
Report to the Secretaries of State for Transport and for Communities and Local Government

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**an Inspector appointed by the Secretaries of State for Transport and for Communities and Local
Government**

Date: 17 December 2014

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) (SIDE ROADS) ORDER
2013**

**THE METROPOLITAN BOROUGH OF STOCKPORT (HAZEL GROVE (A6) TO
MANCHESTER AIRPORT A555 CLASSIFIED ROAD) COMPULSORY PURCHASE
ORDER 2013**

EXCHANGE LAND CERTIFICATE

Dates of Inquiries: 30 September to 3 October, 7 to 10 October and 14 to 17 October 2014

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ACRONYMS AND ABBREVIATIONS USED IN THE REPORT

the A6MARR	the Hazel Grove (A6) to Manchester Airport Relief Road
the Acquiring Authority	Stockport Metropolitan Borough Council
AQC	Air Quality Consultants
AQMA	Air Quality Management Area
BCR	Benefit Cost Ratio
CD	Core Document
CEC	Cheshire East Council
CEEQUAL	an international evidence-based sustainability assessment and rating award
CEMP	Construction Environmental Management Plan
CMP	Construction Management Plan
the Council	Stockport Metropolitan Borough Council
CPO	Compulsory Purchase Order
Croft	Croft Transport Solutions
dB(A)	decibels - a unit of sound measurement
DCLG	Department for Communities and Local Government
Defra	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
DMRB	Design Manual for Roads and Bridges
Doc	Document
DPD	Development Plan Document
EIA	Environmental Impact Assessment
ES	Environmental Statement
EU	European Union
the Framework	the National Planning Policy Framework
FoE	Friends of the Earth
FOI	Freedom of Information
FRA	Flood Risk Assessment
ft	feet
GCN	Great Crested Newt
GOMMS	Guidance on the Methodology for Multi-Modal Studies
GVA	Gross Value Added
HGV	Heavy Goods Vehicle
HA	Highways Agency
IAN	Interim Advice Note
the Inquiry	the co-joined Inquiries into the SRO, CPO and the s19 Certificate
kph	kilometers per hour
km	kilometre
LTP	Local Transport Plan
LPA	Local Planning Authority
m	metre(s)
MALRW	the A555 Manchester Airport Link Road West
MCC	Manchester City Council
NO ₂	Nitrogen Dioxide
OBJ	objector
ODPM	Office of the Deputy Prime Minister
OLE	Overhead Line Equipment
OPA	Oil and Pipelines Agency
PAULA	Poynton Against Unnecessary Links to the Airport (PAULA)
PARAMICS	a road traffic simulation modelling package
PM ₁₀	Small airborne particles, more specifically particulate matter less than 10 micrometres in aerodynamic diameter
PMA	Private Means of Access

PRoW	Public Right(s) of Way
RSA	Road Safety Audit
s19	Section 19 of the Acquisition of Land Act 1981
SATURN	Simulation and Assignment of Traffic to Urban Road Network (a combined simulation and assignment traffic model)
the Scheme	the Hazel Grove (A6) to Manchester Airport Relief Road
SEMMMS	South East Manchester Multi-Modal Strategy
SMBC	Stockport Metropolitan Borough Council
SoC	Statement of Case
sqm	square metres
SRO	Side Roads Order
SS	Sustainability Statement
TGM	Transport for Greater Manchester
T&SPS	Mr Taylor and Sanctioned Property Securities Limited
TUBA	Transport User Benefit Appraisal
UDP	Unitary Development Plan
UK	United Kingdom
VRUG	Vulnerable Road User Groups
WebTAG	Web-based Transport Appraisal Guidance produced by the DfT

CASE DETAILS

The Side Roads Order (SRO)

- The SRO is made under Sections 14 and 125 of the Highways Act 1980, and is known as the **Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013**.
 - The SRO was made on 5 December 2013.
 - Stockport Metropolitan Borough Council (hereafter referred to as "SMBC", "the Council" or "the Acquiring Authority") submitted the SRO for confirmation to the Secretary of State for Transport.
 - If confirmed, the SRO would authorise the Council to improve or stop up lengths of highway, construct new highways and stop up and/or provide new private means of access (PMA) to premises, in order to construct the A6 to Manchester Airport Relief Road (A6MARR).

Summary of Recommendation: that the SRO be confirmed with modifications.

The Compulsory Purchase Order (CPO)

- The CPO is made under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and Schedule 2 of the Acquisition of Land Act 1981. It is known as the **Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013**.
 - The CPO was made on 6 December 2013.
 - The Council submitted the CPO for confirmation to the Secretary of State for Transport.
 - If confirmed, the CPO would authorise the Council to compulsorily purchase land and the rights over land in order to construct the A6MARR with its associated works and mitigation measures, as provided for by the above-mentioned SRO.

Summary of Recommendation: that the CPO be confirmed with modifications.

The Exchange Land Certificate

- Notice of intention to issue a Certificate under Section 19(1)(a) of the Acquisition of Land Act 1981.
 - The Notice was published on 30 April 2014.
 - The Certificate allows for development to take place on land forming part of Woodford Recreational Ground, in exchange for other land which is not less in area and is equally advantageous to persons, if any, entitled to rights of common or other rights, and to the public, with the exchange land to be vested in the persons in whom the order land was vested, and subject to the like rights, trusts and incidents as attach to the order land. The Certificate is required in connection with the **Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013**.

Summary of Recommendation: that the Certificate under section 19(1)(a) of the Acquisition of Land Act 1981 be issued with modifications.

1. PREAMBLE

- 1.1 The Hazel Grove (A6) to Manchester Airport A555 Relief Road ("the A6MARR" or "the Scheme") is part of the South East Manchester Multi-Modal Strategy (SEMMMS) (see Core Documents (CDs) 5001 and 5002). This is a 20-year transport plan covering parts of several local authority areas (Cheshire East, Derbyshire, Manchester, Stockport and Tameside), aimed at addressing transport problems in South East Manchester.
- 1.2 The A6MARR would have an overall length of some 12.3 kilometres (km), comprising 2 new sections of dual-carriageway either side of an existing length of the dualled A555, about 4.0 km long. It would link the (proposed to be realigned) A6 at Hazel Grove to an improved length of Ringway Road, Wythenshawe, just to the north of Manchester Airport, and would also provide a shared use cycleway/footway along its length, including alongside the existing central section of the A555.
- 1.3 The Scheme lies within the administrative areas of SMBC, Cheshire East Council (CEC) and Manchester City Council (MCC). As such it is being promoted by SMBC in partnership with both CEC and MCC under the provisions of section 8 of the Highways Act 1980¹. This allows for highway authorities to enter into agreements with each other in relation (amongst other things) to the construction, alteration and improvement of highways.
- 1.4 Under this and other provisions of the Highways Act 1980 SMBC is also authorised to exercise powers of compulsory purchase and to acquire land or rights over land owned by CEC and MCC, or within these Authorities' administrative areas, where it is reasonably necessary for the construction, operation, maintenance or accommodation of the Scheme. Detailed planning permission was granted by both SMBC and CEC in June 2014, and by MCC in July 2014. Further details of the planning process are given later in this Report.
- 1.5 SMBC, acting as Acquiring Authority, made a Side Roads Order (SRO) and a Compulsory Purchase Order (CPO) to enable the Scheme to be progressed². It also made an application for a Certificate under section 19 (s19) of the Acquisition of Land Act 1981³, relating to land necessary to replace open space land required for the Scheme. If confirmed the Orders and this Certificate would authorise the exercise of powers to enable the compulsory purchase of land and new rights to facilitate the provision of the A6MARR. They would also allow alterations to be made to the highways affected by the Scheme.
- 1.6 The SRO and CPO were duly advertised, with the objection period for both Orders closing on 31 January 2014. Objections received are detailed later in this Report. In April 2014 the Secretary of State for the Department of Communities and Local Government (DCLG) confirmed that he was minded to issue a s19 Certificate in respect of the land comprised within Woodford Recreational Ground needed for the Scheme and the proposed exchange land⁴. Notice of the Secretary of State's intention was publicised and the objection period closed on 23 May 2014. A single objection was received and is detailed below.

¹ CD 4008

² Where appropriate, the SRO and the CPO are referred to, collectively, as "the Orders"

³ CD 4009

⁴ CD 1007

- 1.7 Material submitted to support the planning applications included a comprehensive Environmental Statement⁵ (ES). Amongst other things this set out the scope of the highway works and their likely impact on local communities and the natural habitat, and provided a full assessment of the effects of the Scheme. I have taken account of this ES in arriving at my recommendations, along with all other environmental information submitted in connection with the Scheme, including that arising from questioning at the Inquiry.
- 1.8 I issued a Pre-Inquiry Note (Document (Doc) INSP/1) for distribution to all objectors, setting out the administrative and practical arrangements for the Inquiry, and subsequently opened the Inquiry at Cheshire Conference & Events Edgeley Park, Stockport, on 30 September 2014. It sat on 12 days and closed on 17 October 2014, with the administration and programming of the Inquiry being dealt with by the independent Programme Officer, Mrs Jayne Hallam. I carried out unaccompanied site visits to the areas affected by the Scheme on 1 and 3 October 2014 and also undertook an inspection of the route of the Scheme and the surrounding area on 15 October 2014, accompanied by representatives of SMBC and the Inquiry Programme Officer, meeting objectors to the Orders at various locations along the route.

Numbers of Objectors and Supporters

- 1.9 A total of 53 objections to the Orders were lodged during the formal objection period, with a further 8 objections made shortly before the Inquiry opened or whilst the Inquiry was sitting. At the commencement of the Inquiry there was also 1 objection to the s19 Certificate, from an existing objector to the CPO. The Council has continued to discuss and negotiate with objectors, up to and during the course of the Inquiry, with the result that 10 objections have been withdrawn⁶, including the sole objection to the s19 Certificate. As a result, by the close of the Inquiry there remained 36 statutory and 15 non-statutory objections to the Orders. These are discussed later in this Report.

Main Grounds for Objection

- 1.10 In summary the main areas of objection relate to the following topics:

- the need and justification for the Scheme;
- access arrangements to individual plots of land;
- the effect of the proposed land-take on existing businesses;
- reasons for the acquisition of particular plots;
- the adequacy of some of the PMA proposed to be provided;
- safety aspects of the proposed road and its junctions;
- alternative design suggestions for particular junctions;
- concerns that some access tracks would need to be shared with pedestrians, cyclists and equestrians;
- the positioning and/or need for various bridges and underpasses;
- the height of bridges over railways;
- the impact of the Scheme on ancient woodland at Carr Wood;
- concerns that the Scheme would increase traffic flows on other roads;

⁵ CD 2092

⁶ See withdrawal letters at Docs WD/01-WD/10

- the effect of the Scheme on the possible development potential of nearby or adjacent land;
- disruption during construction;
- the reliability of the economic assessment of the Scheme;
- the extent and adequacy of public consultation on the Scheme;
- the impact of the Scheme on air quality;
- the accuracy, appropriateness and reliability of the traffic modelling;
- procedural matters concerning the SRO and CPO process;
- general, non-specific concerns that the Scheme would result in loss of Green Belt land, destruction of wildlife, increased noise and pollution, and would have an adverse impact on health and on property prices.

Scope of this Report

1.11 This report contains a brief description of the site and its surroundings, the gist of the evidence presented and my conclusions and recommendations. Lists of Inquiry appearances and documents are attached. These include details of the submitted proofs of evidence and rebuttal proofs, which may have been added to or otherwise extended at the Inquiry, either during examination in chief or during cross-examination. Where appropriate, references to CDs and other submitted documents are given in parentheses or footnotes.

2. DESCRIPTION OF THE ROUTE OF THE A6MARR AND ITS SURROUNDINGS

- 2.1 A full description of the character of the land along the proposed route alignment and within the surrounding area is provided in the "Existing Environment" and "Landscape and Visual Effects" chapters of the ES⁷, and summarised in the written evidence of SMBC's Environment witness⁸. In brief, the Scheme corridor traces the southern fringe of the Greater Manchester conurbation between the A6 in the east and Manchester Airport in the west. Within this corridor the A6MARR would cross several significant radial roads including the A6, A523 and A34. Rail crossings include the Hazel Grove to Buxton Line, the West Coast Main Line, the Styal Line and the Styal Line Spur into Manchester Airport.
- 2.2 The corridor comprises a network of open green space and broader countryside, much of which lies within designated Green Belt. The principal land use outside of the urban areas that frame the corridor is agriculture, with other uses including golf courses, individual and small scale residential development, infrastructure-related development, and industrial and commercial activity. To the north there is a dense settlement pattern which includes Hazel Grove, Bramhall, Cheadle Hulme and Wythenshawe, forming part of the core conurbation. In contrast settlements to the south, including Poynton, Woodford and Handforth are discrete and set within open countryside.
- 2.3 A network of public rights of way (PRoW) provides access to the countryside and open areas from the neighbouring communities. The principal rights of way include Ladybrook Valley Interest Trail (a long distance footpath running between Cheadle Hulme and Lyme Park); National Cycle Route 55 (which crosses the A6 Buxton Road near Hazel Grove); Regional Cycle Route 85; and sections of the Greater Manchester Cycle Routes.

⁷ Chapters 4 and 10 of CD 2092

⁸ Mr P Reid – see Docs MBS/4/1-3

3. THE CASE FOR SMBC AS ACQUIRING AUTHORITY

The material points are:

Background and Scheme development

- 3.1 Full details of the background to the Scheme and its development are described in the SMBC Statement of Case⁹ (SoC), amplified by the written and oral evidence of its witnesses¹⁰. As noted above, the A6MARR is part of the SEMMMS which was one of a number of multi-modal strategies prepared in accordance with the Government's Guidance on the Methodology for Multi-Modal Studies (GOMMS)¹¹.
- 3.2 The SEMMMS team was charged with developing a long-term (20-year) strategy that addressed the transport problems of South-East Manchester. The team was also tasked to make specific recommendations in relation to 3 road schemes (referred to collectively as "the remitted schemes"), that had been withdrawn from the Government's Roads Programme, namely:
 - the A6(M) Stockport North South Bypass;
 - the A555 Manchester Airport Link Road West (MALRW); and
 - the A555/A523 Poynton Bypass.
- 3.3 The SEMMMS Final Report, published in 2001, recommended a large number of integrated transportation initiatives covering public transport improvements, together with versions of the Remitted Schemes and a bypass of Alderley Edge. A reduced scale scheme with at-grade junctions was recommended to be constructed in the already identified MALRW corridor, to provide relief from through traffic for local communities, rather than a new strategic route of regional and potentially national significance. The SEMMMS report also recommended an east-west dual-carriageway linking the A555/A5102 junction to the A6 at Hazel Grove, also with at-grade junctions.
- 3.4 In Spring 2002 the SEMMMS was accepted by Government and the 3 local authorities (CEC, MCC and SMBC) started to develop a scheme. A bid for funding for the M60 to Manchester Airport Relief Road was submitted in July 2004, but in 2007 the Government made it clear that a full scheme could not be funded and asked the authorities to consider splitting the scheme into phases.
- 3.5 In 2008 the Government indicated it would fund a scheme from the A6 at Hazel Grove to Manchester Airport (without a Poynton Bypass) if matched with local contributions. Local funding was identified through the Greater Manchester Transport Fund, and whilst Government funding was withdrawn in 2010 (as a result of the spending review), it was re-instated when the Scheme was included in the National Infrastructure Plan in November 2011¹².
- 3.6 Two phases of consultation then followed in autumn and winter 2012/13¹³ (including junction options) and summer 2013¹⁴ (on design and follow up issues).

⁹ CD 1105

¹⁰ Docs MBS/1/1-MBS/11/1

¹¹ CD 4015

¹² CD 4020

¹³ CD 5005

¹⁴ CD 5006

A major Scheme Business Case was submitted to the Department for Transport¹⁵ (DfT) in November 2012 and a funding package was finalized in July 2013, with the Scheme being given Programme Entry status in October 2013.

- 3.7 The estimated Scheme cost is £290 million¹⁶, of which the DfT would provide a maximum contribution of £165 million¹⁷. The remainder would be made up by £105 million of additional capital grant funding from Government in the context of the Earnback deal¹⁸, and £20 million coming from Local Transport Plan (LTP) funding from the Greater Manchester Transport Fund¹⁹.
- 3.8 Planning applications supported by an ES were submitted to the 3 local planning authorities (LPAs) of CEC, MCC and SMBC in November 2013. In June 2013 the Secretary of State for DCLG indicated that he did not intend to call these in²⁰, and the permissions were granted in June and July 2014. As detailed design progressed it was found necessary to apply for further planning permissions to address some minor discrepancies in terms of the red line boundary of the main application. Four such applications have been approved by the relevant planning authorities, SMBC and CEC, in June and July 2014, respectively²¹.
- 3.9 A further planning permission was granted by SMBC and CEC on 3 September and 4 September 2014 respectively for the realignment of a Ministry of Defence oil pipeline which would be affected by the Scheme. An updated planning application was due to be submitted by the Oil and Pipelines Agency (OPA) for a re-alignment of this pipeline diversion, further to discussions and agreement with landowners and the OPA. In addition, a planning application for the formation of a soil bund was submitted to SMBC on 28 August 2014 but had not been determined by the close of the Inquiry²².
- 3.10 The main body of the Scheme, therefore, has planning permission and the 2 outstanding applications are not anticipated to present any obstacles to the progression of the Scheme.

