

The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Roads) Compulsory Purchase Order 2013

The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (side roads) Order 2013

The Highways Act 1980 and The Acquisition of Land Act 1981

The Highways (Inquiries Procedure) Rules 1994 Compulsory Purchase (Inquiries Procedure) Rules 2007

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## PROOF OF EVIDENCE

Prepared by:-

Peter John Ashburner, FRICS FAAV  
Wright Marshall Ltd  
Marshall House  
Church Hill  
Knutsford  
Cheshire, WA16 6DH

On behalf of:

Mrs D Mills  
Barlow Fold House  
London Road North  
Poynton  
STOCKPORT  
Cheshire, SK12 1BX

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### 1. Introduction

- 1.1. My name is Peter John Ashburner I am a Director of Wright Marshall Ltd, Chartered Surveyors of Knutsford.
- 1.2. I am a Fellow of the Royal Institution of Chartered Surveyors and a Fellow of the Central Association of Agricultural Valuers and have had in excess of 35 years' experience of acting on behalf of clients in relation to highway matters in Cheshire and the Northwest.
- 1.3. I am giving evidence on behalf of Mrs Dorothy M Mills of Barlowfold in relation to her objections to various matters relating to the Compulsory Purchase Order and the Side Roads Order.

### 2. Land Take

The latest plans prepared by the acquiring authority show the full extent of Mrs Mills land covered by the Compulsory Purchase Order. Mrs Mills who runs a very important charity

only has a limited amount of land and it is imperative that the amount of land take is kept to an absolute minimum.

I am given to understand that not all of the land shown on the plan is required as permanent take and that some is only required on a temporary basis while the road is being constructed. The boundary of the compulsory purchase land has been marked on the ground but the boundary of the land required as permanent take has not been identified. We require the acquiring authority to identify the boundary of the permanent land take as a matter of urgency and to ensure that this keeps the permanent land take to an absolute minimum.

3. Accommodation Work

Accommodation works are still to be agreed in relation to both permanent and temporary take for fencing, gates and other matters relating to the public and private right of way. These matters need to be agreed with the acquiring authority as soon as possible.

4. Licence

Terms for a licence agreement need to be agreed with the acquiring authority in relation to any land that is to be taken on a temporary basis and returned to Mrs Mills upon completion of the scheme.

5. Site Surveys

A site investigation survey has already been carried out resulting in some damage to land and inconvenience to the client. A claim has been submitted and settlement is awaited. Further surveys are proposed and appropriate procedures need to be implemented to ensure that Mrs Mills is fully informed of when access is required and the purposes for the access and whether access needs to be taken across her land.

6. Sewer Diversion

It is understood that United Utilities will be required to divert a sewer that currently runs adjacent to the public footpath. Mrs Mills has concerns and needs to have full details of the proposal and an opportunity to comment on the proposals.

7. Route Alignment

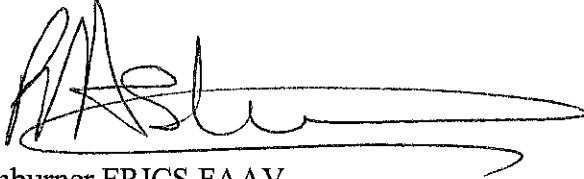
The general alignment of the road as it passes Mrs Mills property appears to show a bend which potentially means that all of her land is being taken and may perhaps be necessary. An explanation is required from the acquiring authority as to why there is a curve in the line of the road and whether this could be straightened to further reduce the amount of land take.

8. Private Right of Way

Mrs Mills has a private right of way currently that runs straight across the proposed new road. The acquiring authority are currently proposing to divert the right of way and to take it through a tunnel adjacent to the brook. There have been some discussions concerning this and the acquiring authority have investigated the construction of a separate tunnel to ensure that the right of way continues on its existing path. My client is not satisfied that

the diverted route is a satisfactory alternative as she has concerns about health and safety in relation to the proposed route with high banks and steep drops down to the brook and would ask the acquiring authority to consider more seriously having a separate tunnel running straight through the existing line to protect her existing rights.

Signed:

A handwritten signature in black ink, appearing to read 'P J Ashburner', with a long horizontal flourish extending to the right.

P J Ashburner FRICS FAAV  
For Wright Marshall Ltd  
On behalf of Mrs D M Mills

Date:

3<sup>rd</sup> October 2014.