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

Mrs Parveen Akhtar
Head of Legal and Democratic Governance
Corporate and Support Services
Stockport Legal Services
2nd 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 – 30th September 2014 – Proofs of Evidence

Our Client: Lisa Michelle and Paul Lawson

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



29 CHURCH STREET, MACCLESFIELD, CHESHIRE SK11 6LB

TEL (01625) 434696 FAX (01625) 615063

www.brownrural.com 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
Lisa Michelle and Paul Lawson**

8th 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 Mr and Mrs Lawson in October 2013.
- 1.3 Our clients own approximately 4.38 acres (1.77 hectares) including the site of the dwelling and equestrian buildings. The CPO affects approximately 0.33 acres (.13 hectares) which has critical effects for the management, saleability and value of the equestrian holding. 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.
- 1.4 Our clients submitted a letter of objection to the CPO and SRO and the grounds of that objection still stand.

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 the 12th 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 The property has stables for four horses, together with other outbuildings, and the existing land area is only just sufficient to service four horses. Accordingly, whilst the loss of approximately ¼ acre would not be significant for a holding with, say 10 to 15 acres, in this particular case the extent of land take is critical.
- 3.2 The reduction in grazing capacity means that the appeal of the property to equestrian users is marginal. The clients' estate agent has advised that equestrian properties with limited land in the area are very difficult to sell, including a property on the other side of Woodford Road to the subject property which failed to sell as a result of the limited amount of land it offered. This particular issue is not one that can be remedied by compensation.
- 3.3 The problem could be mitigated by:
- Extending the existing retaining wall at the junction of our clients' northern property boundary.
 - Provision of an acoustic/noise fence to obviate or reduce the extent of bunding.
 - Limiting the grading of the bund.
 - Provision of replacement land from the land to be acquired to the east of the property.
 - Or a combination of any or all of the above.
- 3.4. The Authority have not demonstrated that all appropriate measures needed to limit or obviate the land take on our clients' property have been fully investigated, and in the context of compensation implications of current status.

4. Temporary Land Take

- 4.1 Our clients have already objected to the CPO on the basis 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.
- 4.2 No part of the land to be acquired for temporary occupation should be used for the permanent tipping of spoil, and the Authority have failed to demonstrate that the land in question will be returned in the condition, status including levels, as exists prior to entry.

5. Conclusion

- 5.1 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 a CPO should not be confirmed on the land in question.

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

8th September 2014