The need for the Scheme

- 3.11 There is currently no direct east/west transport link in south-east Greater Manchester and Cheshire East, connecting with the A6, to provide direct access across this part of the conurbation, including to employment areas around Manchester Airport. Traffic wishing to travel from the A6 in a westerly direction towards the Airport, A34, or M56 has to use local roads or, as an alternative, travel north to the M60, west to the M56 and south down the M56 to reach its destinations. The same applies, in reverse, for traffic wishing to travel eastwards across this area. Similar problems also exist for traffic entering the conurbation on other north/south routes, wishing to travel east or west.
- 3.12 As a result, significant congestion exists on the local road network, much of which is unsuitable for this type and level of traffic, and speeds on local roads are

¹⁵ CD 5004

¹⁶ Paragraph 3.24 of Doc MBS/1/1

¹⁷ CD 5003

¹⁸ Arising from the City Deal made between the Government and the City of Manchester in 2012. Also see CD 5032

¹⁹ Paragraph 21.3 of CD 1105. Also paragraph 2.77 of CD 5036

²⁰ CD 2204

²¹ Paragraphs 2.21-2.23 of Doc MBS/7/1 and Appendix C of Doc MBS/7/2

²² Paragraphs 2.24-2.26 of Doc MBS/7/1

very low. Indeed, evidence to the Inquiry has shown that traffic problems in the south-east of Greater Manchester are significantly worse than in other major cities, with a higher level of congestion in the morning peak period than is experienced in the rest of the Greater Manchester conurbation²³.

- 3.13 There is also considerable journey time variability, with some journeys at peak times taking more than 50% longer than in off-peak periods, on more than half of the routes surveyed²⁴. These traffic problems also have an adverse impact on public transport accessibility to the Airport from the Stockport area and from other residential areas of south-east Manchester²⁵. These conditions are likely to get worse as major employment developments are brought forward in the Manchester Airport area, following its Enterprise Zone designation. The high levels of traffic on local roads are matched by concentrations in traffic accidents on the routes taken by east/west traffic including within local centres²⁶.
- 3.14 It is to address these problems that the A6MARR has been developed, and designed in full accordance with the DfT's "Specification for Highway Works"²⁷. In order to assess its effectiveness in dealing with the issues of congestion and accessibility a study area has been identified and a traffic model has been developed and validated against existing traffic flows. The validation exercise has demonstrated that the model is robust, with all the modelling work having been carried out using industry standard modelling packages and in accordance with the DfT's web-based Transport Appraisal Guidance, WebTAG²⁸. Full details of the traffic modelling have been submitted to the DfT, for rigorous review and independent scrutiny, as part of the Business Case for the Scheme²⁹.
- 3.15 The traffic model incorporates a number of committed developments and highway schemes which are expected to be in place and operational before the modelled future years, and an Uncertainty Log has been developed in accordance with WebTAG guidance, in order to determine the certainty of all developments and highway schemes relevant to this study. From the modelling work it has been possible to predict the nature and quantum of traffic movements with and without the Scheme, and the predicted route changes that the Scheme would bring about.
- 3.16 The traffic model has indicated that the Scheme would result in significant reductions in traffic levels along many existing roads and through existing communities, together with significant reductions in congestion and delay across the study area. The initial traffic model forecasts also indicated that with the Scheme in place there would be undesirable traffic increases on some roads, so a package of mitigation measures has been developed to avoid these routing changes. Some enhanced mitigation measures have proved necessary to keep predicted increases on the A6 through High Lane and Disley to acceptable levels, as detailed later in this Report.

²³ Paragraphs 4.4-4.6 of Doc MBS/3/1

²⁴ Paragraph 4.16 of Doc MBS/3/1

²⁵ Figure 4.20 of Doc MBS/3/2

²⁶ Figures 4.21-4.24 of Doc MBS/3/2

²⁷ Paragraph 3.1.2 of Doc MBS/2/1

²⁸ CD 4002

²⁹ CD 5004, especially Appendices B1-B7

- 3.17 All new Scheme junctions have been designed on the basis of providing capacity for the assumed opening year of 2017. The design has not sought to provide larger capacity junctions based on longer-term predictions of traffic. This approach has been adopted to reflect the fact that the Scheme would sit within an area where adjacent junctions on the existing network are likely to become over-capacity before the junctions on the A6MARR, thereby constraining the volume of traffic that could arrive at the A6MARR junctions. Highway Officers in each of the 3 local authorities approved this approach and recommended that planning permission be granted on this basis³⁰.
- 3.18 The traffic forecasts have been used to assess the Scheme's performance against the measurable outcomes set out in the Scheme Business Case, as detailed in the following sections.

The objectives of the Scheme

- 3.19 The main objectives of the A6MARR, in no particular order of priority, are to:
- Reduce the impact of traffic congestion on local businesses and communities;
 - Improve the safety of road users, pedestrians and cyclists and reduce the volume of through traffic from residential areas and retail centres;
 - Increase employment, generate economic growth and provide efficient access and improved connectivity to, from and between Manchester Airport, local, town and district centres, and key areas of development and regeneration;
 - Boost business integration and productivity: improve the efficiency and reliability of the highway network, reduce the conflict between local and strategic traffic, and provide an improved route for freight and business travel;
 - Promote fairness through job creation and the regeneration of local communities: reduce severance and improve accessibility to, from and between key centres of economic and social activity;
 - Support lower carbon travel: reallocate road space and seek other opportunities to provide improved facilities for pedestrians, cyclists and public transport.
- 3.20 The A6MARR would intercept many of the radial commuter routes through the conurbation and provide access from the south and east of the region to Manchester Airport and the surrounding commercial areas, including the newly formed Enterprise Zone adjacent to the airport. The A6MARR would also provide a suitable route for freight vehicles to access the strategic road network (M56) from the south and east of the region and reduce the number of heavy goods and other commercial vehicles using roads in residential areas.

Performance of the Scheme against its objectives

- 3.21 In order to assess the Scheme's performance against these objectives, a number of specific, measurable outcomes have been identified and are set out in the SMBC SoC³¹. The Scheme is shown to perform well against each of the

³⁰ Paragraph 7.3 of Doc MBS/3/1

³¹ See section 4 of the SoC – CD 1105

objectives and outcomes³², as detailed below. These outcomes also match up well to the objectives in the Greater Manchester Local Transport Plan³³.

- Journey times to and from Manchester Airport from Stockport town centre, Cheadle, Cheadle Hulme, Hazel Grove, Bramhall, and Poynton would all be significantly improved;
- Journey times to/from Handforth Dean and Woodford from Wythenshawe, Cheadle, Cheadle Hulme, Hazel Grove, and Bramhall would, in general, be reduced – particularly in the peak periods³⁴;
- Journey times and reliability would be improved in the peak hours on the majority of the north/south routes³⁵;
- Journey times and reliability would be significantly improved on the A5143 Etchells Road/Finney Lane route, with improvements on the east/west A560 route in both peak periods and a broadly neutral effect on the A560 west-east movement³⁶;
- Traffic volumes and severance would be reduced through local centres: on the A6 through Hazel Grove (-18%); on the A5102 through Bramhall; (-3%) and at Finney Lane through Heald Green (-43%)³⁷;
- An overall reduction in the number of road traffic accidents on these roads through the local centres is predicted;
- Public transport accessibility would be significantly improved - measured by reduced journey times (a 6% to 23% reduction) for buses and it is considered that this would lead to increased bus usage between Stockport town centre and Manchester Airport;
- The Scheme would result in a marked improvement in facilities for and usage by cyclists and pedestrians between Hazel Grove and Manchester Airport – in particular a segregated cycleway/footway would be provided along the entire length of the A6MARR;
- Pedestrian and cyclist facilities and usage on local roads would also be improved on roads relieved of heavy traffic through the proposed complementary measures that would be enabled by the traffic reductions created by the Scheme. Interconnectivity between the new road and the intercepted local pedestrian and cycle routes is a key element of the Scheme;
- The Scheme would be broadly neutral in terms of greenhouse gas emissions although the potential for increased public transport usage and the provision of cycleways should make a positive contribution towards reducing carbon emissions. Air quality across the study area as a whole would be improved, although there are specific instances (in particular in Disley) where there would be reductions in air quality.

3.22 In order to take advantage of the benefits of the Scheme, and to help reduce any negative impacts, a package of Complementary and Mitigation Measures has been formulated, for which a budget provision of some £4.71 million has been

³² Paragraphs 6.52-6.75 of Doc MBS/3/1

³³ CD 3009 – see also paragraphs 6.76-6.96 of Doc MBS/3/1

³⁴ The principal exceptions being the Handforth Dean to Bramhall and Woodford to Bramhall routes where the new junction with Woodford Road would create a delay which does not presently exist

³⁵ Table 6.20 of Doc MBS/3/1

³⁶ Table 6.22 of Doc MBS/3/1

³⁷ Table 6.23 of Doc MBS/3/1

made³⁸. The traffic modelling originally predicted a significant increase in traffic flow on the A6 through High Lane and Disley of between 25 to 30% with the Scheme in place. However, it is neither possible nor desirable to significantly increase network capacity along this corridor and the A6MARR Project Team has been sensitive to the concerns raised both by the public and by stakeholders in relation to these predicted increases in traffic³⁹.

3.23 The decision has therefore been taken, following the Phase Two Consultation, to implement a package of enhanced mitigation measures on the A6 to limit, as far as practicable, the impacts of the Scheme. These measures have been developed to address the original 25-30% increase in predicted traffic flows⁴⁰ and would seek a balanced approach to managing the predicted traffic on the A6 through High Lane and Disley by:

- better managing traffic flows for local residents at the A6 Buxton Road/Windlehurst Road junction, through a local junction improvement;
- enhancing the local district centre environment in Disley Village through the introduction of shared-space type interventions; and
- limiting the attractiveness of the A6 to longer distance traffic which would otherwise switch from other cross-county routes with the A6MARR in place. This would be achieved through a combination of gateway treatments and reduced speed limits.

3.24 These enhanced measures would build upon the package of mitigation measures promoted as part of the Phase Two consultation, which focussed on improvements to non-motorised user facilities. Traffic modelling has indicated that the introduction of the proposed enhanced mitigation measures would markedly reduce this forecast increased traffic flow on the A6 through High Lane and Disley to between 11 to 16%.

Policy considerations

3.25 The Scheme design has been prepared to accord with national and local planning policy, including the National Planning Policy Framework ("the Framework") and the Development Plans and supporting documents of the 3 LPAs⁴¹. The route of the Scheme is protected within the Development Plans for the 3 LPAs and also in the Cheshire East and Greater Manchester Local Transport Plans⁴². In particular, the route of the A6MARR is safeguarded by saved Policy ST2.2 (Protection for Major Road Schemes) of the Stockport Unitary Development Plan⁴³ (UDP) (adopted in 2006), and saved Policy T7 (Safeguarded Routes) of the Macclesfield Local Plan⁴⁴ (adopted in 2004).

3.26 Recent local development plans continue to offer firm support for the Scheme. In particular, Core Policy CS10 of the Stockport Core Strategy Development Plan Document (DPD), adopted in 2010, states that "*In order to facilitate the removal of through traffic from several District Centres and Local Centres in the Borough,*

³⁸ Doc MBS/34 and Table at paragraph 9.31 of Doc MBS/1/1

³⁹ Paragraphs 20.38-20.44 of CD 1105

⁴⁰ Paragraphs 20.45-20.48 of CD 1105

⁴¹ Paragraphs 3.1-3.136 of Doc MBS/7/1

⁴² CDs 3007 and 3009

⁴³ CD 3004

⁴⁴ CD 3011

including Heald Green, Bramhall and Hazel Grove, and to improve access to Manchester Airport, the Council proposes to construct the SEMMMS A6 to Manchester Airport Relief Road from the A6 at Hazel Grove to the M56 at Manchester Airport which will also incorporate a new shared footway and cycle path adjacent to the new road and retrofitted next to the existing A555⁴⁵. There are also many policies supporting the development of the Scheme contained within the Manchester Core Strategy DPD⁴⁶ (adopted in 2012).

- 3.27 In light of the above points, and subject to the implementation of the mitigation measures identified within the application, and suitable planning conditions, the 3 LPAs considered the Scheme to be acceptable in land use planning and environmental terms and decided to grant planning permission. These planning permissions have not been challenged by way of judicial review and are now well beyond the time by which any such challenge would have to be made. The position, therefore, is that planning and environmental issues have already been addressed through the proper democratic processes and found not to pose any bar to the grant of planning permission.
- 3.28 Although some objectors are critical of the loss of Green Belt land, the protected route pre-dates the Green Belt designation and the 3 LPAs have already accepted that although the Scheme would constitute inappropriate development, in accordance with the Framework, there are "very special circumstances" which justify the grants of planning permission.
- 3.29 In any case, it is no part of the Scheme objectives to facilitate Green Belt development. Any proponents of such development would need to pursue Green Belt release through an appropriate local plan process, but the Government's commitment to the protection of the Green Belt was re-emphasised in new and revised guidance published on 6 October 2014. This makes it clear, amongst other things, that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the very special circumstances justifying inappropriate development in the Green Belt⁴⁷.
- 3.30 Good progress is being made with the work necessary to discharge the pre-commencement conditions, and there is every confidence that the required traffic reductions will be achieved in order to satisfy the enhanced mitigation conditions which apply before the A6MARR could be opened to traffic⁴⁸. As a result, there is no likely impediment to the Scheme in relation to any outstanding planning matters.

Environmental Assessment and other Scheme impacts

- 3.31 The environmental impacts of the Scheme have been addressed in the ES⁴⁹, prepared following an Environmental Impact Assessment (EIA) carried out in 2013. As part of this process there was consultation with the relevant environmental bodies and a consideration of objections from individuals. Full assessments of a wide range of environmental matters can be found within the ES, and are not repeated here. Summaries are, however, given in the following

⁴⁵ Paragraphs 23.19-23.34 of CD 1105

⁴⁶ CD 3008

⁴⁷ Paragraph: 034 Reference ID: 3-034-20141006 of the National Planning Practice Guidance – See Doc MBS/36

⁴⁸ Condition 37 of CD 2098 and condition 8 of CD 2099

⁴⁹ CD 2092

sections with regards to 3 of the topics covered within the ES, as these formed the subject of some objections to the Orders from non-statutory objectors.

Air Quality⁵⁰

- 3.32 The Air Quality assessment in the ES was undertaken in accordance with the Highways Agency (HA)'s Design Manual for Roads and Bridges⁵¹ (DMRB), and Interim Advice Notes dealing with long-term nitrogen dioxide (NO₂) trends⁵²; the significance of the local exposure⁵³; and a risk assessment of the compliance with the Ambient Air Quality Directive⁵⁴. The potential impact of construction was undertaken using guidance from the Institute of Air Quality Management⁵⁵. The prediction of NO₂ and PM₁₀ concentrations involved the use of a widely accepted, comprehensively validated Atmospheric Dispersion Modelling System⁵⁶.
- 3.33 The Scheme was assessed against current EU and UK legislation and best practice guidance⁵⁷ and the ES concluded that its overall effect would be to provide significant benefits in air quality terms in the local air quality assessment area. SMBC updated some of these assessments, for the purposes of the Inquiry, to take account of changes to predicted vehicle emissions, issued by the Department for Environment, Food and Rural Affairs (Defra) in July 2014, after the issue of the ES; and also to take account of updated HA NO₂ long-term trends issued in November 2013, following the release of Euro VI Heavy Goods Vehicle (HGV) emissions data. Taking account of this updated information, the benefits of the Scheme may be summarised as follows:
- a reduction of 844 receptors experiencing concentrations exceeding the annual mean limit value for NO₂;
 - a reduction from 217 to 145 of receptors experiencing concentrations exceeding 60 µg/m³ (the indicator level for likely exceedance of the 1 hour mean NO₂ objective);
 - a reduction in annual mean concentrations of particulates (PM₁₀) for some 61% of receptors within the assessment area compared with an increase for some 17% (with no receptors subject to concentrations greater than 30 µg/m³ with or without the Scheme and hence no receptors subject to exposure exceeding the annual mean limit value of 40 µg/m³);
 - a reduction in annual mean NO₂ concentrations for some 79% of receptors within the assessment area compared with an increase for some 19%;
 - a reduction within the Greater Manchester Air Quality Management Area (AQMA) of 780 properties subject to an exceedance of the annual mean limit value for NO₂; however, 3 new properties would be brought into exceedance in the Disley AQMA (increasing to 11 when the ES

⁵⁰ Docs MBS/5/1-2

⁵¹ See relevant extracts in CD 4003

⁵² IAN 170/12 – see CD 4416

⁵³ IAN 174/13 – see CD 4417

⁵⁴ IAN 175/13 – see CD 4418

⁵⁵ CD 4420 – "Assessment of the Impacts of Construction on Air Quality and Determination of their Significance"

⁵⁶ Paragraphs 3.16-3.22 of Doc MBS/5/1

⁵⁷ See also CDs 4403, 4405, 4408, 4409, 4411, 4412, 4415 and 4419

assessment is up-dated by use of the latest emission factors (EFTv6.01) and most recent "gap analysis" (IAN170/12v3)⁵⁸;

- a reduction in annual mean NO₂ and PM₁₀ concentrations for, respectively, 94% and 73% of the 8,236 receptors within the Greater Manchester AQMA compared with increases for 4.5% and 2%, although there would be increases of concentrations for both pollutants for the 104 receptors within the Disley AQMA⁵⁹.

