



CHARTERED SURVEYORS • VALUERS • LAND AND MINERAL AGENTS

Our Ref: JRS/lg

Date: 4<sup>th</sup> December 2013

The Manager  
Development Management  
Cheshire East Council  
Town Hall  
Market Place  
Macclesfield SK10 1DP

Dear Sir/Madam

**A6 to Manchester Airport Relief Road – Planning Application  
Chris Shenton, Bridge Farm, Handforth**

We act for Mr Chris Shenton of Bridge Farm, Handforth, Cheshire, SK9 3EN.

For your reference, the relevant SEMMMS plot number for the land in question are 323, 329, 330 and 408 and the relevant planning application block plans proposed sheet number are 8, 9 and 10.

Our client has serious concerns about the impact of the proposed scheme on land which they own/rent, and accordingly has instructed us to register their objection to the application, the grounds of which are set out below:

- Potential conflict between existing agricultural traffic with proposed bridleway/cycle way traffic on the existing accommodation bridge over the A555 (plot 330). A tractor coming over the bridge from the northern side will have to accelerate to get up the bank, without having sight of who or what might be on the bridge. This potential safety hazard is in conflict with one of the scheme's key objectives, which is to improve the safety of road users, pedestrians and cyclists.
- Continuing and potential problems with gates being left open and consequential stock escape.
- Additional land take as a result of the new footpath to the north of Beech Farm (plot 330). The path could be relocated into the existing land take area. A better route for FP81 would be along the western perimeter of the field, obviating the need for stile/kissing gates etc.

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- The loss of the field for a compound (plot 408) will have a serious impact on what is a substantial farm business in the locality, as that field is used as an isolation field for cattle under a high health scheme. This is a further indication that insufficient consideration has been given to the impact of the scheme on existing agricultural users.
- Existing drainage problems with the ditches adjoining and under the existing road have yet to be resolved, causing the land drainage of much of the adjoining land to back up. It is essential that the appropriate drains are fully maintained.

We will be happy to clarify any of the above, or supply such further information as maybe required. We trust that our client's position will be given due consideration in the application determination process.

Yours faithfully



J R Seed

***For and on behalf of the Brown Rural Partnership***

***Email: [jrs@brownrural.com](mailto:jrs@brownrural.com)***



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Date: 4<sup>th</sup> December 2013

The Manager  
Development Management  
Cheshire East Council  
Town Hall  
Market Place  
Macclesfield SK10 1DP

Dear Sir/Madam

**A6 to Manchester Airport Relief Road – Planning Application  
Alan Walker, Little Acorns Day Nursery**

We act for Alan Walker of Little Acorns Day Nursery, 223 Wilmslow Road, Handforth, SK9 3JZ.

For your reference, the relevant SEMMMS plot number for the land in question is 502 and the relevant planning application block plans proposed sheet number is 5.

Our client has serious concerns about the impact of the proposed scheme on land which they own/rent, and accordingly has instructed us to register their objection to the application, the grounds of which are set out below:

- The proposed land take involves the loss of part of the playing field at the nursery, which is critical to the functioning and viability of the nursery business, which employs 57 staff. There is no alternative land available on the property to replace the part of the playing field in question.
- The land take is exacerbated by the provision of a new footway/cycle way, which could be relocated.



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We will be happy to clarify any of the above, or supply such further information as maybe required. We trust that our client's position will be given due consideration in the application determination process.

Yours faithfully

A handwritten signature in black ink, appearing to read "J R Seed". The signature is written in a cursive, slightly slanted style.

J R Seed

***For and on behalf of the Brown Rural Partnership***

***Email: [jrs@brownrural.com](mailto:jrs@brownrural.com)***

## Mandy Clarke

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**From:** Mandy Clarke  
**Sent:** 28 August 2013 15:23  
**To:** Frank Fitzmaurice  
**Subject:** FW: Mr C Shenton

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Hi Frank  
Hope you had a good holiday.

