

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

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

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**WRITTEN STATEMENT OF ROBERT HANKINSON**

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**Property:** CH150899 122 Hollin Lane, Styal, Wilmslow SK9 4LD  
GM889316 land and buildings lying to the east of Styal  
Road, Styal

**Plot Numbers:** Plots 9/9, 9/9A, 9/9D, 9/9E, 9/9F, 9/9G, 9/9H, 9/9I and 9/9J

## INTRODUCTION

1. I am Robert Hankinson and, together with my wife, Christina Hankinson, I am the freehold owner of Beech Farm, Hollin Lane, Styal, registered at the Land Registry under title numbers CH150899 and GM889316.
2. I make this statement in objection to The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013 ("the CPO") and The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013, to facilitate the construction of the SEMMMS Scheme.
3. This order includes land within my ownership, which is proposed to be built on under the proposed scheme or, alternatively, used for temporary measures to aid the construction of the SEMMMS Scheme roads and/or bridges.
4. My land ownership is identified on Site Plan 9 and, more specifically, consists of Plots 9/9, 9/9A, 9/9D, 9/9E, 9/9F, 9/9G, 9/9H, 9/9I and 9/9J.
5. This land includes c.40 acres of grassland, which is contract farmed. It also includes three former farm buildings, one of which has been converted and let and is used by an organisation involved with the fostering of children, one is semi-converted and available to let and one remains unconverted but has a recently renewed planning consent for conversion. There is also a farm yard within the land holding.
6. My land ownership also includes three telecommunications masts, which provide me with an annual income of c.£18,000.

## BACKGROUND AND HISTORY

7. Areas of my historic land interest have been vacated, taken and remain unreturned as part of the history of the SEMMMS scheme, which has changed routes over a number of years and various relief road proposals. I have been effectively held in abeyance since the 1950s without knowing exactly what is proposed and if, or when, development will come forward. Not only has this had an impact on the value of my land but it has left me feeling like I have been manipulated in order to serve the needs of others.
8. In the 1950s, land was compulsorily purchased from my family with minimal compensation for the development of the substation and the trunk road envisaged at the time. Subsequently, the route has moved for reasons I have not always understood, one proposal about 10 years ago, being only yards away from my farm buildings.

9. I have never been able to ascertain if the moving of the routes was determined by cost or whether it has more to do with the maximisation of land holding values in certain areas for interested parties or to accommodate the requirements of adjoining landowners. I have never been given a detailed justification in discussion with the officer about the reasons for the route changes.
10. As a general note, we are disheartened that the conversations and correspondence with the respective Councils to date have been largely unhelpful. I have, on numerous occasions, raised a number of issues with the proposed scheme and have received a plethora of alternate and contradictory answers.

#### **PREFERRED ROUTE**

11. The Acquiring Authorities are of the view that there is a clear trail through Executive approvals from the three local planning authorities in approving the route selection, with referencing to the consultation exercises undertaken and the subsequent reporting and conclusions.
12. In April 2014, I finally received confirmation that the route selection in terms of that at the Styal Road junction was dictated by the junction option which was selected through Phase 1 Consultation. I was referred to Section 4 of the Phase 1 Consultation Report located on the SEMMMS website and advised that I should have obtained that information from that source. I was further informed that the final route selection was not divulged to individuals; however, this information was available on the website in the form of copies of the Executive reports and approvals from the Consultation exercise.
13. The route selection is, and has always been, of critical importance to my wife and I because of the effect, both positive and negative, which it has had in the past and continues to have on various projects at Beech Farm, together with the valuation of my land interests. It is my assertion that, despite pressing, I was not consulted on the reasons why the route was changed to a more southerly route prior to the planning application being published. Whilst I note the reference to the Phase 1 Consultation Report, these are matters that could have quite easily been discussed with me on an individual basis prior to the submission of the planning application, when the position was well known.
14. I understand that the original route to the north which was intended for the trunk road was not safeguarded by the Acquiring Authorities and, as such, was built upon and could no longer be utilised. As a result, the Acquiring Authorities safeguarded the southern route for the purposes of the trunk road, it being compliant with the requirements for engineering a road to trunk road standards. The road proposed was then de-trunked and, as a result, it is my

understanding that the route proposed under the SEMMMS Scheme could legitimately move back to the northern route originally intended.