3.34 The significant overall benefit which the Scheme would give rise to, in air quality terms, is reflected in the fact that the receptors in exceedance which would be benefited by the Scheme outnumber those which would be adversely affected by a factor of 23⁶⁰. The Scheme produces many more "winners" than "losers" in air quality terms and the localised deterioration in air quality in Disley is clearly outweighed by the overall scale of the benefits.

3.35 Some objectors contend that the Scheme would breach the requirements of the EU Air Quality Directive⁶¹ simply because in a small number of instances there would be new exceedances of the air quality limit values. However, the Air Quality Directive places an obligation on national authorities to implement a regime whereby areas which are recognised as being in exceedance of relevant concentrations for specific pollutants are identified and requires the establishment of plans focused on the reduction in concentrations to bring them into line with the standards. The requirements are implemented through the Air Quality Regulations in the UK. An increase at a single or small number of receptors which results in exceedance of a standard does not constitute a breach under the Directive or Regulations.

3.36 In summary, SMBC is satisfied that its evidence demonstrates that there would be no such breach, and that in fact there would be an overall improvement in air quality as detailed above.

Nature Conservation and Ecology

3.37 Nature conservation was appropriately assessed in chapter 11 of the ES⁶². With regard to designated sites the Scheme would have a direct impact on Norbury Brook Site of Biological Interest by virtue of the loss of woodland habitat and localised modification to the watercourse. The woodland habitat affected would include ancient woodland at Carr Wood (covered in more detail below). Planting proposals provide for replacement woodland planting, although this cannot compensate for the loss of ancient woodland.

3.38 Habitats identified and agreed with the planning authorities for inclusion in the studies and assessments comprised: semi-natural broad-leaved woodland; semi-improved grassland; hedgerows; open water (ponds); and running water. The assessments noted the extent of loss of existing examples of these habitats and identified mitigation measures which would not only reduce and compensate the

⁵⁸ CD 4416

⁵⁹ See generally chapter 8 of the ES (CD 2092) and Doc MBS/5/1

⁶⁰ Paragraph 4.2 of Doc MBS/5/1

⁶¹ CD 4403: European Clean Air For Europe Directive (2008/50/EC)

⁶² CD 2092

loss but which would also substantially serve to enhance habitat diversity and nature conservation interests⁶³.

- 3.39 Species of fauna agreed with the planning authorities and statutory consultees as ones which should be included in the studies and assessments comprised: badger; bats; otter; hedgehog; brown hare; great crested newts (GCNs); common toad; common reptiles; water vole; kingfisher; and breeding birds. It was concluded that, taking into account measures to be adopted during construction and the extent and diversity of habitats proposed, impacts on bats, GCNs, common toad and kingfisher would be likely to be negative (but not significant) and neutral relative to the other species considered⁶⁴.
- 3.40 Of the species considered, only GCN (of which there is an abundance along the corridor of the A6MARR), has required the inclusion of plots within the CPO to enable appropriate mitigation to be provided⁶⁵. Measures would be taken to ensure that replacement habitat is provided in the long term for GCN displaced as a result of the Scheme, as well as ensuring the protection of those newt populations (through relocation), during construction.
- 3.41 In the light of up-dated surveys since the ES was prepared, the proposals to deal with GCN now involve the creation of 26 ponds (together with the enhancement of a further 2) by way of compensation for the 12 ponds which would be lost. The compensation to be provided would comprise some 37 hectares (ha) of specialist habitat which, owing to its superior quality, would sufficiently offset the loss of/damage to 76 ha of lesser quality habitat.
- 3.42 The mitigation strategy has been designed to avoid double-handling of GCN and involves, amongst other things, the temporary translocation of 6 of the meta-populations of GCN encountered in the Scheme corridor onto third-party receptor sites outside the CPO boundary. Agreement has been reached in principle with each landowner concerned, in relation to these third-party receptor sites⁶⁶.
- 3.43 The proposals have been shaped by the guidance provided by Natural England when granting a licence in respect of the "advance works" at Styal Golf Course⁶⁷. While Natural England has not provided a view on the draft licence application submitted in respect of the current proposals, these proposals are ecologically feasible, in line with guidance on the subject and supported by scheme precedents elsewhere. SMBC is therefore highly confident that a licence would be forthcoming.

Ancient Woodland

- 3.44 The Scheme would involve the loss of 0.08 ha of ancient woodland at Carr Wood, out of a total of 2.3 ha of the same. The direct loss of ancient woodland would therefore be small. Alternative alignments have been considered but these would either involve the demolition of residential property or would not achieve the objectives of the Scheme as effectively, whilst impacting significantly on residential property, agricultural land holdings, the Norbury Brook and PRoW.

⁶³ Paragraphs 3.9-3.15 of Doc MBS/4/1

⁶⁴ Paragraphs 3.16-3.17 of Doc MBS/4/1

⁶⁵ Docs MBS/6/1 and MBS/6/2

⁶⁶ Docs MBS/23 and MBS/39

⁶⁷ CD 5530

3.45 Paragraph 118 of the NPPF⁶⁸ provides that “*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitat, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss*”. Both the SMBC and CEC Planning Committee reports made it clear that in considering whether or not to grant planning permission, members should make a judgement whether the overall benefits of the Scheme would outweigh the loss of 0.08ha of ancient woodland. The fact that planning permission was granted demonstrates that this balance has been decided in the Scheme’s favour.

Noise

3.46 Noise was appropriately assessed in chapter 13 of the ES, with a summary of the position set out in paragraphs 4.1 to 4.14 of Doc MBS/4/1. The assessments for traffic-related noise have been undertaken in accordance with relevant guidance provided in the DMRB⁶⁹. This document describes 5 ratings for the magnitude of impact for short-term (the opening year) and long-term (15 years following opening) changes in levels.

3.47 Concerns about traffic-related noise have been raised by 14 parties in objections to the Orders⁷⁰. In the short-term, 2 of the 14 would experience a reduction in noise levels whilst 4 would be subject to minor impact, 4 to moderate impact and 4 to major impact. In the long-term, 2 of the 14 would experience a reduction in noise levels whilst 3 would be subject to negligible impact, 5 to minor impact, 3 to moderate impact and 1 to major impact.

3.48 In all of these instances mitigation would be provided, involving the introduction of low-noise surfacing along the new sections of the A6MARR west and east of the existing A555, and the introduction of mounding and/or environmental barriers at selected locations along the new sections⁷¹. The approach has focused on achieving a good level of mitigation relative to noise, and a high degree of integration of the Scheme at the interface of the urban and rural landscape which characterises the area.

3.49 The ES indicates that some 55 properties would potentially qualify for noise insulation under the Noise Insulation Regulations 1975. Amongst other matters, to qualify for assistance the property must be a dwelling or other building used for residential purposes and must not be more than 300 metres (m) away from the new highway⁷². Of the 55 properties potentially qualifying under these regulations, only 22 are located within 300m of the proposed Scheme, and none of the properties relate to the objections detailed in paragraph 3.47 above.

3.50 In summary, the Scheme would produce both benefits and disbenefits in noise terms, and notwithstanding the proposed mitigation there are parts of the Scheme corridor where there would be a significant effect. However, this has

⁶⁸ CD 4001

⁶⁹ CD 4003 - Section 3, Part 7 of Volume 11 – “Noise and Vibration” (HD 213/11)

⁷⁰ Detail relating to these 14 locations and predicted traffic-related noise levels specific to them can be found in Appendix C to Doc MBS/4/2

⁷¹ Figures 15-23 in Appendix B of Doc MBS/4/2 for details of the locations of the proposed mounding and environmental barriers

⁷² Further details are given in paragraph 4.14 of Doc MBS/4/1

been taken into account in the balancing of issues prior to the grants of planning permission, with the Scheme as a whole being designed to provide a good degree of mitigation against noise, as detailed above. Overall, the 3 LPAs have concluded that there are no areas of particular concern.

Cost Effectiveness of the Scheme

3.51 The robust modelling and appraisal framework which was developed to assess the impact of the Scheme model was accepted by the DfT through the assessment and scrutiny for the award of Programme Entry⁷³. The Scheme is expected to lead to substantial benefits through improvements to journey times and from the wider economic impacts⁷⁴. Across a 60 year project lifetime it has been estimated that the Scheme would generate:

- Travel time savings valued at up to £825 million, with total transport economic efficiency benefits of £858 million;
- High value for money, with the DfT's Transport User Benefit Appraisal (TUBA) computer program indicating a benefit-cost ratio (BCR) of 5.06;
- A slight reduction in road traffic accidents which, in economic terms, would convert to a saving of some £16 million over the 60 year appraisal period;
- Improved accessibility and integration for the local communities along the length of the Scheme; and
- Minimal adverse environmental impacts, due to the benefits generated through congestion relief relative to the do-minimum scenario, and as a result of mitigation measures in place to offset any adverse impacts.

3.52 Value engineering has been undertaken as the Scheme has been developed and this has included minimising the land required for the Scheme, maximising the use of existing structures and the proposed bridges and designing-out retaining structures where practicable.

Procedural and statutory requirements

3.53 The relevant statutory requirements in respect of notice of the Orders, the proposed Certificate and of the Inquiry have all been complied with⁷⁵.

Details of the SRO, the CPO and the s19 application

The SRO

3.54 Reasonably convenient alternative routes would be provided for each PRoW affected by the Scheme⁷⁶ and would be available once the existing paths have been formally stopped up under the SRO. In some cases, where a number of PRoW cross the line of the A6MARR in close proximity, shared crossing points (sometimes also shared with the provision of new PMAs) would be provided, for cost and engineering reasons.

3.55 There have been some objections to the shared use of PRoW and PMAs from individual objectors, but no objection from any of the many interest groups interested in preserving and improving the public rights of way network, with

⁷³ CD 5003

⁷⁴ Docs MBS/3/1-2A for details of the traffic modelling and appraisal

⁷⁵ Doc MBS/12

⁷⁶ Appendices 2 and 3 of Doc MBS/8/2

which there has been close liaison⁷⁷. The Scheme would bring considerable improvements to the PRow network, with the prospect of further improvements for pedestrians, cyclists and horse-riders following implementation⁷⁸.

- 3.56 There are some objections to the stopping up and re-provision of some PMAs and these are responded to later. In the large majority of cases, however, there have been no objections and the submitted evidence demonstrates the way in which reasonably convenient means of access have been maintained or provided in all cases where existing means of access are stopped up⁷⁹.
- 3.57 Following publication of the SRO a number of typographical errors (none of any substance) have been identified. Minor modifications are proposed in order to address these matters. In addition, as a result of negotiations and discussions with objectors, SMBC has proposed some further minor modifications to the SRO. These are detailed in CD 1104 and discussed further in the Modifications section, later in this Report.

The CPO

- 3.58 Some land is only required temporarily, for example to provide working space for construction of the Scheme or for use as contractor's compounds, but there is no statutory power which would allow for the acquisition of land on this basis. All land therefore needs to be acquired permanently, although any land which would not be needed post-construction would be offered back to the original landowner under the Crichel Down Rules⁸⁰. SMBC would have preferred to have negotiated licences to use this land during the period of temporary occupation, but in the absence of such agreements it is necessary to keep this land in the CPO in order to achieve the certainty of delivery of the Scheme.
- 3.59 For a variety of reasons, including fruitful discussions with landowners, more detailed development of the Scheme, and the approval of departures from standards, it has been possible to reduce the land take slightly in some areas, including the deletion of particular plots from the CPO⁸¹. Again, these matters are discussed further in the Modifications section, later in this Report. SMBC is satisfied that, with the proposed modifications, the minimum land take has been proposed in order to construct the Scheme.

The Exchange Land Certificate

- 3.60 The application for a s19 Certificate has arisen because part of Woodford Recreational Ground comprising 9,195 square metres (sqm) and currently used for informal recreational purposes, is required for the works to the existing A555 for the construction of the new shared footway/cycleway and slip road. Under the provisions of s19 this has triggered the requirement for exchange land to be provided that is not less in area and is equally advantageous to the public, and to this end the CPO provides for the acquisition of 16,722sqm of land, located some 250m east of Woodford Road.

⁷⁷ Section 12 of Doc MBS/8/1

⁷⁸ Paragraphs 13.5-13.7 of Doc MBS/8/1

⁷⁹ Table 4.1 of Doc MBS/2/1 and Appendix H of Doc MBS/2/2

⁸⁰ CD 4007

⁸¹ CD 1104

- 3.61 This land is accessible by an existing footpath (Footpath 14 Hazel Grove to Bramhall) and by a link from Albany Road, Woodford, and with the construction of the Scheme, would also be accessible from the shared-use cycleway/footway proposed to run adjacent to the A6MARR. Under the Scheme proposals it would be laid out in an attractive and ecologically beneficial way to provide for the same informal recreational usage as the recreation ground⁸².
- 3.62 As the single objection to the s19 Certificate has been withdrawn, and no contrary evidence has been presented to the Inquiry, it is submitted that there is no reason why the Certificate should not be granted. The application for a Certificate will, however, continue to be pursued, so that the legal rights pertaining to the parcels of land in question can be transferred, without the need for any separate legal process. Minor modifications to the Certificate, necessary to ensure consistency with the CPO, are discussed later in this Report.

Summary of the SMBC case

- 3.63 The Scheme would perform well against its stated objectives, bring about a significant improvement to the highway network, having a highly positive impact on the sustainability of the network, and also acting as a driver for further economic activity, boosting prosperity in the region⁸³. It would represent very good value for money with a BCR of 5.06. Additionally, by improving access to Manchester Airport, and to the proposed developments around the airport, total economic output (Gross Value Added - "GVA") generated by the Scheme could amount to some £492 million over the 60 year appraisal period⁸⁴.
- 3.64 The Scheme has been subject to public consultation during every stage of its development and has planning permission from all 3 relevant LPAs. Whilst the final package of mitigation measures has not yet been approved and specific measures have yet to be confirmed, the need for such a package was flagged up at the planning application stage. The local highway authorities are aware of the nature of the necessary measures and there is no reason to suppose that there will be any problem in bringing them forward, subject, in some cases, to further consultation with the public.
- 3.65 In considering whether to make the Orders, and the extent of the interests to be comprised in the CPO, SMBC has given due regard to the rights of owners of interests in the Order Land under the Human Rights Act 1998⁸⁵ (including the rights contained in Article 8 and Article 1 of the First Protocol). In essence, SMBC considers that the Order, if confirmed would strike an appropriate balance between the rights of the individual and the wider public interest. Having regard to the availability of compensation, the interference with human rights is therefore considered to be both justified and proportionate⁸⁶.
- 3.66 The Scheme would accord with the relevant tests and requirements set out in the Highways Act 1980, the Acquisition of Land Act 1981 and in ODPM Circular 06/2004⁸⁷ and there is a compelling case for the Scheme being in the public

⁸² Docs MBS/9/1 and MBS/9/2

⁸³ Paragraph 38.2 of CD 1105

⁸⁴ Paragraph 9.41 of Doc MBS/3/1

⁸⁵ CD 4004

⁸⁶ Paragraphs 22.1-22.11 of CD 1105

⁸⁷ CD 4007

interest. In view of these points, and the others set out above, the 2 Orders should be confirmed and the proposed s19 Certificate in respect of open space land should be granted, subject to the modifications set out later in this Report.

4. THE CASES FOR THE OBJECTORS

- 4.1 A number of objectors have reached agreement with SMBC and have withdrawn their objections. However, many objections were maintained, with 21 objectors appearing at the Inquiry either in person or through a representative, with the remaining 30 objectors electing to rely on their written submissions. The cases of those objectors who appeared at the Inquiry are considered first.

