an assurance that the powers of permanent compulsory acquisition in the Bill will not be used in respect of any of the inalienable land in the Trust's ownership as a result of AP2.

3. Dunham Massey: access to New Farm

Issue

- 3.1. Plot AP2-6, mentioned in the previous paragraph, is part owned by the Trust and is a no-through road and public highway (Halls Farm Lane) giving access to New Farm from the A56 Lymm Road. As such, it is subject to temporary interference under paragraph 8 of Schedule 5 to the Bill. This could include temporary closure of the road to vehicular traffic. The road provides the only access to the farmhouse and other buildings.

Solution

- 3.2. The powers under the Bill as proposed to be amended by AP2 should not be exercised so as to prevent vehicular access to the farm except with the agreement of the Trust and/or its tenant.

4. Dunham Massey: Bollin Valley Way

Issues

- 4.1. The Bollin Valley Way ("**BVW**") is a 25 mile (40 km), recreational path which shadows the course of the River Bollin and it passes through the Dunham Massey

Estate. Part of the BVW is within the Bill limits. There is likely to be a significant impact on those who use it at or near the HS2 works.

Solution

4.2. The Promoter should be required to ensure that:

- the HS2 works do not result in the closure (temporarily or permanently) of any part of the BVW;
- if any diversion of the BVW is required (temporarily or permanently) then it is put in place before closing the section to be diverted, and that (if it affects land owned by the Trust) the Trust and its tenants are consulted beforehand;
- the experience of users of the BVW as it passes through Dunham Massey is taken into consideration in the management of the HS2 works.

5. Tatton Park: New significant effects on roads surrounding Tatton Park including Ashley Road

Issues

- 5.1. The Trust refers to its petition against the Bill on this subject. The Rostherne Drive entrance is the main entry and exit point to Tatton Park and the only entrance which is wide enough for two vehicles to comfortably pass in each direction, and the only access route suitable for deliveries by lorry and for coaches. The entrance gives onto Ashley Road, and visitors arrive along Ashley Road from the east and the west. It is also the only suitable route to handle the majority of the traffic entries and exits during large events.
- 5.2. The continuous use of Ashley Road is essential for the day-to-day operation of Tatton Park, in terms of access for visitors to the property and its grounds and to the many large events hosted there. Ashley Road will already be affected by the Bill in several ways and the Trust has expressed significant concerns about this in its petition against the Bill as deposited.
- 5.3. AP2 and in particular the traffic assessments in SES2 show that there will be a further increase in HGVs using Ashley Road on top of the numbers assessed in the ES deposited with the Bill, resulting in new or increased significant effects at a number of junctions, but with no additional mitigation.
- 5.4. The perimeter wall of Tatton Park forms part of the Registered Park and Garden and is close to Ashley Road, where a significant amount of HS2 construction traffic, including HGVs, will pass. The Trust is concerned about the potential for this traffic to cause damage to the wall.
- 5.5. The Trust has continued to work with Cheshire East Council (“CEC”) to analyse the impact of HS2 construction traffic on Ashley Road and discuss mitigation to protect the future operation of Tatton Park.

Solution

- 5.6. In addition to the requests made in its petition against the Bill as deposited on this subject, the Trust considers that the Promoter should come forward with mitigation proposals (such as the provision of a haul road to minimise the use of Ashley Road or changes to the sequencing of works) in consultation with the Trust and CEC. The Trust will continue to work with CEC and the Promoter in relation to mitigating the effects of HS2 construction traffic on Tatton Park.
- 5.7. In its petition against the Bill, the Trust requested that the Promoter should commit to requiring the nominated undertaker to carry out or fund pre-construction and post-construction condition surveys of the perimeter wall at Tatton Registered Park and Garden and to either carry out or fund any remedial work required as a result of damage caused by HS2 construction traffic. Given the significant increase in forecast HGV traffic on Ashley Road, the Trust repeats that request and also requests that CCTV should be implemented by or at the cost of the nominated undertaker to monitor the road at pinch points.

6. Tatton Park: New permanent significant impacts on Tatton Park Grade II* RPGImpact

- 6.1. The rerouting of the diversion of the overhead power lines referred to earlier in this petition (work AP2-006-006 as described in the AP2 ES and SES2) has resulted in a proposed area of woodland habitat creation within the Tatton Park RPG (just outside the Trust's ownership) to compensate for the loss of woodland at Birkin Bridge Lodge ancient woodland. As owner of the major part of the RPG, the Trust is concerned about the integrity of the whole of the RPG.
- 6.2. The AP2 ES/SES 2 reports that this new woodland creates a permanent moderate adverse effect to the Tatton and Rostherne Wooded Estates and Meres Landscape Conservation Area. The planting is described as an "uncharacteristic addition to the historic parkland landscape", and the Trust agrees with that assessment. In the Historic Environment section of the AP2 ES/SES 2, a new moderate adverse significant effect is also identified, as the planting "will alter the character of the designed landscape of the registered park and garden".

Solution

- 6.3. Whilst the Trust supports the implementation of compensation for the loss of ancient woodland, such compensation has to be located appropriately. The Promoter must work with all relevant stakeholders, including the Trust, the Tatton Estate, Historic England and Natural England to identify an alternative proposal either outside of the RPG entirely or in keeping with the heritage significance of the Park and avoid permanent impacts on Tatton Park.

7. Tatton Park: Bollin Valley Trail Project

- 7.1. Alongside other stakeholders, in its petition against the Bill as deposited, the Trust raised the issue of the need to ensure that the proposed Bollin Valley Trail project is not prejudiced by HS2 and that the Promoter implement measures to support it.

7.2. The construction of HS2 will cause significant disruption to residents and communities in North Cheshire and South Manchester over several years. There is particular concern over the severance and road safety impacts for non-motorised users in this area with the AP2 ES/SES 2 reporting an increase in HGVs on roads in the vicinity of the Bollin Valley Trail including Ashley Road and significant effects for non-motorised users that are not mitigated, depriving local communities of a safe cycle route.

7.3. In addition, the HS2 construction programme and routes will severely impact, or prevent, local stakeholders being able to deliver key sections of the Bollin Valley Trail within the proposed timescales.

Solution

7.4. The Trust repeats its requests in its petition against the Bill as deposited. The Trust also supports CEC and partners in its request for development and delivery funding to enable acceleration of the Bollin Valley Trail project, in a manner which does not impact the Trust's inalienable land.

8. General: Engagement and increased impacts close to NT properties

8.1. In its petition against the Bill as deposited, the Trust requested that the Promoter be required to engage with the Trust on a number of issues raised in the petition. AP2 has created new adverse impacts on Trust properties mentioned above. Meaningful engagement with the Trust before and during construction will be essential in order to ensure (in addition to mitigation measures) that the effects of AP2 on the Trust's property are minimised.

Solution

8.2. The matters in respect of which the nominated undertaker should be required to engage with the Trust, in the manner set out in paragraph 4.6 of the Trust's petition against the Bill as deposited, should be extended to include:

- Temporary possession and occupation of Trust land;
- Traffic impacts on Bowdon roundabout (where a major adverse impact is reported in AP2ES/SES2) during major events at Dunham Massey such as the Winter Lights event;
- Design development of planting with the Tatton Park RPG.

3. What do you want to be done in response?

In the box below, tell us what you think should be done in response to your objections to the Second Additional Provision to the Bill. You do not have to complete this box if you do not want to.

You can include this information in your response to section 3 'Objections to the Second Additional Provision to the Bill' if you prefer. Please number each paragraph.

Please see the "Objections to the Bill" section above, and the requests set out in it.