15. It is my view that the determination by the Acquiring Authorities of which route option for the SEMMMS Scheme is the "preferred" option is based upon flawed and bogus information. It has been stated by the Acquiring Authorities that the relief road has to take a certain line to avoid impact upon a woodland of local significance, located to the north of the substation. It is, however, clear to anyone within the locality that this woodland is little more than a piece of wasteland, which has neither character nor importance to the local community; it is of only minor ecological value, being a relatively new monoculture of non-native poplars. I have consistently pointed out that the value of this area of woodland is considerably overrated.
16. During the CPO and planning application consultation process, it is my view that the opinion of the local people should have carried significant weight and it is apparent that this has not been the case; the local residents view this piece of land as an area of trash rather than woodland of local significance. I have also never received a copy of the costs v benefits analysis that was undertaken and it is right that the same should be given if a full picture of the consultation process in determining the preferred route is to be transparent to members of the public.

#### **FOOTPATH AND NEW PRIVATE ACCESS TO SEVERED LAND**

17. The proposed road scheme cuts directly through my land from the north west corner in a south easterly direction, until it hits the golf course land. I currently access my land (fields used for the grazing of livestock) across a rail bridge sited within my land ownership.
18. The line of this bridge incorporates a public footpath (FP7), which is to be diverted as part of the proposals. The footpath, once it has crossed the bridge, turns to the left and runs up the side of my land before it then turns to the right and crosses my field in a south-easterly direction.
19. The proposed scheme diverts this footpath under the relief road via a pedestrian subway constructed as part of the proposed rail bridge and then links the same back to its original line. I am particularly concerned about the implementation of the footpath diversion on the ground, as this may give rise to potential trespass issues across my land without appropriate signage to identify the proper line of the diverted path, particularly throughout the construction phase.
20. The footpath (FP7) is to be stopped up from a point 417 metres north east of its junction with the north eastern highway boundary of Hollin Lane, eastwards in a distance of about 126 metres. The site plans I have seen for this diversion do not identify the starting point for the

417 metres, nor the identity of the location of the 126 metres which is to be stopped up and, as such, the Stopping Up Order submitted by the authorities is unclear.

21. I currently access the northern part of their land along the line of the footpath (FP7) as it currently lies, continuing northwards where the footpath then turns to the south-east. As part of the scheme proposals, it is understood that I will not be able to access the severed part of my land with vehicles along this line and, instead, have to take a convoluted route of access (as described below).
22. Likewise, the Vodafone mast which is located in this severed part of the land also has to be accessed for maintenance purposes along the new road access.
23. The scheme proposes to take plots 9/9, 9/9A and also 9/10 and 9/10A from the adjoining owner, W Nixon & Sons Limited, and I will not be able to access this severed land directly from land to the south because the scheme will also be taking plots 9/9D, 9/9E, 9/9F, 9/9G, 9/9H, 9/9I and 9/9J.
24. Until recently, there were no meaningful discussions on the part of the Acquiring Authorities with me as to how access to my land will be made possible during the construction phase. Furthermore, there were no provisions made for how Vodafone will access, by vehicle, their mast on the severed parcel of land, adjacent to plot numbers 9/9, 9/9A and 9/10 during or post construction.
25. It has not been made clear during discussions with the Acquiring Authorities or as part of any plans that I have seen how this area of land is to be accessed during the construction period and, likewise, how the Vodafone mast located upon this piece of land will be maintained. This is both unacceptable and highly prejudicial to me.