The material points are:

Harrison Developments Holdings Limited (OBJ/01) - represented by Mr J Houston⁸⁸

- 4.2 This objector owns a plot of land which has planning permission for the erection of 2 detached houses, located to the north of the unadopted Occupiers Lane, Hazel Grove, lying between Easter Cottage and Lane End House.
- 4.3 The Scheme would have a significant adverse impact on the value of this property unless proper provision for continued access is made. The new access road along Occupiers Lane should be extended westwards to the boundary between the objector's site and Easter Cottage. This would require more land acquisition than is currently planned through the CPO. This access road should be public highway and should allow ready and suitable access to the objector's land and prevent any third party owner, including the local highway authority, forming a ransom strip to prohibit the development of these sites in the future.
- 4.4 SMBC have referred to a gap in the hedgerow rather than a specific access to the site. This description is disputed. The site is served by a splayed vehicular access with a fixed gate that can be lifted out. This fixed gate is currently left in place to prevent unauthorised access and tipping. At the present time, discussions are taking place with the owners of Occupiers Lane to resolve a dispute on the rights of access to the objector's land.

Mr M E Simpson & Mrs K O Livesey (The Trustees of Simpson) (OBJ/02) – represented by Mr J Seed⁸⁹

- 4.5 The Trustees own some 22.7 ha (56 acres) of arable grassland, grazing and woodland. The land is let out to Mrs J Shirt (OBJ/08), Mrs H Harrison (OBJ/04 & OBJ/05) and Mr J Wainwright. The CPO affects about 12.9 ha (32 acres) of this land in the vicinity of the A6 at Hazel Grove, Carr Wood and Old Mill Lane. The Trustees are primarily concerned about the extent of land take and its impact on their retained land.
- 4.6 The SoC offers no explanation of the Scheme's likely impact on agricultural land and how this would be mitigated. It is critical for the future use of retained land in agricultural or equestrian use that specialist land drainage consultants and contractors are employed to advise on and undertake appropriate land drainage

⁸⁸ CD 2106 and Docs OBJ/01/01-02

⁸⁹ CD 2106 and Docs OBJ/02/01-02

- remedial works. This has been proposed as a standard accommodation work but has not been accepted by SMBC.
- 4.7 Land between the proposed realignment of the A6, and existing development to the east of the existing A6 has been subject to a number of option agreements in the past and an approach was made in 2012 for a further option agreement⁹⁰. However, interest was withdrawn when the developers became aware of the full extent of land take and the interference with potential access arrangements⁹¹. Compensation is not a remedy in this situation and the Trustees therefore have a duty to seek to minimise the extent of land take, which has been exacerbated by mitigation bunding and cycle routes proposed for both sides of the A6.
- 4.8 Although changes to the Scheme design have reduced the impact of the western footway/cycleway spur above the A6, the design would still entail the acquisition of a significant area of land. The benefit of being able to cycle along only a small part of the carriageway above the A6 is questioned, as an alternative route could be found via Mill Lane. The extent of bunding and land to be taken for the footway/cycleway and accommodation road on the land to the south of the A6 would be excessive. An alternative access using Old Mill Lane or Mill Lane would achieve the same result at a much lower construction and compensation cost.
- 4.9 Bund re-grading and the use of noise/acoustic fencing rather than bunding could reduce land take. Imperfections in the Orders are highlighted, including the Trustees' claim to be in possession of a strip of land on the left hand corner of Wellington Road as it joins the A6 (claimed by the HA); the fact that the Trustees own one half of Wellington Road; and an incorrect listing of tenants. Objections are also raised to the inclusion of land within the CPO which is only needed on a temporary basis, and on the grounds that it has not been satisfactorily demonstrated that such land would be returned to the Trustees in the same condition, once the land is no longer needed.
- 4.10 The design of the accommodation bridge affecting the Trustees' land to the south of the A6 has been undertaken without consultation with themselves or their tenants, and consequently does not take account of their needs and concerns. A more cost-effective route for this accommodation bridge would be from a junction between Mill Lane and the railway line. Moreover, there is currently a separate access to the woodland on the southern boundary of their landholding, from Old Mill Lane, which is proposed to be stopped up without any replacement access.
- 4.11 In summary, the impact of the Scheme on the Trustees' landholding, and its future development prospects, would be substantial. SMBC has failed to make a compelling case for the inclusion of the full extent of land included in the CPO and has failed to provide another convenient means of access to the woodland to replace the existing PMA proposed to be stopped up. Accordingly the Orders should not be confirmed on the plots of land in question.

⁹⁰ Appendix 1.5.1 to Doc OBJ/02/01

⁹¹ Appendix 1.5.2 to Doc OBJ/02/01

Mrs H Harrison (OBJ/04) and Mill Farm Riding School (OBJ/05)⁹²

- 4.12 Mrs Harrison objects to the Orders as the freehold owner of 1 Red Row, Buxton Road (OBJ/04) and also as the tenant of the Mill Farm Riding School (OBJ/05). The riding school is a Pony Club Centre, rated as the Number 1 riding school in the country on a highly recognised public review centre. It provides various activities to a wide range of clients, including many young disabled people, and is registered with SMBC to provide work experience through its Education Department. There is also a livery arm to the business at Mill Farm.
- 4.13 There has been a lack of communication from SMBC and an indifference to the fact that many of the older horses would have to be destroyed if the Scheme was to proceed. During construction the closure of Wellington Road, even for short periods of time, would be unacceptable as access is required at all times for animal welfare and health and safety reasons. There would be disruption to the business and an enormous adverse impact on the ability to maintain the growth of both Mill Farm Riding School and Mill Farm Liveries.
- 4.14 There would be a loss of valuable grazing land and SMBC should assist in finding suitable replacement land in the vicinity for Mrs Harrison to purchase or lease. Traffic would be brought closer to the stables and the current, thick roadside hedge would be removed and would take many years to re-establish. Equestrian crossing facilities of the realigned A6 should be provided and provision should be made within the Orders for vehicular access to the woodland at Norbury Brook which is used in conjunction with the riding school.
- 4.15 Mrs Harrison purchased her house at 1 Red Row because of its immediate proximity to Mill Farm Riding School. This proximity would be severed by the Scheme and this would adversely affect the enjoyment of this property as it would be located between 2 highways. SMBC has acknowledged that there would be an increase in the amount of artificial lighting in the area, and there would also be an increase in road noise and pollution from a heavier volume of traffic. The ES indicates that there would be a Large Adverse impact to views during construction, and even a Moderate Adverse impact after 15 years.

Mrs J Shirt (OBJ/08) – represented by Mr J Seed⁹³

- 4.16 As noted above, Mrs Shirt is a tenant of land at Mill Lane, Hazel Grove, which is owned by the Trustees of Simpson (OBJ/02). She is also a licensee of other land at Mill Lane which is owned by SMBC. Mrs Shirt has rented the land from both landlords for a number of years and has a justifiable expectancy that this situation will continue. She is concerned about the impact the Scheme would have on the grazing land she currently rents, and the effect this would have on the functioning and viability of her equestrian business. Several of the matters of concern raised by the Trustees of Simpson are also raised by Mrs Shirt, and are therefore not repeated here.
- 4.17 Mrs Shirt's equestrian operation would be substantially adversely affected by the inclusion of 2 major temporary occupation sites in the CPO. There has been no indication from SMBC as to how and when this situation could be mitigated.

⁹² CD 2106 and Docs OBJ/04/01-03 and OBJ/05/01-03

⁹³ CD 2106 and Docs OBJ/08/01-02

Similarly there has been no indication from SMBC as to how land in the south-west corner of The Trustees' land holding would be accessed during construction. SMBC has failed to consult on the location and design of the proposed accommodation bridge and has failed to make a compelling case for the inclusion of the full extent of land included in the CPO, involved in both permanent and temporary land take. Accordingly the Orders should not be confirmed on the plots of land in question.

Mr & Mrs T Gilchrist (OBJ/11)⁹⁴

- 4.18 Mr and Mrs Gilchrist are residents of Macclesfield Road, living just to the north of the location proposed for the junction of this road with the A6MARR, and are statutory objectors to the SRO.
- 4.19 Despite the public consultation exercises which have been held, the views of those most likely to be affected by the Scheme have not been taken on board. Both Options 1 and 2 for this proposed junction are opposed, with Option 1 being the least aesthetically pleasing. It would be a large junction, would directly affect the view from their property, would destroy long-established Green Belt and adversely affect property prices.
- 4.20 This option would make it very difficult to safely enter or exit their driveway, in view of the increased number of traffic lanes proposed for just outside their property. Difficulties are already experienced as a result of the close proximity of their property to Ashbourne Road, and the exit from the Tesco store/petrol station, with other drivers often misunderstanding their intentions when they signal and slow down to turn into their driveway. At the present time drivers following are able to take avoiding action by moving outwards to overtake the slowing Gilchrist cars, but such manoeuvres could not be safely undertaken with the proposed junction layout.
- 4.21 The construction phase would result in additional traffic flows, noise pollution, dust and debris, and implementation of the Scheme would result in parking restrictions on part, if not all, of Macclesfield Road, making parking difficult for visitors and deliveries. A number of general objections are also raised to the principle of the Scheme covering such matters as inadequate and misleading public consultation exercises, with results not being representative of the whole Borough; poor communication about the Scheme from SMBC; road safety concerns; increased noise levels; a worsening of air quality; and a lack of information regarding the proposed mitigation measures. In view of the points raised and the difficulties and safety problems highlighted, further consideration should be given to the design of this junction.

Mr C R Barson & Ms J M Whittingham (OBJ/14)⁹⁵

- 4.22 These objectors also live on Macclesfield Road, just to the north of the proposed A6MARR junction. They object to both options put forward for this junction (Options 1 & 2), and also raise a number of other concerns, alleging a lack of consideration to residents throughout the planning period.

⁹⁴ CD 2106 and Docs OBJ/11/01-02

⁹⁵ CD 2106 and Docs OBJ/14/01-04

- 4.23 The Scheme would result in disruption to local residents, with increased traffic noise and pollution; restricted accessibility to properties during construction and after completion; and limited parking for visitors and restrictions for delivery vehicles. There would also be a loss of established Green Belt. There has been a lack of investigation regarding flooding issues, and a lack of clarity regarding the status of the submitted layout drawings; the proposed junction layout; Road Safety Audits (RSAs); and traffic modelling.
- 4.24 The A6MARR as designed, would be unsafe, both from a driver's perspective and also for pedestrians and cyclists. The road outside their house is unsafe now, and accessing their driveway would be made more difficult if the Scheme was to proceed, as more traffic would be flowing across more lanes and there would be a greater likelihood of standing traffic.
- 4.25 There have been many accidents on the road in recent years, including fatalities, and the nearby Fiveways junction was an accident black spot even 30 years ago. They were aware of plans for a road scheme when they purchased their house some 23 years ago, but thought that more attention would be paid to the safety of residents in the area in the planning and design of any such new road.
- 4.26 They acknowledge that if the Scheme goes ahead there would be changes to the way in which they would be able to access their house, but whilst this is difficult at present it would be worse with the currently proposed design. What they are seeking is a safe design for the proposed junction.

Mrs D Mills (OBJ/20)⁹⁶ – represented by Mr P Ashburner

- 4.27 This objector is the owner and occupier of some 16 ha (40 acres) of land situated around her residential property, known as Barlow Fold Farm. The CPO seeks to acquire about 0.8 ha (just over 2 acres) of grazing land located towards the rear, western boundary of her property.
- 4.28 Under the SRO, SMBC are proposing to divert a length of the Poynton-with-Worth Footpath No 3 and a private right of way which cross the line of the A6MARR to the rear of her property. The diverted footpath would pass under the A6MARR in a tunnel, adjacent to a brook. Mrs Mills is not satisfied that this would be a satisfactory alternative as she has health and safety concerns regarding the proposed route which would have high banks and steep drops down to the brook. This is particularly important as the field in question is to be given to a horse welfare society, and there is consequently likely to be more horses using this route. SMBC should provide an "on-line" subway on the existing route of the right of way, to protect her existing rights.
- 4.29 The land proposed to be acquired is very important to the objector, much more so than other land she owns which is further away from her residence. She therefore wants to ensure that any land acquired from her is the minimum necessary. The proposed alignment of the Scheme as it crosses her land appears to show a bend, which potentially means that more of her land is being taken than may be necessary. A straighter route, as was proposed some years ago, could have engineering advantages and would also serve to reduce the land take from her property.

⁹⁶ CD 2106 and Doc OBJ/20/01

4.30 Mrs Mills is also concerned about the treatment of a sewer that currently runs across her land, adjacent to the public footpath. In addition she raises a number of more general concerns about the way in which the Scheme has been progressed, and how the route has changed over the years.

Ms H Mort, Ms J Bourne, Ms J Zeiss & Ms A Lomas (OBJ/21)⁹⁷ – represented by Mr J Seed

4.31 These objectors own about 51 ha (126 acres) of agricultural land, to the south of Woodford Road, Poynton, which is let as a single block to Mr David Hall (see below) under an annual grazing agreement. The CPO would affect about 3.8 ha (9.38 acres) of this land, and the objectors are concerned about the extent of proposed land take and the Scheme's impact on their retained land.

4.32 A significant amount of land would be severed by the Scheme and the main concern of these objectors is the position of the accommodation bridge which is designed to service the land south of the A6MARR. The Scheme proposes to construct this accommodation bridge towards the west of the landholding. The bridge would also serve land formerly owned by Mr Kingsley (OBJ/22 – see later), but now owned by the HA as a result of a Blight Notice served by Mr Kingsley some years ago.

4.33 Neither these objectors, nor Mr David Hall were consulted about the location and design of the accommodation bridge. The objectors have put forward a proposal for an alternative bridge location further to the north-east, which would make more use of an established hard access track and would be neutral in terms of construction costs, but would be more cost effective in terms of compensation. This alternative would use the existing route of Footpath 37 which is used more extensively than Footpath 31.

4.34 Concerns remain about whether the bridge design would be adequate to deal with modern agricultural traffic and their turning circles in a way that would not prejudice the safety of other users. This potential safety hazard is contrary to one of the SEMMS key objectives, to improve the safety of road users, pedestrians and cyclists.

Mr M Kingsley (OBJ/22)⁹⁸

4.35 Mr Kingsley appeared at the Inquiry as Personal Representative of the Estate of Marques Kingsley Deceased; the sole Director of Glenhazl Ltd; and also in his personal capacity as an objector. Together, they have extensive landholdings in the area affected by the proposed Orders and various parts of their land are proposed to be acquired compulsorily or are adversely affected⁹⁹. For ease, the land concerned is referred to as the "Kingsley land" in this Report. Mr Kingsley submitted a number of legal authorities, covering such matters as compensation, legitimate expectations and human rights, to support his case¹⁰⁰.

4.36 Mr Kingsley is a willing seller and would be happy to transfer his land, but contrary to SMBC's assertions, it has made no real attempt to reach any agreement in respect of the design of the Scheme, mitigation of impact,

⁹⁷ CD 2106 and Docs OBJ/21/01-02

⁹⁸ CD 2106 and Docs OBJ/22/01-16

⁹⁹ Exhibit MK1 in Doc OBJ/22/2

¹⁰⁰ Docs OBJ/22/8, 9, 10, 12, 13 and 14

- provision of safe and comparable junctions, the accommodation of existing rights and/or acquisition of land interests relating to the Kingsley land¹⁰¹. This is contrary to the advice set out in Circular 06/2004, and SMBC is not correct in saying that the Orders are being promoted “as a last resort”. The tests set out in the Circular are not satisfied and there is no entitlement to the Orders.
- 4.37 Confirmation of the CPO, in such circumstances would give SMBC the power to enter or vest the land in its ownership and carry on with its Scheme, leaving the objector to contest adequate compensation through a difficult process, at his own expense. There is no necessity to acquire all interests referred to at paragraph 2.7 of the SMBC SoC, rather than only those that are specifically required. None have been specifically listed as required by the Annex to Department of Transport Local Authority Circular 2/97¹⁰².
- 4.38 It is accepted that in certain circumstances public rights can override private rights, but it is not believed that those circumstances pertain here. There is no public interest in depriving the objector of existing rights in exchange for lesser or no rights, in circumstances where the loss of those rights cannot be adequately compensated. Confirmation of the CPO would therefore be in contravention of the objector’s human rights.
- 4.39 The objector has explicit rights over Clay Lane (the first 100m of which are adopted), and owns land fronting up to Clay Lane along that full length. In addition, there is an agreement that it is to be kept open¹⁰³. The land was purchased for its development potential and Persimmon Homes Ltd has taken an Option on this land. A “Statement on Deliverability” has been produced by Cass Associates¹⁰⁴ and Persimmon Homes is seeking to have this site allocated for housing, and is taking this forward through the emerging Cheshire East Local Plan process.
- 4.40 Croft Transport Solutions (“Croft”) confirms in a report¹⁰⁵ that the currently approved junction proposed between Clay Lane and the A6MARR would be neither safe nor satisfactory and that there has been no adequate or independent Stage 1 RSA of this junction. An amended SMBC proposal would also be inadequate and unsafe. Croft has therefore proposed an alternative, safe junction layout, along with an independent RSA. It would require less land than is included in the CPO, which should therefore be amended accordingly. The Cass Associates report refers to this Croft re-designed junction and assesses that it would be able to serve about 350 dwellings.
- 4.41 Mr Kingsley has a legitimate expectation that current rights of access and his ability to develop all of his land out of Clay Lane, would continue to be accommodated. The loss of the ability to continue to have full and safe access to the southern spur of the double dumb-bell roundabout on Wilmslow Road, to a standard sufficient to enable the full development of his land, could not be properly compensated through the compensation process and would contravene his rights under the Human Rights Act and the Convention.

