



CHARTERED SURVEYORS • VALUERS • LAND AND MINERAL AGENTS

Our Ref: JRS/lg  
Your Ref: 68C-16944  
Date: 9<sup>th</sup> September 2014

Mrs Parveen Akhtar  
Head of Legal and Democratic Governance  
Corporate and Support Services  
Stockport Legal Services  
2<sup>nd</sup> Floor, Stopford house  
Stockport  
SK1 3XE  
For the attention of John Hill

Dear Mrs Akhtar

**The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchaser Order 2013 and**

**The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013**

**Public Local Inquiry – 30<sup>th</sup> September 2014 – Proofs of Evidence**

**Our Client: David Ralph Hall, Roger Graham Hall, Susie Wendy Allen and Douglas Charles Hall**

I am pleased to attach herewith our Proof of Evidence on behalf of our above client.

I confirm that one hard copy will follow in the post, with three further hard copies being posted to Persona Associates.

Yours sincerely

J.R. Seed

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

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



29 CHURCH STREET, MACCLESFIELD, CHESHIRE SK11 6LB

TEL (01625) 434696 FAX (01625) 615063

[www.brownrural.com](http://www.brownrural.com) [info@brownrural.com](mailto:info@brownrural.com)

J.P. Unterhalter Ltd. J.R. Seed Ltd. M.G. Brighthouse Ltd

Associates: R.S. Hamilton FIA (Scot) MRICS S.M. Hinchcliffe B.Sc (Hons) MRICS M.J. Statham B.Sc (Hons) MRICS

Consultants: W. R. Winstanley FRICS FAAV S. T. Watson FRICS FAAV

Regulated by RICS



**Public Local Inquiry into**  
**The Metropolitan Borough of Stockport**  
**(Hazel Grove (A6) to Manchester Airport A555 Classified Road)**  
**Compulsory Purchase Order 2013 and**

**The Metropolitan Borough of Stockport**  
**(Hazel Grove (A6) to Manchester Airport A555 Classified Road)**  
**(Side Roads) Order 2013**

**Proof of Evidence of**  
**John Seed MA (Oxon) FRICS FAAV**  
**For**  
**David Ralph Hall, Roger Graham Hall, Susie Wendy Allen**  
**and Douglas Charles Hall**

**8<sup>th</sup> September 2014**



## **1. Introduction**

- 1.1 I am John Seed and I have been a partner in the Brown Rural Partnership, based in Macclesfield Cheshire, since its inception in 1995. We undertake a full range of land agency and rural property work including compensation, and I have been practicing in the northwest of England, with occasional UK wide instructions, since 1973. I am a former Chairman of the regional rural practice division of the RICS and a former President of the Cheshire Agricultural Valuers Association.
- 1.2 I was instructed by the Hall family in February 2012.
- 1.3 David Hall runs a major farming business from Mill Hill Farm, Woodford Road, Poynton involving in excess of 550 cattle, including in excess of 250 dairy cattle. The partnership, Hall Brothers, own approximately 200 acres and David Hall rents in, in his own name, approximately 300 acres. Some of the agreements are on annual agricultural tenancies. The remaining land is let on annual agreements, but the majority of these lettings have run consistently for a number of years.
- 1.4 So far as the owned land is concerned, the field affected extends to approximately 8.33 acres (3.37 hectares) of which 1.23 acres (0.50 hectares) are covered by the CPO. Our clients are concerned about the extent of the land take involved, and the impact of the scheme and/or its design on their retained land.
- 1.5 Our clients submitted a letter of objection to the CPO and SRO and the grounds of that objection still stand. Attached to the objection letter was a copy of our letter dated the 28<sup>th</sup> June 2013 to Mandy Clarke, and accordingly a further copy is not attached to this proof.

## **2. Impact on Land in Agricultural or Equestrian Use: General**

- 2.1 The Acquiring Authority statement of case of May 2014 acknowledges the impact of the scheme on agricultural land:

"The scheme corridor comprises open space and broader countryside. The land use pattern is mainly agricultural land..." (20.2)

"Construction of the scheme will involve the loss of agricultural land..." (20.23)

"The Order land consists of mainly agricultural land and golf courses" (27.1)

"Construction of the relief road will involve the loss of agricultural land..." (Property Demolition, 31.1)

"The relief road will sever and fragment a number of agricultural holdings with potential implications for future operations. In addition to these permanent impacts there are potential temporary impacts on existing uses related to disruption to access" (31.2)

- 2.2 Given that the Authority states that agricultural land (and by extension land in equestrian use) is the main property type to be adversely affected by the scheme, it would be reasonable to expect an assessment of the impact on agricultural holdings both generally and specifically. Whilst the statement of case examines a range of impacts, including environmental, air quality, cultural heritage, landscape, ecology and nature conservation, geology and soils, noise and vibration etc., it offers no explanation of the impact on agricultural land, and how this is to be mitigated.
- 2.3 It is accepted that the Authority commissioned a limited Agricultural Impact Assessment; this has resulted in a brief section in the Environmental Statement but chiefly as an appendix to it. It was prepared, so far as I can determine, after minimal investigation and consultation; I was involved in an office meeting of approximately 1.5 hours with the agricultural consultant involved on 12<sup>th</sup> October 2012, but at an early stage of our being instructed by various clients. I am not aware of any detailed consultations by the consultant with our clients directly. The agricultural data sheets provide a brief summary of the impact of the scheme on various landholdings and a very brief note on proposed mitigation.
- 2.4 It is critical for the future use of retained land in agricultural or equestrian use that the scheme and/or its contractors employ specialist land drainage consultants and contractors to advise on and undertake appropriate land drainage remedial works, including new header drains, on relevant lands. This has been proposed as a standard accommodation work but does not appear to have been accepted by the Authority.

### **3. Permanent Acquisition**

- 3.1 Our clients remain concerned at the extent of the land take taken to provide for bunding, environmental mitigation works and pedestrian, cycling and equestrian traffic. The Authority has not demonstrated that these additional lands and routes are required for, or critical to, the purpose of constructing the relief road and its cuttings and embankments.
- 3.2 Our clients remain concerned about significant noise impact on the farmhouse and bungalow at Mill Hill Farm, and the absence of mitigation measures provided by the Authority.

#### **4. Temporary Land Take**

- 4.1 One of the grounds of our clients' objection to the CPO is that the CPO cannot authorise the taking of any land for temporary purposes, but, in the event that the CPO does contain powers to take land for temporary occupation, then the land in question should not be acquired permanently. A further ground of objection is that land acquired for temporary purposes cannot be used for the permanent tipping of spoil.
- 4.2 Our clients remain concerned at the extent of land required for temporary occupation, and the use of that land for bunding.

## **5. Access to Retained Land**

- 5.1 Our clients fully support the objection submitted by Hazel Mort and Family with regard to the location of the accommodation bridge which is intended to provide access to the land which David Hall rents from Hazel Mort and Family.
- 5.2 It is essential that access is maintained to all parts of the farming operation, for milk tankers, general agricultural traffic etc., during the construction phase, but the Authority have not been able to demonstrate that sufficient measures are in place to preserve that access.

## **6. Conclusion**

- 6.1 The Acquiring Authority have failed to make a compelling case for the inclusion of the full extent of land involved in both permanent and temporary land take, and accordingly the CPO should not be confirmed on the lands in question.

John R Seed MA (Oxon) FRICS FAAV  
Brown Rural Partnership  
29 Church Street  
Macclesfield  
Cheshire  
SK11 6LB

8<sup>th</sup> September 2014