#### TEMPORARY COMPOUND

26. This compound appears to be plot 9/9D on the CPO plan by reference to paragraph 2 of the CPO Order, which states:

*'The land and new rights authorised to be purchased compulsorily under this order are - ...the land and new rights described in the Schedule 1 and which is delineated and shown coloured pink and blue respectively on the map (comprising a keyplan and 9 sheets numbered 1 to 9 and bound together)...*

27. As plot 9/9D is coloured pink and is listed under Schedule 1 Table 1 of the CPO Order, this indicates that it will be acquired permanently; no reference is made to it being acquired temporarily. However, the attached plan indicates that the plot will be acquired for temporary purposes (see attached Plan 2). This plot should therefore be deleted from the Order and made the subject of the temporary access order on a licence on terms to be negotiated.
28. We understand that as part of the proposals, land will be required to be taken from me on a temporary basis to the south of the proposed road line. I have been attempting to ascertain for some time what the extent of this land will be, how long it will be required for and what it is required for. Ongoing negotiations with Stockport Metropolitan Borough Council finally confirmed some answers in that the land is required for a compound for the construction materials for the adjacent rail bridge and not for the construction of the road, as had previously been advised to me.
29. Detailed Heads of Term are being negotiated with the Acquiring Authorities by solicitors acting on my behalf but, to date, no substantive response on the same has been provided. I have particular concerns regarding the storage and location of overburden in stockpiles to ensure the suitability for reinstatement of the land when the compound is no longer required. I also have concerns about the design and fencing of the compound to protect the livestock that I have grazing on my land.
30. Unfortunately, the extent of the land proposed to be taken is still unclear to me, as is the time frame that it will be required for. I have been advised that the bridges will be constructed during Easter and Christmas periods and that the land could be required for "two Christmases," meaning that the land could be outside of my control and unable to be utilised for farming for anywhere between 13 and 35 months.
31. It is highly unfair to my wife and I that such a matter has not yet been resolved as part of the scheme submitted, as I cannot establish the impact on my livelihood without knowing exactly how long this land will be unusable. It is not acceptable to state that this will be finally determined by the contractor once the contract for the construction works is let. I, therefore, object on the basis of the uncertainty of the proposals and the detrimental impact on the amenity of my enjoyment and commercial use of my land.

#### **BRIDGE HEIGHT**

32. I object vehemently to the height of the railway bridge proposed to be constructed adjacent to the north west corner of my land on the basis that it is, in fact, over 3 metres higher than is



necessary and no plausible explanation has been provided by the Acquiring Authorities as to why this is.

33. I have been told by the Acquiring Authorities that the height of the bridge is dictated by the height of the railway, including overhead power lines, but this does not explain why the bridge proposed under the scheme has a clearance which is some 3 metres higher than the Styal Road bridge.
34. I have previously engaged the services of a highway engineer who, also, is unable to fathom, without significantly more information than has been provided as part of the CPO and related planning application, why the rail bridge is higher than the available evidence suggests that it needs to be.
35. The height of the bridge is an issue for me as the higher it is, the more of my land is required to be taken under the CPO. Obviously, the higher the bridge, the higher the road descending from the bridge and the more adjacent land is needed to enable the incline to be accommodated. There is also very little information as to how the inclines down from the road will be landscaped and this is fundamental in order to protect my amenity and to protect livestock.
36. The land upon which the proposed bridge is to be constructed lies at 70.5m above sea level. Under bridge design guidance, deemed acceptable on the current Styal Road bridge, it is considered that a 4.8m clearance from the track to the bottom of the bridge soffit, and a further 1.9m to the deck of the bridge, is appropriate. Theoretically, therefore, on the basis of these calculations, the deck of the proposed rail bridge could be 77.2m above sea level; a 3.9m disparity from the proposed height of that bridge, which currently stands at 80.5m.
37. I, therefore, consider the current design to take much more green belt land than is actually necessary, leading me to question whether prospective cost is more important to this proposed scheme than the retention of green belt land.
38. The bridge height affects plots 9/9E, 9/9F, 9/9G, 9/9H. If the bridge and the line are lowered, this would affect the justification of the size of these plots, therefore, there must be scope for reducing their size.
39. I have previously been told that the height of the bridge proposed under the scheme at this location has been guided by Network Rail and that any issue should be "taken up with them"; however, this is a highly unsatisfactory response. I should not have to resort to negotiations and conversations with third parties to the application proposed: if the Acquiring Authorities

are promoting the schemes then they should, respectively, be aware of the answers to any questions that may arise or, indeed, obtain those answers as part of the CPO process. To simply refer me to a third party for answers is both unprofessional and a disservice to the public interest.