Can you please file the attached email under Shenton please?  
Many thanks  
Mandy

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**From:** Mandy Clarke  
**Sent:** 28 August 2013 15:17  
**To:** 'John Seed'  
**Cc:** Naz Huda; Timothy Collins  
**Subject:** Mr C Shenton

Dear John

Further to your letter dated 1<sup>st</sup> August and our subsequent meeting, I have taken legal advice concerning the claim submitted on behalf of Mr Shenton .

Before considering this case further, it is for you to confirm the following :-

- Is this a retrospective claim ?
- Who is the claim being submitted to ? It is not up to either council to address this; you are the party submitted the claim and should know which authority it is against.
- What acts or shortfalls are you relying upon?
- Within the schedule of the claim – what is the quantum are you using ; and under what provision?

Whilst there is proof in the correspondence previously submitted there was a drainage concern, this does not prove that the issue was not taken any further, or on what basis Mr Shenton's overall claim was agreed and finalised on, neither does it not put the problem beyond doubt. This is not an aggressive attitude, but when such a high value claim is submitted so long after a scheme is completed, thorough enquiries will be carried out, regardless of what additional information you provide. The question still remains, why has such time elapsed before submitting a claim? Surely Mr Shenton's compensation package was resolved when payments were made – possibly even full and final. From the statue side ( land) , you have lost all rights to make a claim or approach the land tribunal. Recent inspections have proved that the highway drains are running without problems, nor are they blocked. Also, it has been confirmed that Stockport MBC will undertake routine inspections. With regards to the septic tanks, this is a private matter and not part of the highway drainage system.

When we met on site, the conditions Mr Shenton was experiencing were acknowledged and an undertaking by SEMMMS was given to rectify where possible. These works are over and above what is required to provide the new scheme and will be carried out, certainly a betterment.

Please assure Mr Shenton he is not being penalised, but your details have to be concise for the relevant authority which you are submitting the claim against to give any consideration.

Kind regards

*Mandy Clarke*

*Land Liaison Officer  
Semms Project Team*

*Tel: 0161 2181675 ( Tues / Wed only) as from w/c 16<sup>th</sup> September*

*Email: Mandy.clarke@stockport.gov.uk*



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Our Ref: JRS/lg

Date: 1<sup>st</sup> August 2013

Mrs Mandy Clarke  
SEMMMS Project Team

By Email

Dear Mandy

**Re: SEMMMS: Mr C Shenton, Bridge Farm, Handforth**

I refer to your letter of the 16<sup>th</sup> July, and our recent meeting.

Whilst it is appreciated that the SEMMMS team have agreed to address the drainage issue as part of the scheme, Mr Shenton cannot accept your rejection of his compensation claim, or more accurately, his ability to claim.

It is quite clear from the correspondence and information that I have already provided that the problem with drainage addressed by the compensation claim was identified post construction, and accepted by the relevant construction and valuation personnel for the local and highway authorities. The correspondence puts this beyond doubt. Accordingly the date the scheme was completed is, we submit, irrelevant.

The correspondence also demonstrates that the authorities were investigating the drainage problem with a view to remedying it. Mr Shenton was of course wishing to work with the authorities, and it is not therefore appropriate, in my view, to penalise Mr Shenton for adopting a cooperative attitude rather than an aggressive and purely commercial approach.

The problem of course remains to this day as you and your colleagues acknowledged at our site meeting on the 4<sup>th</sup> October last year. Indeed we have been encouraged to submit a claim.

So far as the alleged confusion is concerned it is not up to us to determine which authority or authorities is/are responsible for the claim – that is for you and your colleagues to decide. The same comments apply to your reference to Doug Mackie – who was representing the relevant authorities on the question of the defective drainage; again further proof that this issue was being actively investigated in recent years.

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Consultants: W. R. Winstanley FHCIS FAW S. T. Watson FHCIS FAW

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With respect, I believe that you are trying to defend the indefensible, and I confirm that Mr Shenton has asked me to consult his legal advisors with a view to taking appropriate action. I do not believe that this should be necessary.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J R Seed', with a stylized flourish at the end.

J R Seed

*For and on behalf of The Brown Rural Partnership*

*Email: [jrs@brownrural.com](mailto:jrs@brownrural.com)*