¹⁰¹ Exhibit MK2 in Doc OBJ/22/2

¹⁰² CD 4006

¹⁰³ Exhibit MK3 in Doc OBJ/22/2 – especially paragraph 22 (v) of the Inspector’s report of the 3 December 1992 (on page 297), along with the Secretary of State’s views expressed in paragraph 26 (b) (vi) thereof (on pages 301-302)

¹⁰⁴ Pages 372-390 in Exhibit MK4 in Doc OBJ/22/2

¹⁰⁵ Pages 327-371 in Exhibit MK4 in Doc OBJ/22/2

- 4.42 In the event that the Orders are confirmed there should be a recommendation that the objector's proposed alternative junction arrangement for Clay Lane be substituted for the arrangement currently proposed.
- 4.43 The failure of the approved Scheme design to include slip roads to the east, at its junction at Woodford Road, Bramhall, would result in adverse traffic flows within the area as a whole. This junction should therefore be amended to have east-facing slip roads to connect it into the A6MARR, to address these concerns and allow the junction at Chester Road, Poynton to be considered in isolation and on its own merits. Alternatively, the junction should have no connections here at all, resulting in lesser land take. One or other of these alternatives should be substituted for the junction currently proposed, if the Orders are confirmed.
- 4.44 The provision of an at-grade junction on the A6MARR at the Oil Terminal is accepted, but the link from that junction should connect to Chester Road by means of a roundabout, as was part of the original proposal for this overall junction¹⁰⁶. This roundabout should be substituted for the traffic signal controlled junction currently proposed, if the Orders are confirmed.
- 4.45 The current proposal for a bridge at Woodford Road, Poynton, with no connection into the proposed A6MARR, would add unnecessarily to the land take and would leave the Kingsley land to the east landlocked, by cutting off access to Woodford Road. This would make it impossible to complete the extension of Glastonbury Drive to Woodford Road. The objector has the right and the ability to take access from the Kingsley retained land to Woodford Road to the west, an access which has been enjoyed for over 20 years without interference and which he improved with a road base some years ago. In addition he has the right to maintain and improve that access, and the ability to construct it to a full adoption standard of 7.3m (24 feet (ft)).
- 4.46 The Kingsley land has a direct frontage to Woodford Road in the west and the objector has the right and the ability to construct and take access to Woodford Road along this frontage, in the form of a full ghost island junction. However, adequate provision for a full junction, in respect of land take or sight lines has not been made in the current Scheme design. The loss of the ability to create a ghost island junction on this stretch of Woodford Road could not be satisfied by compensation. There should therefore be a connection of Woodford Road into the A6MARR in accordance with the Plan set out in SMBC's original public consultation exercise on junction options¹⁰⁷.
- 4.47 The design of the proposed field crossing for Footpath 31 fails to take into account the objector's rights and would need to be redesigned to address this, should the Orders be confirmed¹⁰⁸. The objector has rights which exist over the land which has been transferred to the HA¹⁰⁹ and the HA also has rights over the land retained by the objector¹¹⁰. Those rights are currently in the process of being registered at the Lands Registry¹¹¹. The objector has the right to go north/south over the HA land over the full width of the existing old roadway and

¹⁰⁶ Plan attached to Doc OBJ/22/1

¹⁰⁷ Pages 394-399 of Exhibit MK6 in Doc OBJ/22/2

¹⁰⁸ Page 545 of Exhibit MK7 in Doc OBJ/22/2

¹⁰⁹ Pages 495-509 of Exhibit MK6 in Doc OBJ/22/2

¹¹⁰ Pages 495-509 of Exhibit MK6 in Doc OBJ/22/2

¹¹¹ Various papers in Exhibit MK6 in Doc OBJ/22/2 refer

to construct a road to full Local Authority adoption standard, with a full ghost island junction at Woodford Road to the north. The Scheme makes no provision for these rights, even though SMBC was always aware of them¹¹².

- 4.48 The objector's interests would be seriously prejudiced if the Orders were confirmed as currently proposed, as there would be a failure to provide satisfactory access. Without adequate access there would be no ability to develop the land, and therefore no development value. As at Clay Lane, loss of future development value would not be recoverable in the compensation process, only an element of hope value. A failure to provide an adequate access would therefore contravene the objector's rights under the Human Rights Act and the Convention.
- 4.49 In addition, the CPO seeks to acquire rights of drainage from the A6MARR to a pool to the south of the Scheme, when that pool actually drains to the north; and the Scheme would also sever drainage to the north without making provision for any alternative drains. Furthermore, the CPO proposes to acquire Plots 4/10 and 8/4L, but does not include all of the Kingsley land at these locations, leaving areas severed, unusable and land locked.
- 4.50 Mr Kingsley does not wish the Scheme to be delayed or withdrawn and would therefore agree to the Orders being confirmed in part, under the provisions of s259 of the Highways Act 1980¹¹³, in respect of those parts of the Scheme which are not directly affected by his objections. In effect, this means that all of the Kingsley land shown on Site Plan 8 should be excluded from the CPO at this stage; along with all of the proposed land take shown on Site Plan 3, from Poynton-with-Worth Footpath No. 3 (but not including it) to the western end of that plan, and all of the proposed land take shown on Site Plan 4 between the eastern cut line and the eastern side of the West Coast Mainline¹¹⁴.
- 4.51 The Scheme could then proceed while sufficient time is taken to achieve a satisfactory resolution of these remaining objections. A recommendation to this effect should be made to the Secretaries of State. If this is not acceptable, the Orders should not be confirmed and he should be awarded Costs¹¹⁵.

**Mr David Hall, Mr R Hall, Ms S Allen & Mr Douglas Hall (OBJ/23)¹¹⁶
- represented by Mr J Seed**

- 4.52 Mr David Hall runs a major farming business from Mill Hill Farm, Woodford Road, Poynton with the partnership (Hall Brothers) owning about 80 ha (200 acres) and Mr David Hall renting, in his own name, about 120 ha (300 acres). In terms of owned land, the field which would be affected by the Scheme extends to some 3.37 ha (8.33 acres), of which 0.5 ha (1.23 acres) are included within the CPO.
- 4.53 These objectors are concerned at the extent of the land proposed to be taken, both on a permanent and a temporary basis, to provide for bunding, environmental mitigation works and pedestrian, cycling and equestrian traffic. SMBC has not demonstrated that these additional lands and routes would be

¹¹² Various papers in Exhibit MK2 in Doc OBJ/22/2 – for example, pages 205-209

¹¹³ CD 4008

¹¹⁴ Doc OBJ/22/16

¹¹⁵ Exhibit MK8 in Doc OBJ/22/2

¹¹⁶ CD 2106 and Docs OBJ/23/01-02

required for, or be critical to, the purpose of constructing the A6MARR and its cuttings and embankments. The objectors are also concerned about significant noise impact on the farmhouse and bungalow at Mill Hill Farm, and the absence of mitigation measures proposed by SMBC.

- 4.54 The objectors fully support the objection submitted by Ms H Mort and Family (see OBJ/21 above) with regard to the location of the proposed accommodation bridge which is intended to provide access to the land which Mr David Hall rents from those objectors. It is essential that access should be maintained to all parts of the farming operation during the construction phase, but SMBC has not been able to demonstrate that sufficient measures would be in place to preserve that access.

Mr D M Westbrook (OBJ/25)¹¹⁷

- 4.55 Mr Westbrook is a statutory objector to the SRO living at Chester Road, Poynton. He considers that the Scheme would not address what he refers to as an accident black spot at the Woodford Road/Chester Road junction. The proposed introduction of a traffic signal controlled junction onto Chester Road is not necessary. From a safety point of view priority should still be given to the Chester Road traffic, not traffic leaving the A6MARR. In addition, traffic should be kept moving on Chester Road and westbound traffic on Chester Road should be moved away from housing as soon as possible.
- 4.56 In the vicinity of his home the Scheme would have a relatively short length of road between the proposed traffic signals and the adjacent housing. This means that it is almost inevitable that there would be standing traffic outside houses, including 40 ton juggernauts. This standing traffic would lead to more air pollution and extra traffic noise associated with accelerating and decelerating traffic. The A6MARR should not lead to more housing being affected by increased air and noise pollution.
- 4.57 A preferable junction arrangement would be to introduce traffic lights at the Woodford Road/Chester Road junction, along with a new link to the A6MARR at the proposed Oil Terminal gyratory junction. This proposal has been drawn up by SMBC, on Mr Westbrook's behalf, and is referred to as Option 1¹¹⁸. This would provide a high capacity junction which should require no more land than the approved Scheme, and could even require less. It would assist the movement of traffic out of Woodford Road onto Chester Road, with a consequent reduction in the number of accidents; would move traffic off Chester Road and onto the A6MARR sooner; and would help to limit the number of homes affected by standing traffic and air and noise pollution.
- 4.58 This alternative has, however, been rebutted by SMBC. Amongst other things SMBC has criticised the Option 1 proposal because of the angle of some of the approach lanes. However, there are angled approaches at the existing Woodford Road/Chester Road junction, and this could be adding to the accident rate at that location. Under Mr Westbrook's proposal this junction would be traffic signal controlled, which would improve safety.

¹¹⁷ CD 2106 and Docs OBJ/25/01-03

¹¹⁸ Appendix A to Doc MBS/REB/25/1. Note that in this Appendix, the layout is incorrectly referred to as "Option 3"

- 4.59 SMBC comment that a disadvantage of Mr Westbrook's proposal is that the driveways of some properties would be onto the junction itself. But residents of these properties already have problems entering Chester Road, and they have all made provisions within their driveways to be able to turn their cars round so that they can enter the main road in forward gear.
- 4.60 Whilst accepting that he is not a qualified Civil Engineer, Mr Westbrook expresses concern that in the SMBC version of his proposal the traffic signals appear to have been set back a long way from the junctions, increasing line of visibility problems; that very wide pedestrian islands have been introduced; and that an extra traffic lane appears to have been introduced. Furthermore, although there are substantial areas of council owned grass verge on the approaches to the Woodford Road/Chester Road junction, SMBC has said that Option 1 would require the purchase of even more land. This is probably due to the extra traffic lane previously mentioned.
- 4.61 If Option 1 is not to be adopted then a further alternative layout (drawn up by SMBC and referred to as Option 2¹¹⁹), should be preferred to the approved Scheme. However, SMBC has also rebutted this Option. Again it appears that SMBC has assumed an extra lane of traffic in this design, thereby requiring more land. This option would only directly affect a small number of properties, and would accommodate a longer length of standing traffic before it is adjacent to houses, thereby reducing the impact of air and noise pollution.
- 4.62 The landscaping and noise bunding, proposed to the western side of the access road from Chester Road to the A6MARR would be rendered unnecessary as and when the proposed Poynton Relief Road is constructed. This part of the Scheme lies close to the boundary between CEC and SMBC, but there appears to be a lack of co-ordination between these 2 authorities. The A6MARR should not go ahead independent of the Poynton Relief Road scheme.
- 4.63 The Option 2 layout would be more akin to the proposals for a new road scheme which were in place in 1993 when Mr Westbrook bought his home, than is the case with the currently approved Scheme. The changes introduced by the current Scheme would increase adverse environmental impacts to a number of houses in terms of air and noise pollution, compared with the original MALRW, Poynton Bypass and A6(M) proposals. If the Scheme objectives are to be met, the junction should be redrafted along the lines of Option 1 or Option 2.

Mr P & Mrs L Lawson (OBJ/30)¹²⁰ – represented by Mr J Seed

- 4.64 Mrs Lawson is the freehold owner and, with her husband, occupies a detached dwelling-house at Woodford Road, Bramhall which has grazing with stables and outbuildings which are used by the Lawson family for their horses. Mrs Lawson's land ownership extends over about 1.75 ha (4.38 acres), with the Scheme requiring 0.1 ha (0.25 acres) of land at the northernmost point of her ownership. In addition a further 0.03 ha (0.08 acres) of land is needed to aid the construction and although included within the CPO, would only be required temporarily. The land would be needed to form an embankment for the A6MARR which would run in cutting at this location.

¹¹⁹ Appendix C to Doc MBS/REB/25/1

¹²⁰ CD 2106 and Docs OBJ/30/01-02

- 4.65 The property has stables for 4 horses, together with other outbuildings, and the existing land area is only just sufficient to service these 4 horses. This means that whilst the loss of 0.1 ha would not be significant for a larger holding, in this particular case the proposed land take would be critical. The reduction in grazing capacity means that the appeal of the property to equestrian users would be marginal, making the property very difficult to sell. This is not an issue that could be remedied by compensation.
- 4.66 The problem could be mitigated by extending the existing retaining wall at the northern property boundary; providing an acoustic/noise fence to obviate or reduce the extent of bunding; limiting the grading of the bund; providing replacement land from the land to be acquired to the east of the property; or a combination of any or all of the above. Concerns are raised regarding the proposal to take land on a temporary basis as SMBC has failed to demonstrate that the land in question would be returned in the same condition and status (including levels), as exists prior to entry.

Mr M & Mrs C Freedman (OBJ/32)¹²¹ – represented by Mr J Seed

- 4.67 Mr and Mrs Freedman own the long leasehold interest in 86 Albany Road, a dwelling-house sited at the head of a residential cul-de-sac. In order to create a pedestrian and cyclist connection from Albany Road into the exchange land public open space, it would be necessary to acquire land from these objectors and construct a pathway.
- 4.68 This would effectively halve the usable width of their driveway, which is already awkward to access, and would inhibit the vehicular access to the property. Even if a vehicle was still able to access the property (which is not accepted), this could not be achieved without a significant re-landscaping of the frontage to the property including the removal of a wide mature beech hedge along the boundary between 86 and 84 Albany Road. An existing gateway should be used to provide an alternative access to reach the exchange land to the south. This would also provide improved visibility for cyclists approaching Albany Road from the new path, and provide a better and safer route for cyclists travelling either to or from the A6MARR.
- 4.69 The public open space adjacent to the objectors' boundary would be narrow, covered in trees and have only the one access point, adjacent to their driveway. Over time, the trees would begin to overshadow their garden and make it feel very enclosed. In addition, this public open space would attract undesirable individuals and anti-social behaviour in a very closed-in "open space" which is also adjacent to the Queensgate Primary School's boundary.

Mrs A Rowland (OBJ/35)¹²²; Mr D C Jones & Mr R A Jones (OBJ/36)¹²³; and The Fielding Family (OBJ/37)¹²⁴ – all represented by Mr J Seed

- 4.70 These objectors, all have an interest in the existing access track which runs parallel to and to the north of the A555. Mrs Rowland owns a paddock of some 1.65 ha (4.08 acres) which is currently occupied by the Jones brothers and which

¹²¹ CD 2106 and Docs OBJ/32/01-02

¹²² CD 2106 and Docs OBJ/35/01-02

¹²³ CD 2106 and Docs OBJ/36/01-03

¹²⁴ CD 2106 and Docs OBJ/37/01-02

is served by this track. These latter objectors own land at Longfield Farm to the south of the A555, with the only access to this land being the aforementioned track, which was provided at the time of the construction of the A555. There is no PRow along this track. The CPO seeks to acquire some 0.08 ha (0.19 acres) of land from the Jones brothers.

- 4.71 The Fielding Family own and farm a substantial acreage in the locality and the CPO affects a field extending to some 7.3 ha (18 acres), accessed by this track. SMBC evidence indicates that the Fielding Family does not own the track in question, but does have a right of way over it. Under the Scheme proposals this track would be acquired and upgraded to a public bridleway and cycleway, linking into Footpath 16.
- 4.72 All of these objectors are concerned about the impact of introducing a bridleway onto this track, which is the only access to their respective areas of land. On behalf of the objectors Mr Seed submitted measurements of the width of the track and accompanying photographs, which he contends show different dimensions to those assumed by SMBC¹²⁵.
- 4.73 The existing track is not wide enough for modern agricultural traffic, with insufficient width for modern farm machinery and other traffic to pass along the existing track. Introducing new pedestrian, cycle and equestrian traffic onto this track would create a safety hazard which would offend one of the key objectives of the Scheme. Standards for recommended widths of bridleways have not been considered in the Scheme design process.
- 4.74 An alternative proposal is put forward, involving the provision of a new track within the objectors' landholding, immediately to the north of the line of the existing hedge between the track and land affected by the Scheme. This new track would be used solely by the objectors for agricultural and equestrian purposes, and would be maintained at their expense. This would leave the existing track (other than at its opening from Hall Moss Lane) to be used solely by new pedestrian, cycle and equestrian traffic. This would address all safety concerns as the opening at Hall Moss Lane could be widened as necessary.
- 4.75 The cost of a new 3.2m wide agricultural track, to include a new fence to the retained land, would be in the region of £25,000 to £34,000, whereas the injurious affection compensation arising out of a restricted access track servicing these objectors' land is estimated to be in excess of £150,000. The SMBC proposal to widen the track by 1m would not provide sufficient overall width for horse riders.
- 4.76 In addition to the above, the Orders are defective as they do not correctly reflect the access arrangements that exist between the Jones brothers' land and that owned by Mrs Rowland. Confirmation of the Orders would be premature while the status of the track and the associated mitigation measures remain unclear. SMBC has failed to make a compelling case for the inclusion of the full extent of land involved in both permanent and temporary land take. Accordingly, the CPO should not be confirmed on the lands in question.

