

35: Mrs Angela Mary Rowland
 6 School Cottages, Nantwich Road, Wimboldsley, Middlewich, Cheshire. CW10 0LN
 CPO Plots: 6/3 6/3A-6/3C
 Agent: John Seed
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35-01	The permanent land take removed the only vehicular access to the Objector's land, and there is no provision in the CPO to maintain the existing right of way along the track to the west of the land holding to Hall Moss Lane. In these circumstances, the Objectors land is landlocked.	Rights currently existing in favour of the land will be re-granted following compulsory acquisition
35-02	In the event that it is intended that existing rights of way down the access track are maintained, the Plot cannot be used for additional equestrian, cycling or pedestrian use for the following reasons:	The pedestrian , cycle and bridleway improvements are part of the scheme and their implementation supports the scheme and SEMMM Strategy objectives.
35-03	The access way in question is the only access to the Objectors' land and this private means of access was created as a result of the construction of the existing A555 Road through the Objectors' land holding.	The pedestrian , cycle and bridleway improvements are part of the scheme and their implementation supports the scheme and SEMMM Strategy objectives. The access way will remain and; it will also be used for the above uses. The design will consider the multiple users of the track in order to ensure safe passage of all users. and affected parties are entitled to claim compensation, the quantum of which will be assessed in accordance of the Compensation Code.
35-04	The existing access way is already too narrow for modern farm machinery; the land served by the existing access way is mown. There is insufficient space for other users to pass by farm machinery.	The design will ensure that there is sufficient room for all users to pass in a safe manner. This may require widening of the track, within the confines of the planning consent boundary and the Compulsory Purchase Order extents. Furthermore, appropriate signage may be installed and the design shall require safeguarding of visibility sight lines.

35-05	The proposal therefore works against one of the objectives of the scheme which is to improve the safety of road users, pedestrians and cyclists.	The health and safety of all users has been considered throughout the design. This work will continue to develop to ensure safety is not compromised. The scheme design development to date has been subject to a Road Safety Audit that considers all road users including private parties and the general public. This is in accordance with the SMBC Road Safety Audit Policy in accordance with The Design Manual for Roads and Bridges. Further Road Safety Audits will be carried out at the end of the Detailed Design Stage, prior to opening of the road and one year after the road have opened.
35-06	Insufficient consideration given to the needs of existing users.	SMBC has and is continuing to actively engage with landowners to reduce the impact on their landholdings where possible. The widening of the track and addition of passing places follows this engagement. The liaison with the land owner, users of the track currently and liaison with the various Vulnerable Road User Groups (cyclists, pedestrians and equestrians) has informed the design.
35-07	There is a significant network of existing footpaths in the locality , and unfortunately too many people are walking off the line of the existing paths into private land.	This is unfortunate and will be reported to the relevant rights of ways officers. This will hopefully enable any remedial actions to be carried out so that walkers are made aware of the correct routes. All new tracks will be clearly signposted and marked.
35-08	No part of the proposed Road, cutting or embankments is intended to be placed on the land listed in Schedule 1 to the CPO. Accordingly such parts as are not so required for the purpose of the construction of a highway should be deleted from Schedule 1 to the CPO. The Acquiring Authorities have failed to show any compelling case to take land for purpose that are not for the purpose of constructing thereon a highway, namely the Road and its cuttings and embankments.	<p>The area of land required for the scheme is for the purpose of constructing the bridleway between Hall Moss Lane and Woodford Road, Bramhall.</p> <p>The proposal to create divert footpaths, create footways, cycleways and bridleways forms part of the overall scheme objectives in line with the SEMMMS Strategy.</p>

35-09	<p>The extent of permanent land take to provide for bunding and environmental mitigation is excessive, severely prejudicing the future use of the said lands for agricultural and future development purposes.</p>	<p>None of the plots included in the CPO have been included on environmental grounds. Environmental measures, including planting have, however, been introduced onto areas taken for the purposes of engineering the road or associated paths, cycleways and bridleways.</p> <p>The scheme design incorporates the requirements for environmental mitigation as well as screening the road from built up areas. This forms part of the road scheme and therefore this land is required as part of the CPO. The scheme has been designed to minimise land take, but there are certain environmental and social conditions that have needed to be met. The proposed roadside mounding will have the effect of reducing traffic related noise. In addition, low noise surfacing is proposed along the new section of dual carriageway. The assessment of traffic-related noise has also identified a number of locations where it has been concluded additional mitigation to that which will be provided by the mounding should be included and locations where mounding is not proposed but noise mitigation is to be provided. In these locations the proposals provide for the noise barriers.</p>
35-10	<p>The Acquiring Authorities have failed to show any compelling case to take land for the purposes of pedestrian and cycle routes and bridleways; these routes are not required for, or critical to, the purpose of constructing the Relief Road and its cuttings and embankments. The land required for these routes should be deleted from Schedule 1 of the CPO.</p>	<p>The shared use cycleway/footways and bridleways are part of the main scheme objectives and aim to increase social benefit and safety in the area. The Council considers that there is a compelling case for them to be included within the scheme and CPO.</p>

35-11	The stopping up or removal of any private means of access is unacceptable and irrational where it is not replaced with an alternative and viable means of access.	All known private means of access and rights of way have been maintained or re-provided. If this is not possible then your clients will be compensated in line with the compensation code.
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