40. I understand that as a result of meetings involving Styal Parish Council, Network Rail and the Acquiring Authorities, it has been agreed that the bridge height can be reduced by 900mm and that any further reduction would be dependent on Network Rail accepting the bridge as a rail bridge capable of having the catenary fixed to the underside of the bridge structure. This was confirmed during ongoing negotiations and it was explained that the reduction was based upon a reduced deck thickness and lowered highway alignment. Network Rail have, to my knowledge, confirmed that the catenary cable will not be permitted to be fixed to the bridge, in line with current policies and guidelines.
41. I understand, however, that the reduction in height will have a negligible to non-existent effect on the reduction of land take from my land ownership. It still remains to be my view that the bridge height is higher than it necessarily needs to be.

#### **NEW ROAD ACCESS TO SEVERED LAND**

42. Part of the proposals result in the severance of an area of my land from the remainder of my land ownership. This will be a triangular portion of land to the north side of the proposed relief road. ~~This is farmed land used for the grazing of livestock and also containing a Vodafone telephone mast.~~ This severance will cause a permanent post-construction issue for me.
43. The scheme proposes a left-hand turn from the relief road across my neighbouring land, turning back on itself to run into my land. We understood originally from conversations with Naz Huda that it is proposed that this road would be adopted highway maintained at the public expense but that this was merely proposed rather than guaranteed. It has since been confirmed that the road will have the status of a farm track and will be privately maintained.
- ~~44. In the event that the road is not adopted highway, the turn off from the road is within the~~ ownership of my neighbour and so I would require rights of way over the same. This would result in significant negotiations and could result in a commercially disadvantaged position for my wife and I in terms of our bargaining power, with my neighbour effectively owning a "ransom strip" of land.
45. It has been confirmed to me during ongoing negotiations that the Acquiring Authorities will grant access rights to Vodafone and Network Rail throughout the construction period. It is



important that access for these parties and myself/my agents is permitted with or without vehicles. If the road is privately maintained, I would also like to be able to govern those access requirements for Vodafone and Network Rail and I would like the track to be properly gated and secured.

46. I would submit that the proposals for this turn off from the relief road need to be properly considered, taking into account my interests and also the current land ownerships and I, therefore, object on the basis of such uncertainty.

47. The effect of taking plots 9/9, 9/9A and also the neighbouring plots, 9/10 and 9/10A, is that I and Vodafone will be unable to access the plot upon which the mast is situated by vehicle.

#### **DRAINAGE**

48. I note that the road as proposed will decline to the south-east and that the proposed drainage of the road will follow this line. As it currently stands, the land drains to the north-west and the proposals result in the situation where the drainage will flow to the south-east, onto my land, and also results in the proposed road sitting higher in the landscape than it necessarily need be in order to take the flow of water against its natural course.

49. My land naturally drains to the north-west and will continue to do so; however, there is a possibility that the proposed land by acquired plot numbers could sever my drainage outlet and I would then be left with water-logged land. This is a fundamental concern, especially given the use of the land for the grazing of animals, which has not been addressed as part of the scheme proposals. There has been a general failure to provide information on this point to our clients until very recently.

50. It is my understanding from ongoing negotiations that all unchartered land drainage will be picked up and diverted to suitable outfall points. Until this is evidenced, my objection on this basis remains.

#### **LAND VALUATION**

51. The compensation due for the value of any land to be taken by virtue of the CPO is to be assessed.

#### **CONCLUSION**

52. In summary, I robustly object to the SEMMMS Scheme CPO on the basis of the doubtless uncertainty of the scheme, the flawed basis of the chosen preferred route and the protection of the amenity of my land.

53. I would submit that the Secretary of State for Transport should not confirm the order authorising the Metropolitan Borough Council of Stockport to compulsorily purchase the plots I have referred to without excluding matters in issue raised in this letter.

54. I confirm that the contents of the statement are true to be best of my knowledge.

Robert Hankinson

9<sup>th</sup> October 2014

*DWF LLP*

Duly signed on my behalf by my solicitors, DWF LLP