¹²⁵ Doc OBJ/36/02

Mr C Shenton (OBJ/38)¹²⁶ – represented by Mr J Seed

- 4.77 Mr Shenton farms in excess of 202 ha (505 acres) in the area, both owned and tenanted. The land affected by the Scheme in this locality extends to about 12.5 ha (31 acres), of which some 2.92 ha (7.22 acres) are covered by the Orders. Mr Shenton is concerned about the extent of the land take proposed, and the impact of the Scheme on his retained land.
- 4.78 Mr Shenton is particularly concerned about the proposal for a “new equestrian and cycleway” use for the existing access track which runs along both sides of the A555, and for the existing Spath Lane Bridge over the carriageway. This track and bridge were not designed to accommodate additional pedestrian, cycle or equestrian traffic and any such intensification of use would conflict with existing farm traffic and result in a safety hazard that would be in conflict with one of the Scheme’s key objectives.
- 4.79 Modern agricultural machinery and equipment continually increases in size, and the bridge, in particular, has insufficient width to safely carry additional cycling or equestrian traffic. These issues could not be resolved by the provision of passing places, as proposed by SMBC. Standards for recommended bridleway widths have not been considered in the Scheme design. Mr Seed submitted details of the width of the track and accompanying photographs which he argues show different dimensions to those assumed by SMBC¹²⁷.
- 4.80 There are problems implicit in the proposed design of the junction at the southerly end of Spath Lane Bridge, where a new pedestrian/cycle/bridleway route would enter from the east. Adequate gating would need to be provided to prevent stock running onto the new track. Some of the effects of permanent land take could be mitigated if Footpath 81 was to be routed along the western perimeter of the field, obviating the need for stiles and kissing gates. This would have no adverse safety implications as footpaths already cross and/or run close to existing highways at this location.
- 4.81 Mr Shenton is also concerned about land drainage as he has suffered from poor drainage arising from the earlier construction of the A555. To avoid unnecessary and inequitable costs for Mr Shenton, SMBC should confirm responsibility for future maintenance and repair of all new land drainage under or adjoining the carriageways, and also drainage for highway embankments.
- 4.82 A final point of objection relates to the temporary land take proposed for a site compound (Plots 74A and 74B). This land is used as an isolation field for cattle under a high health scheme. SMBC has tabled a revised proposal which would just use the top end of this field as the compound, but this would still lead to Mr Shenton incurring significant additional time costs managing cattle in that field. As SMBC has indicated that it would not compensate claimants’ time incurred as a result of the Scheme, this proposal is wholly unacceptable.

¹²⁶ CD 2106 and Docs OBJ/38/01-03

¹²⁷ Doc OBJ/38/02

Mr A de Coninck (OBJ/39)¹²⁸

- 4.83 This objector owns Plot 7/7¹²⁹ which is an area of woodland located adjacent to and south of the A555. It was originally intended to acquire this land in order to provide a replacement bridge for the crossing of Spath Lane over the A555, carrying vehicular and pedestrian traffic. However, since the Orders were published, further design work has been undertaken that has determined that the existing bridge could be retained. This means that Mr de Coninck's land is no longer required for the Scheme, and is therefore proposed to be removed from the CPO under Modification CPO Mod 7A (see later).
- 4.84 Notwithstanding the proposed removal of Plot 7/7 from the CPO, Mr de Coninck still chose to appear at the Inquiry to raise some general and non-specific objections covering such matters as the overall cost of the Scheme and the technical competency of the Scheme designers.

Mr S Houston (OBJ/50)¹³⁰

- 4.85 Mr Houston is a non-statutory objector to the Orders, who appeared at the Inquiry as Chair of the Poynton Against Unnecessary Links to the Airport (PAULA) Residents' Group. His principal objections relate to the likely impact of the Scheme on air quality, and he criticises the air quality assessments undertaken on behalf of SMBC. In addition, PAULA commissioned Air Quality Consultants (AQC) to undertake a review of the air quality evidence in the ES and that presented to the Inquiry in support of the Scheme. The AQC review also drew on additional information procured by PAULA through a Freedom of Information (FOI) request made in August 2014¹³¹.
- 4.86 AQC maintain that insufficient information has been provided in the ES to determine whether the calculations have been carried out correctly. The proposed enhanced mitigation measures are assumed to suppress traffic growth on the A6 through Disley, from 30% without the measures, to about 11-16% with the measures; and are also assumed to bring about a reduction in traffic speed through Disley from 41kph to 26kph. However, this reduction in speed would lead to an increase in emissions per vehicle which would counteract the reduction in total vehicle flows, suggesting that the currently proposed mitigation would not be appropriate and would, in fact make air quality worse.
- 4.87 The ES fails to acknowledge the scale of the impact on the Disley AQMA and the Disley Air Quality Action Plan. In Disley, the Scheme would lead to a substantial adverse impact on NO₂ concentrations; would lead to a possible extension of the AQMA; and would also give rise to exceedences of the 1-hour objective, which is not currently exceeded. The majority of the benefits of the Scheme would fall within the Greater Manchester EU compliance agglomeration, whereas the disbenefits would occur in the North West and Merseyside Zone.
- 4.88 SMBC's assessment of air quality has used the receptor method to the near exclusion of methods promoted by the Air Quality Directive. Potential breaches of the Directive, such as the exceedences along the existing A555 have not been

¹²⁸ CD 2106

¹²⁹ Originally noted in the CPO, incorrectly, as being owned by Hillcar Lodge Limited

¹³⁰ CD 2106 and Docs OBJ/50/01-05

¹³¹ Doc OBJ/50/02

properly identified and analysed. Predictions of the calculated change in NO₂ levels due to the 30% traffic increase in Disley are abnormally small, which may point to an error in the calculation or the underlying parameters.

- 4.89 Further estimates of the pollution increases in Disley, using different emission models gave surprisingly inconsistent results and this casts doubt on the reliability of the conclusion that the Scheme leads to a reduction in air pollution. Concerns are also raised about the assessments in the ES regarding Queensgate School.
- 4.90 The potential breaches of the Air Quality Directive caused by the Scheme make any "Phase 2" extension to the M60 motorway a less likely proposition. There would be no advantage in aligning the A6MARR road through Carr Wood without Phase 2. Re-routing the Scheme to the south of this wood would provide a minimum 50-150m buffer zone to protect the ancient woodland, as advised by the Woodland Trust, and would have several additional advantages.
- 4.91 Amongst other matters such an alignment would mean that 3 junctions could be reduced to 1, and would allow the large, heavy flows between High Lane and Poynton to follow a slightly shorter route. It would also allow for a bridge over rather than under the railway, offering safety and construction advantages, and would avoid blighting properties on the A6. Such an alternative alignment would also allow the Scheme to be extended beyond the A6 without demolition of houses (contrary to SMBC's assertion), as the gap between the houses on the A6 is comparable to that between the houses on the A5102.

Mr G Willman (OBJ/51)¹³²

- 4.92 Mr Willman is a non-statutory objector to the Orders, living at High Lane, Stockport. He raises a number of objections to the Scheme as a whole.
- 4.93 The traffic modelling for the SEMMMS Scheme is defective and not fit for purpose. Inappropriately, for a scheme of this magnitude and cost, this traffic modelling has never been examined outside SMBC, let alone independently checked in the public interest. The whole Scheme should therefore be called in for a public inquiry.
- 4.94 The Scheme could be regarded as a "funnel" in shape, with the A6 being the "spout". But a funnel cannot work if the spout is blocked. The traffic modelling predicts that traffic volumes on the A6 would increase by up to about 30%, but SMBC accepts that such an increase would not be acceptable or desirable. However, SMBC has produced no sensible evidence to show how such an increase would be reduced to a very specific "11-16%" as a result of some "enhanced mitigation measures", as stated in the SMBC SoC. This specific reduction is a pre-condition of the Scheme being built at all.
- 4.95 Specific "enhanced mitigation measures" must have been formulated at the time the SMBC SoC was produced, otherwise it would not have been possible to arrive at the "11-16%" figure. However, SMBC has not explained what this package of measures consists of. SMBC's response that it is not necessary to know the exact details of the mitigation measures at this stage, as it is the impact of any

¹³² CD 2106 and Docs OBJ/51/01-04

such measures that is important, is not accepted. There never have been any "enhanced mitigation measures" and the SoC as drafted, is therefore in error.

- 4.96 SMBC has been asked to reformat its data to a 5 minute video display to show whether these "mythical" mitigation measures would be able to reduce this predicted increased traffic flow on the A6, to the "11-16%" increase alleged by SMBC. This video simulation could easily be facilitated at little cost by a real-time micro-simulation model such as PARAMICS¹³³.
- 4.97 However, SMBC has categorically refused to provide such transparency of evidence, preferring instead to produce a myriad of convoluted documentation. SMBC does not appear to be acting as a public body, with the attendant duties required of such a body, but is proceeding as a private developer with no responsibility to the public.
- 4.98 This is a political scheme which would destroy the Peak District National Park as it would suck goods traffic from the east coast ferry ports direct to the "Airport Road" that is this Scheme, even though such traffic is already catered for within the parameters of the existing motorway network. SMBC should be required to produce video evidence such as PARAMICS, which is not uncommon at such Inquiries. Such a video display would show quite conclusively that this Scheme should not be allowed to be built in its present form and should, in any event, be independently investigated in the public interest.
- 4.99 Mr Willman also criticises other aspects of the Scheme development process, alleging a lack of understanding of the traffic modelling process by some of SMBC's own witnesses; conflicting explanations as to which traffic movements would be dissuaded from using the A6 by the enhanced mitigation measures; the fact that the public demonstration of the traffic modelling process did not show anything to the few members of the public who attended; and that despite SMBC's refusal to use the PARAMICS model to demonstrate the operation of the enhanced mitigation measures on the A6, the use of this model is clearly supported by Transport for Greater Manchester (TGM).

Matters raised by objectors in written representations

- 4.100 Mr P Gwinnett, Peak Group (OBJ/06)¹³⁴. Mr Gwinnett submitted an objection to the CPO on behalf of the Peak Group of Companies, of which he is the Group Managing Director. The Peak Group own the freehold of a former sausage factory on the A6, together with the land located nearby, which lies in the line of the proposed A6MARR.
- 4.101 The Scheme would have a major effect on the company's multi-tenanted business, in particular, all car parking would disappear and several of the tenants would lose their units. An old wooden building which has been occupied for over 10 years, should be rebuilt elsewhere upon the site, and several other tenants that also occupy the same land should be re-housed. Should this not be possible it would put the company in an impossible position as a result of the site being landlocked, coupled with the loss of buildings and rent.

¹³³ PARAMICS: a road traffic simulation modelling package used to analyse present and future traffic conditions

¹³⁴ CD 2106 and Doc OBJ/06/01

- 4.102 Klondyke New Ltd and William Strike Ltd (OBJ/09 & OBJ/10)¹³⁵. Klondyke New Ltd is the owner of the freehold interest in land to the east of the A523 Macclesfield Road, which operates as Brookside Garden Centre. The land is leased to William Strike Ltd who operates the garden centre. Together they have lodged objections to the CPO.
- 4.103 Land proposed to be acquired for the Scheme would affect the existing vehicular and pedestrian access point into the garden centre, such that if the CPO were to be confirmed in its current form it would remove all of the access points and render the retained land inaccessible and landlocked. The garden centre also includes a number of ancillary uses, all of which would be rendered worthless if the Scheme was to proceed. The Scheme would also remove an area of essential car parking. The amount of car parking which would remain would severely restrict the number of visitors to the garden centre, thereby substantially affecting the ability of the business to function successfully at this location in the future.
- 4.104 Preliminary discussions have taken place with the Local Authority's highway engineers but these have not, as yet, reached a satisfactory conclusion. The proposals discussed to date would involve the demolition of substantial, fully occupied buildings which currently generate a large income, and there is no alternative location available to relocate the existing buildings on the retained land. Accordingly, the CPO should not be confirmed unless SMBC produces more detailed proposals to deal with the issues detailed above.
- 4.105 Mr C Krystek & Mrs U Krystek-Walson (OBJ/12); Mr & Mrs Deen (OBJ/13); Mr & Mrs Hadfield (OBJ/15); Mr & Mrs Hunt (OBJ/16); Mr & Mrs Burke (OBJ/17); and Mr Clayton & Mrs Hayward (OBJ/18)¹³⁶. These objectors all live at properties on Macclesfield Road, to the north of the proposed junction with the A6MARR, and are all statutory objectors to the SRO. Like Mr and Mrs Gilchrist and Mr Barson and Ms Whittingham (see paragraphs 4.18 to 4.26 above), they have all objected to both options put forward by SMBC for this junction (Options 1 & 2), and have also raised other concerns, alleging a lack of consideration to the Council's residents throughout the planning period. The matters raised in common with the earlier objectors are not repeated here.
- 4.106 Mr & Mrs Deen maintain that the current single-lane road would become a 7-lane crossroads which would have an adverse impact on pedestrian accessibility and on pedestrian and cyclist safety. The consultation exercises are criticised, and any statements of support for the Scheme have to be seen in the light of what was a low turnout. The travel time savings of up to £825 million and the total transport economic efficiency benefits of £858 million, both over a 60 year period are questioned and are "sweeping predictions". The assertion that the necessary CPO tests would be met is also questioned. Increased traffic on the A6 at High Lane and Disley is a concern for any road user forced to travel on this already established bottle-neck.
- 4.107 The traffic reductions predicted for Macclesfield Road, between the A6MARR junction and the Rising Sun at the A6, are disputed, and opportunities for safely manoeuvring on and off driveways would be non-existent, especially at peak

¹³⁵ CD 2106 and Docs OBJ/09/01 and OBJ/10/01

¹³⁶ CD 2106 and Doc OBJ/13/01

- periods, in view of the presence of 2 sets of traffic lights in fairly close proximity. SMBC has not taken the objectors' safety concerns seriously enough. Finally, they express doubts that the Scheme would have a highly positive impact or that it would boost prosperity in the region, both as claimed in the SMBC SoC.
- 4.108 Mr & Mrs Simumba (OBJ/29)¹³⁷. These objectors each own a small plot of land off Moorland Golf Course, Woodford Road Bramhall. They maintain that the A6MARR is not needed as existing roads are adequate and the proposed road would cause traffic blockage at the A6 and Woodford Road. However, if it is decided that the new road is needed, previous proposals which avoided taking these 2 plots would be perfectly adequate and should be reverted to.
- 4.109 The A6MARR would be too close to the houses on Albany Road and would create unacceptable noise, vibration, artificial light, smell, smoke and fumes. There would also be discharge of solids and fluids onto their land, and because of this the line of the A6MARR should be moved further from this residential area. The Scheme in its current form should not be recommended for approval to the Secretaries of State.
- 4.110 Mr A & Mrs M Romagnoli (OBJ/31)¹³⁸. These are non-statutory objectors living in Albany Road, Bramhall. They strongly oppose the construction of the Scheme and raise a number of general, largely non-specific objections, covering pollution, especially affecting children at the school on Albany Road; noise; congestion of Bramhall village and surrounding areas; loss of Green Belt affecting wildlife; and concerns about their health, as a result of dust and pollution. The Scheme would result in a significant decrease in property values in the immediate area and should not be approved.
- 4.111 Mr Worthington & Mrs Broadhead (OBJ/33)¹³⁹. These objectors own land needed for the Scheme on both a temporary and a permanent basis. Whilst not objecting to the principle of the Scheme, they maintain an objection on the grounds that they have not yet reached agreement for the sale of their land to SMBC, despite negotiations going back more than 12 months.
- 4.112 Although the land is currently used for agriculture, the objectors' long-term aim is to develop their larger land-holding for residential use, given the inherently residential nature of the surrounding area. They accept that the land is not currently zoned for development, but would not dispose of the land in the "no Scheme world" unless they could achieve an uplift in value to reflect the potential development, and/or sell subject to overall provisions.
- 4.113 Mr P & Ms M Darnell (OBJ/34)¹⁴⁰. These objectors own some 1.2 ha (3 acres) of pasture land accessed from the same accommodation track that serves the Rowland, Jones and Fielding Family land referred to earlier, and they raise very similar objections.
- 4.114 Mr A & Mrs V Walker (OBJ/42)¹⁴¹. Mr & Mrs Walker are owners and operators of a children's day nursery (Little Acorns Day Nursery) located close to the current

¹³⁷ CD 2106

¹³⁸ CD 2106

¹³⁹ CD 2106

¹⁴⁰ CD 2106

¹⁴¹ CD 2106

termination of the A555 and the junction of Wilmslow Road. The Scheme requires the permanent acquisition of some 0.09 ha (0.23 acres) of land which currently comprises a grassed area used as recreation space by children at the nursery. The land also accommodates a demountable classroom building.

- 4.115 This land is critical to the functioning and viability of the Nursery business, which employs 57 people. There is no alternative land available on the property to replace the part of the playing fields/area in question, and this loss could not be dealt with by compensation alone. The extent of land take is exacerbated by the provision of a new footway/cycle way, which could be relocated elsewhere. SMBC has failed to show any compelling case to take land for the purposes of pedestrian and cycle routes and bridleways which are not required for, or critical to, the purpose of constructing the A6MARR. The land required for these routes should therefore be deleted from the CPO.
- 4.116 Mr & Mrs R Hankinson (OBJ/43)¹⁴². These objectors own Beech Farm, Hollin Lane, Styal, a property consisting of some 16 ha (40 acres) of agricultural land. Beech Farm has been subject to compulsory purchase previously, with land being acquired both for the railway into Manchester Airport and for a previous version of this scheme.
- 4.117 The views of local people should have been given more consideration during development of the Scheme. The current preferred route option for the A6MARR is based upon flawed and bogus information. The route has been chosen to avoid an area of local woodland, but this is little more than a piece of wasteland, having neither character nor importance to the local community. They have never been made aware of the benefit/cost assessment of the Scheme. They are particularly concerned about the proposed diversion of Footpath 7 as this may give rise to potential trespass issues across their land. They also have concerns about how a mobile phone mast on some of their severed land would be accessed during the construction period and afterwards.
- 4.118 Land which is only required temporarily should be obtained through a licence, rather than the plots being included in the CPO. Detailed Heads of Terms to address this matter are being discussed with SMBC but no resolution has been achieved to date. They are concerned that land needed for construction purposes could be out of their control, and unavailable for farming, for anywhere between 13 and 35 months. They object vehemently to the height of the railway bridge proposed to be constructed adjacent to the north-west corner of their land as it would be over 3m higher than is necessary, with a clearance some 3m higher than that of the Styal Road Bridge.
- 4.119 Mr and Mrs Hankinson object to having to share a PMA off the A6MARR as this would lead to a neighbour effectively owning a "ransom" strip of land. An objection is also maintained on drainage matters, until it can be demonstrated that a suitable drainage system would be in place to drain the objectors' land.
- 4.120 W Nixon & Sons (OBJ/44)¹⁴³. These objectors have an extensive agricultural operation plus a slaughter house and farm shop, centred on Outwood Farm, to the east of the Styal Railway Line. In order to construct the proposed A6MARR

¹⁴² CD 2106 and Docs OBJ/43/01-02

¹⁴³ CD 2106 and Docs OBJ/44/01-03

about 1.61 ha (3.97 acres) of this land would be required, with some 1.43 ha (3.53 acres) of this only needed during the construction stage.

- 4.121 The CPO should seek to minimise land take, but the landscaping proposals go beyond what is reasonable for the Scheme. It is suggested that land on the west side of the railway, in the control of Manchester Airport, would be a better location for topsoil storage purposes than the objectors' land currently proposed for this purpose. Contrary to SMBC's assertions, the Nixon family has met on 3 occasions with SMBC representatives. To say that the family has not been happy to hold further meetings is incorrect.
- 4.122 The main access to the farm is along Bolshaw Road, but road calming measures and the residential nature of the area make it difficult for customers and suppliers to easily reach the premises. The Scheme would present an opportunity to provide a direct access into the objectors' land from the eastbound carriageway. Such a vehicular access is proposed for neighbouring landowners to the immediate southern edge of the objectors' land, so to not provide such an access for W Nixon and Sons would be inequitable. The provision of such an access would assist with SMBC's desire to promote local food culture and would represent an opportunity to help the objectors maintain their business and service to the public in a more sustainable fashion, with resulting benefits to the local residents and road users.
- 4.123 B & K Dumville (OBJ/45)¹⁴⁴. These objectors to the CPO hold the tenancy of Primrose Cottage Nursery and Garden Centre at Ringway Road, and have done so since 1958. The CPO seeks to acquire land which currently contains the main greenhouses, plant beds, vegetable growing area, potting and compost area, car parking and HGV turning area. The Scheme would take a large proportion of the nursery and would make it very difficult if not impossible to continue to operate.
- 4.124 Capital intensive glasshouses would be affected by the Scheme, not polytunnels as stated within the ES. Concern is expressed regarding SMBC's willingness to properly deal with the mitigation as outlined in the ES. The Scheme would be detrimental to horticultural activities as a result of dust during construction and afterwards, with the ES acknowledging that properties less than 20m from the construction boundary would be considered as high risk sites.
- 4.125 The main access to the nursery is currently from Ringway Road, which would become a service road only, if the Scheme were to proceed. In such circumstances both potential and existing customers would be discouraged from visiting the nursery. As a result of the land take it would also be difficult for HGVs to turn within the premises. A direct access is therefore requested off the A6MARR, in order to mitigate these serious consequences. SMBC has indicated that no new access can be provided off the new road, but this matter should be seriously reconsidered. At the very least, highway signage to the nursery should be provided on the A6MARR. SMBC has simply stated that any advertisement signing should be applied for through MCC as LPA, and could not be catered for through the proposals of the Scheme. This stance is unhelpful.

¹⁴⁴ CD 2106 and Docs OBJ/45/01-03

- 4.126 Ms J Waddicor (OBJ/46)¹⁴⁵. Ms Waddicor is a non-statutory objector to the CPO, living at Poynton. She raises a number of general issues relating more to the principle and justification for the A6MARR than to any specific element of the CPO. The fundamental purpose of constructing this expensive stretch of dual-carriageway, largely through Green Belt, has not been established. It was originally intended to bypass Hazel Grove and connect the M60 and M56 motorways, but is now proposed to stop at the A6 in Hazel Grove. The additional traffic generated by the Scheme, particularly in High Lane and Disley, would make traffic considerably worse. Similar issues would arise on the A34, contradicting the claim that the Scheme would ease local congestion.
- 4.127 SEMMMS was intended to be a multi-modal package of transport measures, only one of which was a road. The public consultation exercises held for the Scheme are criticised and the Scheme does not have overwhelming support, as SMBC claim. The status of Carr Wood was misrepresented and would be largely destroyed if the Scheme goes ahead in its current form. The Scheme would be in breach of the Air Quality Directive and it is implausible that the proposed mitigation measures would reduce traffic increases from 30% to 15%.
- 4.128 Mr P Summerton (OBJ/47)¹⁴⁶. Mr Summerton is a non-statutory objector to the Orders living in Disley. He makes non-specific references to what he terms "illegalities regarding this road scheme proposal". He also draws attention to an objection to the planning application for the A6MARR made by the North West Transport Roundtable and the Campaign for Better Transport.
- 4.129 Dr and Mrs A Hufton (OBJ/48)¹⁴⁷. These are non-statutory objectors living at Lower Park Road, Poynton. Like many of the other non-statutory objectors to the Orders, Dr and Mrs Hufton make a number of fairly general objections to the Scheme itself. They refer to noise from the Scheme and object to the loss of Green Belt and the fact that the A6MARR would cut off Dog Hill Green from the rest of the village.
- 4.130 They raise concerns about the various elements of the consultation exercises and state that road development was shown to be the least popular method of solving local transport issues. The current proposal is for the A6MARR to terminate at the A6 in Hazel Grove where it would increase traffic by 30%, in an area that is already subject to air quality management because of emissions. The knock-on effect of this on the Peak District National Park does not seem to have been calculated.
- 4.131 The ancient woodland, which would be largely destroyed by the A6MARR, was misrepresented and an alternative route which would avoid the felling of this woodland and bypass many residential properties was not made public in the consultations. The current Scheme would, if implemented, breach EU Air Quality Directive 2008/50/EC and would increase air pollution along most of its length. Significantly, insofar as air quality is concerned, the A6MARR would run right by the playground of the Queensgate Primary School, Bramhall.

¹⁴⁵ CD 2106 and Docs OBJ/46/01-02

¹⁴⁶ CD 2106

¹⁴⁷ CD 2106

- 4.132 Ms S Oliver (OBJ/49)¹⁴⁸. Ms Oliver is a non-statutory objector to the Orders living at Romiley. She opposes the Scheme and makes a number of assertions about the legality of the way in which planning permission was granted for the Scheme. She also raises general objections, alleging that there are serious illegalities with the road scheme proposals, not least that it would be in breach of EU Air Quality Directives; that the traffic modelling is faulty; and that the Scheme would not deliver what the SEMMMS Final Report recommended.
- 4.133 Ms C Valek (OBJ/52)¹⁴⁹. Ms Valek is a statutory objector living at Old Mill Lane, Hazel Grove. She objects to the A6MARR on the grounds that it would increase traffic at Hazel Grove; would destroy irreplaceable ancient woodland; would destroy green areas, irreplaceably changing the area; and would increase pollution along its entire route. She also maintains that the Scheme is not necessary as it is not difficult to get to Manchester Airport at the present time.
- 4.134 Mr & Mrs Wood (OBJ/53)¹⁵⁰. These are statutory objectors to the CPO, living at Coppice End, from which land would need to be acquired. They have significant reservations about the impact of the Scheme on the amenity of their property, with particular concerns about noise and visual intrusion.
- 4.135 The nearest edge of the A6MARR carriageway would be about 45m from their house and would be raised over the valley at this location. A number of existing mature trees would be removed, which otherwise would have offered screening to the road. The resultant visual and noise impact would be significant for a residential property that currently enjoys a high degree of privacy. Insufficient mitigation measures are proposed to address these concerns. Moreover, the removal of trees would open up a view to the proposed new balancing pond, adversely affecting a currently well-screened view of the property.
- 4.136 The property currently enjoys a very secure position at the end of an access road, but the new road, diverted footpaths, new cycleway and a bridge providing access would severely compromise this existing level of security. The extent of the land take would be exacerbated by the provision of a new footway/cycle way, which could be relocated elsewhere. SMBC has failed to show any compelling case to take land for the purposes of pedestrian and cycle routes and bridleways and the land required for these routes should be deleted from the CPO.
- 4.137 The Woodland Trust (OBJ/54)¹⁵¹. This non-statutory objector points out that ancient woodland is irreplaceable. It is our richest terrestrial wildlife habitat, with complex ecological communities that have developed over centuries, and it contains a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. For this reason ancient woodlands are reservoirs of biodiversity, but because the resource is limited and highly fragmented, they and their associated wildlife are particularly vulnerable to both the direct and indirect impacts of development.
- 4.138 Although the proposed A6MARR would result in a small direct loss of ancient woodland from Carr Wood, the Scheme would radically alter the environment directly adjacent to the woodland and this could result in the on-going

¹⁴⁸ CD 2106 and Docs OBJ/49/01-02

¹⁴⁹ CD 2106

¹⁵⁰ Doc OBJ/53/01

¹⁵¹ Docs OBJ/54/01-02

deterioration of the habitat. This indirect impact has not been addressed in the ES. For this reason coupled with the direct loss of irreplaceable habitat, the Woodland Trust objects to the Scheme in its current format.

- 4.139 Mr P Galligan (OBJ/55)¹⁵². Mr Galligan owns land needed for the Scheme, lying to the south of the Bramhall Oil Terminal. An oil pipeline which runs through his land is needed to be diverted because of the Scheme. The diverted pipeline should follow what is referred to as "Route B"¹⁵³ and this route should be formally accepted by SMBC as part of the CPO.
- 4.140 Insofar as land drainage is concerned, there must be provision for drains to cross underneath the A6MARR¹⁵⁴ from south to north, connecting into the nearest surface watercourse. Assurances about land drainage are sought. An underground carrier main within adjoining landowners' property and adjacent to the A6MARR should be provided and SMBC should be instructed to carry out subsidiary drainage schemes on any land which is affected by the A6MARR.
- 4.141 Footpaths numbered 16 and 19 should be extinguished north of the A6MARR as there is sufficient provision of footpaths in the proposals. Finally, the CPO should provide for mains water supply to be provided to all parts of the severed Galligan land, once the Scheme is completed. Other matters, concerning payment for landowner's and farmer's time, and agent's and valuer's fees are also raised.
- 4.142 Mr P Simon (OBJ/56)¹⁵⁵. Mr Simon is a non-statutory objector to the Orders, living at Glossop in Derbyshire. His objections are to the principle of the Scheme itself, and not to any specific aspect of either the SRO or the CPO. He raises wide-ranging, general concerns covering such topics as procedural matters regarding consultation; incorrect description of the proposed Scheme; energy and climate concerns; environmental impact; the economic rationale; the question of improved airport connectivity; the question of commercial growth against the need for congestion relief; and funding.
- 4.143 Mrs J Hulme (OBJ/57)¹⁵⁶. Mrs Hulme is a non-statutory objector to the Orders, living at Beechfield Road, Stockport. She raises a number of general issues relating to the principle and justification for the A6MARR, including that the Scheme would cut through Green Belt land, leading to ribbon development in the countryside. This would have a detrimental effect on her quality of life as she is a frequent user of the PRoW within the Scheme corridor. The Scheme would also cause destruction and possible deterioration of ancient woodland at Carr Wood.
- 4.144 The Scheme is not needed to provide access to Manchester Airport as there are enough ways to get to the airport already, and the published figure of 69% of overall respondents supporting the proposals does not constitute a large enough endorsement. The Scheme is being brought in piecemeal, with part already built, to reduce the potential opposition. If constructed, it would give rise to more congestion, leading to calls for previously discontinued schemes, such as the link to the M60 motorway and the Disley bypass, to be reinstated. It would

¹⁵² Doc OBJ/55/01

¹⁵³ Plan in Doc OBJ/55/01

¹⁵⁴ Note that on several occasions Mr Galligan wrongly refers to the A6MARR as a "motorway"

¹⁵⁵ Doc OBJ/56/01

¹⁵⁶ CD 2106 and Doc OBJ/57/01

also increase traffic on the very minor roads on which she cycles. Alternative ways of accommodating ever-increasing traffic should be sought.

- 4.145 Stockport Friends of the Earth (OBJ/58)¹⁵⁷. A non-statutory objection from Stockport Friends of the Earth (FoE) was submitted at the Inquiry, not to any specific aspect of the Orders, but rather against the Scheme itself¹⁵⁸. It comments that the SEMMMS report was issued long before the Climate Change Act came into force. No evidence has been provided to show how increased carbon emissions resulting from the A6MARR would stay within national or local carbon budgets.
- 4.146 A full and proper Public Inquiry should be held to examine all aspects of the Scheme, and whether it should be built at all. Reference was made to evidence submitted by Stockport FoE to another Public Inquiry in 2008, which is equally relevant today. Amongst other things this states that climate change is the greatest challenge facing our generation. A more rigorous methodology or tool than the DfT "Carbon tool for local authorities" is required to calculate carbon emissions, and the need to build such a big road is questioned, if behavioural change leads to people switching to different modes of transportation. It is time to get serious about reducing our carbon emissions.
- 4.147 Mr P Taylor (OBJ/59)¹⁵⁹. Mr Taylor is a non-statutory objector living in Hazel Grove. He has submitted a simple, single sentence letter indicating that he wishes to object to the Scheme and the CPO, but provides no further information to support or clarify the nature of his objection.
- 4.148 Dr S Riley (OBJ/60)¹⁶⁰. Dr Riley is a non-statutory objector living at Threaphurst Lane, Hazel Grove. She expresses concern that the volume of traffic on Threaphurst Lane would significantly increase both during the construction process and then once the A6MARR is open to traffic. She understands that Threaphurst Lane and Torkington Road are both proposed to be designated as "quiet zones" with 20 mph speed limits once the A6MARR is opened, but is sceptical that these would operate as planned.
- 4.149 She raises concerns regarding such matters as traffic volume, traffic speed, types of vehicles, suitability of the road, and safety of other road users, including children, horses, farm animals, dog walkers and cyclists. In particular she queries how the 20mph speed limit would be enforced on a daily basis; how local people would be prevented from using Threaphurst Lane as a rat-run for the duration of the construction contract; and how this single-carriageway road, with inadequate surfacing, would cope with increased traffic flows. She is also sceptical of the predictions of future traffic flows on Threaphurst Lane.

5. THE RESPONSE OF SMBC AS ACQUIRING AUTHORITY

- 5.1 SMBC responded to the remaining objections both in writing and by cross-examination of those objectors who chose to present their cases at the Inquiry. SMBC has responded to some of the points of objection by offering modifications

¹⁵⁷ Docs OBJ/58/01-02

¹⁵⁸ As the FoE did not present a witness for cross-examination, I have treated its objection as a written representation.

¹⁵⁹ Doc OBJ/59/01

¹⁶⁰ Docs OBJ/60/01-02

to the Orders. These are set out later in this section. Other objections are simply responded to and rebutted by SMBC, as detailed below.

The material points are:

- 5.2 Harrison Developments Holdings Limited (OBJ/01)¹⁶¹. Occupiers Lane and its verge are owned by Mr Taylor and Sanctioned Property Securities Limited (T&SPS). The objector owns land to the north of and beyond the strip of verge to Occupiers Lane and claims a right of way over the T&SPS land onto and presumably over Occupiers Lane. T&SPS dispute the existence of this right of way¹⁶². Occupiers Lane is a private road which has been treated as a PMA leading off the existing A6. It also carries public footpath 65, which is proposed to be stopped up and replaced by a new path. The effect of the CPO and SRO would be to stop up parts of Occupiers Lane, but the central section is not within the CPO and would remain in the ownership of T&SPS.
- 5.3 On behalf of his client, Mr Houston seeks an extension of the PMA to the boundary of the Easter Cottage land, but this extension would not be required to give access to Easter Cottage, and is not requested by the owners of Occupiers Lane. Nor would it give access to the objector's land. The request for the extension is apparently to ensure that the objector only has one landowner to deal with in seeking access to the land to the north of the lane¹⁶³.
- 5.4 There are 2 gaps in the hedge bounding the objector's land but these are fenced off and, contrary to the objector's assertions, there is no sign of an existing access onto Occupiers Lane. Mr Houston produced no evidence of a right of access in his proof to the Inquiry¹⁶⁴, and under cross-examination was unable to say what the basis of the right of access was. As there is no evidence of a physical means of access, there is no PMA to be replaced.
- 5.5 Whatever ransom value there may be in controlling access to the objector's land it would only be payable once, split between however many landowners actually control access. The highway authority would not be able claim a ransom in respect of its highway and, if the objector was to demonstrate that it had lost a right of access, then it would be entitled to compensation.
- 5.6 In order to comply with the objector's request, SMBC would have to acquire more of the T&STS land to extend the PMA but this would not, in fact, give access to the objector's land. Moreover, even if it did, it would be providing access to land whose right of access is disputed and for the existence of which no evidence has been produced. SMBC cannot acquire land compulsorily on this basis and this request and this objection should be rejected.
- 5.7 In order not to interfere with whatever control T&STS may have in relation to the verge on the north of Occupiers Lane, SMBC has indicated that it would leave a 1m strip between the highway and the land to the north¹⁶⁵. If there is a ransom, it would remain, and if there is a right of way over that 1m strip, then that would also remain.

¹⁶¹ Page 2 of Doc MBS/11/1 and Docs MBS/REB/1/1-2

¹⁶² Paragraphs 6.1-6.7 and 7.1-7.3 of Doc MBS10/1

¹⁶³ Oral evidence to the Inquiry

¹⁶⁴ Doc OBJ/01/01

¹⁶⁵ Paragraph 6.6 of Doc MBS/10/1

- 5.8 Mr M E Simpson & Mrs K O Livesey (The Trustees of Simpson) (OBJ/02)¹⁶⁶. These objectors are Trustees and are not in occupation of any of the land sought to be acquired. Any loss they might suffer could be addressed through the compensation code¹⁶⁷. If the Trustees' land has any development potential (although its Green Belt location suggests that this is unlikely), then this could be recognised in the compensation payable (either by obtaining a s17 Certificate¹⁶⁸ of Appropriate Alternative Development, or by a recognition of "hope" value).
- 5.9 SMBC has demonstrated why these objectors' land is required for the Scheme, why bunding is required for visual and noise mitigation, and why, in a countryside and Green Belt location such as this, mitigation could not be provided by a noise fence¹⁶⁹. The provision of a segregated cycleway/footway alongside the main line of the road is an integral part of the overall Scheme, as is made clear in the objectives and measurable outcomes detailed earlier. All the land sought to be acquired would be required for the statutory purposes.
- 5.10 The location of the bridge to the south of the A6 has been chosen to cater for the footpaths that converge in this area; to cater for the PMA serving Mrs Shirt's land (and also to provide access for Mrs Harrison – see later); and also in consultation with Network Rail¹⁷⁰. A shorter route for some of these purposes would involve a longer route for others.
- 5.11 Whilst the route would be longer than the existing access/footpath from Old Mill Lane into the woodland, the objectors' proposal would lengthen the footpath diversion still further. A single bridge to cater for both sets of movements is a sensible use of resources and a reasonably convenient alternative route both for PMAs and for the PRow. The ramp radii, gradients, widths, surfacing, bridge width and loadings are all designed to the appropriate design standards to be able to accommodate agricultural vehicles.
- 5.12 Insofar as land drainage for retained agricultural land and land used for equestrian purposes is concerned, it is often difficult to chart existing land drainage across private fields, with much of the drainage only discovered during construction. SMBC would intercept every artificial land drain, whether previously identified or not, and pipe it to a suitable outfall. This undertaking is proposed as a contractual term in the Heads of Terms put forward by SMBC¹⁷¹.
- 5.13 Mrs H Harrison (OBJ/04) and Mill Farm Riding School (OBJ/05). Unfortunately a substantial part of the area used by Mrs Harrison for the operation of the Mill Farm Riding School would be required for the construction of the Scheme. The land take, which had previously included land for environmental mitigation, has been reduced prior to making the Orders. The present land take is unavoidable as the land is required for the re-alignment of the A6, but has been kept to the minimum necessary to achieve satisfactory implementation of the Scheme.

¹⁶⁶ Pages 3-6 of Doc MBS/11/1; pages 7-9 of Doc MBS/10/1; and Docs MBS/REB/02/1-2

¹⁶⁷ Section 7 of the Compulsory Purchase Act 1965

¹⁶⁸ Section 17 of the Land Compensation Act 1961

¹⁶⁹ Docs MBS/2/1-2 and MBS/4/1-2

¹⁷⁰ Footpaths FP76HGB, PwWFP62, and FP109HGB

¹⁷¹ This response applies equally to other objectors raising drainage concerns, even if not specifically noted in the SMBC responses

- 5.14 SMBC acknowledges that implementation of the Scheme would result in an appreciable loss of grazing land. It continues to undertake searches for replacement land but to date no suitably convenient land has been identified. Insofar as the development of the Scheme would disrupt Ms Harrison's business, she would be entitled to make a claim for compensation, the quantum of which would be assessed in accordance with the compensation code.
- 5.15 It is not accepted that Mrs Harrison's route towards Mill Lane would be made significantly more difficult, as she already has to cross the busy A6 and ride along it for some distance. Under the Scheme proposals she would have to cross a slightly busier A6 but would encounter very little through vehicular traffic (only buses), together with cyclists and equestrians, on the old A6. To assist the crossing of the re-aligned A6, and to mitigate any inconvenience caused to Mrs Harrison, SMBC would provide a Pegasus crossing at the signal controlled junction, together with a PMA close to the crossing point¹⁷².
- 5.16 The construction works would affect the Wellington Road access, but would be managed to cause as little inconvenience as possible, in accordance with the Construction Management Plan (CMP) required by a condition on the planning permission. Mrs Harrison's concerns regarding such matters as dust and noise during the construction would satisfactorily be dealt with through a Construction Environmental Management Plan (CEMP) which the contractor would have to adhere to.
- 5.17 The track leading off Old Mill Lane into Carr Wood is a public footpath and the land over which it runs is owned by the HA, having been acquired for the earlier road scheme. It is not accepted, however, and it has not been proved, that Mrs Harrison has any rights to drive over this footpath. However, a bridge crossing, capable of taking vehicles as well as pedestrians and horses would be provided in order to enable Mrs Harrison to access her severed land and SMBC has proposed a modification¹⁷³ which would extend that PMA route to the gate in Carr Wood which Mrs Harrison claims to use for access¹⁷⁴.
- 5.18 SMBC acknowledges that there would be an increase in artificial light in the vicinity of Mrs Harrison's home, 1 Red Row. There would also be a modest increase in noise levels to the rear of the property, but a significant reduction in noise at the front of the house. Levels of NO₂ and PM₁₀ would be well below the air quality objectives for both pollutants, with any changes in these levels as a result of the Scheme being negligible. That said, insofar as Mrs Harrison's property would be injuriously affected by the Scheme she would be entitled to claim for compensation under Part 1 of the Land Compensation Act 1973, and this would be assessed on its merits.
- 5.19 Overall, SMBC's approach has been proportionate and reasonable. The land take has been kept to a minimum and SMBC has gone as far as it can to provide alternative accesses for this objector and to address her other concerns.
- 5.20 Mr P Gwinnett, Peak Group (OBJ/06)¹⁷⁵. In order to cross the line of the existing A6, minimise the impact on Carr Wood and avoid residential property it has been

¹⁷² Pages 5-6 of CD 1104

¹⁷³ Page 6 of CD 1104

¹⁷⁴ Pages 10-18 of Doc MBS/11/1, and Doc MBS/REB/4/1-2

¹⁷⁵ Page 19 of Doc MBS/11/1

necessary to route the Scheme through this commercial property. Loss of car parking could be mitigated by the provision of on-street car parking on the old line of the A6 which would become, except for buses, a vehicular cul-de-sac. It has not been possible to identify a location for a replacement building for the one which would have to be demolished, because of Green Belt policy. The objector would be able to claim compensation under the compensation code.

- 5.21 Mrs J Shirt (OBJ/08)¹⁷⁶. SMBC recognises that the Scheme would have a severe impact on the land that Mrs Shirt uses for her business but Plot 2/5B is held on licence from SMBC and the objector has been informed that this licence will not be renewed in February 2015. Mrs Shirt has rented land from both of her landlords for a number of years, but she can have no “justifiable expectancy” that this situation would continue, as is maintained on her behalf by Mr Seed.
- 5.22 Parts of the objector’s land would be needed for storage and compound purposes, but could be handed back under the Crichel Down Rules following completion of the Scheme. SMBC has done all it can as part of the Scheme design to minimise the land take and to provide a reasonably convenient alternative access to the objector’s severed land. However, no access would be available across the construction works into the woodland south of Old Mill Lane during the construction period, although access could be made available in the first few months of the overall construction period, if required. It may also be possible for Mrs Shirt to gain access to some of her land to the south of the railway by means of the existing level crossing which lies a little to the east.
- 5.23 The reason for the location of the bridge has already been explained in the response to the Trustees of Simpson, above, and evidence has been submitted to demonstrate that there was consultation which included Mrs Shirt¹⁷⁷. It is not clear whether Mrs Shirt would have a compensatable interest, as she may not have a sufficient length or continuity of tenure.
- 5.24 Klondyke New Ltd and William Strike Ltd (OBJ/09 & OBJ/10)¹⁷⁸. As it crosses the A523 the A6MARR would pass through a gap created by the Norbury Brook, residential properties on Macclesfield Road and Norbury Hall. This would necessitate taking part of the car park to the Brookside Garden Centre, including the northerly access point which is currently used as an exit only. To replace this northerly access SMBC would improve the southerly access to make it capable of operating as both an entrance and exit. This would provide a reasonably convenient alternative access.
- 5.25 Only land that is directly needed for the Scheme has been included within the CPO and only a small number of parking spaces would actually be lost. The numbers of parking spaces could be partly made up by re-organising the car park¹⁷⁹ and the Garden Centre would benefit from increased passing trade, being positioned close to the junction of the new A6MARR and the A523. The land take is required for the statutory purpose and a suitable and reasonably convenient alternative access would be provided.

¹⁷⁶ Pages 22-24 of Doc MBS/11/1; pages 10-11 of Doc MBS/10/1; and Doc MBS/REB/8/1

¹⁷⁷ Response 08/R11 in Doc MBS/REB/8/1

¹⁷⁸ Pages 25-30 of Doc MBS/11/1 and pages 18-20 of Doc MBS/10/1

¹⁷⁹ SMBC has been working with the objectors’ consultants to look at ways of re-configuring the car park which may involve (at their choice) the loss of the restaurant

- 5.26 Mr & Mrs T Gilchrist (OBJ/11)¹⁸⁰. In addition to raising the concerns common to the Macclesfield Road objectors Mr & Mrs Gilchrist raise a specific issue relative to their own property and the driving manoeuvres that they consider would be made less safe or convenient. Their concern with respect to drivers mistaking the purpose of their signalling is recognised, but the Scheme proposals would not make this situation significantly different than at present. The width of the road would not be any less and, in fact, the hatched area which would be provided to protect the right turning lane to Ashbourne Road should help to prevent the problem that they have identified, caused by the proximity of their house to the Ashbourne Road junction and the Tesco entrance and exit.
- 5.27 The A6MARR junction has been designed with regard to national standards and has, and will continue to be, subject to RSAs at the different stages of the project. The Stage 1 RSA carried out to date, in relation to Macclesfield Road, did not identify a problem with the access/egress arrangements to/from Mr & Mrs Gilchrist's property. The points that they raise in relation to consultation have been addressed in SMBC's evidence to the Inquiry¹⁸¹ and in the rebuttals responding to the specific points they have raised¹⁸².
- 5.28 Air quality once the A6MARR has come into operation, although clearly affected by the increase in traffic (classed as moderate adverse for NO₂ and negligible for PM₁₀¹⁸³) would, however, still be within the stipulated national air quality standards which are intended to protect human health.
- 5.29 Mr C R Barson & Ms J M Whittingham (OBJ/14)¹⁸⁴. Several of the points made by these objectors were based on misunderstandings as to what the junction provision was going to be. These misunderstandings were addressed in the SMBC rebuttal evidence. However, any suggestion that the junction has not been carefully designed is misplaced. The rebuttal proof and other SMBC evidence in chief demonstrate that the Scheme has gone through a process of robust assessment both in terms of design of junctions and traffic modelling, and that there has been consultation with the public with respect to the design and location of junctions on the route¹⁸⁵.
- 5.30 Moreover, the evidence shows that this consultation process has resulted in changes being made to the Scheme. Ultimately, however, the design and siting of junctions has to balance a range of considerations, and it is clear that not everyone will be happy with the finally selected options.
- 5.31 C Krystek & U Krysteck-Walson (OBJ/12); Mr & Mrs Deen (OBJ/13); Mr & Mrs Hadfield (OBJ/15); Mr & Mrs Hunt (OBJ/16); Mr & Mrs Burke (OBJ/17); and Mr Clayton & Mrs Hayward (OBJ/18)¹⁸⁶. These objectors are all occupiers of properties in Macclesfield Road, and whilst it is recognised that each objector may have their own individual objections to the Scheme, the points made by those who chose to rely on their written representations generally covered the same ground as those who appeared at the Inquiry.

¹⁸⁰ Pages 31-36 of Doc MBS/11/1 and Docs MBS/REB/11/1-4

¹⁸¹ Docs MBS/8/1-2

¹⁸² Docs MBS/8/1; MBS/REB/11/1-4

¹⁸³ Response 11/RR10 in Doc MBS/REB/8A

¹⁸⁴ Pages 46-49 of Doc MBS/11/1 and Docs MBS/REB/14/1-2

¹⁸⁵ Particularly Docs MBS/2/1-2, MBS/3/1-2A and MBS/8/1-2

¹⁸⁶ Pages 37-41, 42-45, 50-53, 54-57, 58-60, 61-64 of Doc MBS/11/1, and also Docs MBS/REB/13/1-2

- 5.32 The complaints as to lack of consultation are not accepted. The SMBC evidence describes the extensive consultation exercises that were undertaken prior to finalising the Scheme and prior to the submission of the planning applications¹⁸⁷. Choice of junction arrangement and design was a specific feature of those exercises. Furthermore, with regard to the Macclesfield Road residents, 2 rounds of Local Liaison Forums were held to allow those living nearest the Scheme to have an opportunity to ask questions and talk to the various experts, including the designers, about the details of the Scheme. A variety of design options were discussed with residents including the routing of cyclists, potential provision of parking lay-bys, the width of the retained footways and the provision for pedestrians.
- 5.33 Also during the design process the operational capacity of the proposed junction configuration was assessed, together with the need for a junction at this location and the design of the lane configuration. Following concerns raised at the Local Liaison Forum sessions the interaction of this junction with the Fiveways junction was specifically modelled and assessed¹⁸⁸. This modelling shows that both the A6MARR/Macclesfield Road and the Macclesfield Road/Dean Lane "Fiveways" junctions are predicted to operate within theoretical capacity with no queuing interaction between the 2 junctions. This does not mean that there would be no queues during peak periods, but the queue lengths would not cause backing-up problems to affect the Fiveways junction.
- 5.34 Increased traffic on Macclesfield Road as a result of the Scheme would inevitably have some impact on local residents and may make movements to and from their drives slightly more difficult. However, the wide footways and straight road alignment mean that there would be good forward visibility, such that the situation would not be significantly different from that which currently exists at other locations on Macclesfield Road.
- 5.35 Concerns over property values are recognised, and if it can be demonstrated that the Scheme has led to a decrease in the value of properties through noise, vibration, smell, fumes, smoke or artificial lighting then compensation may become payable under the provisions of the Land Compensation Act 1973. So far as disruption during the construction period is concerned it is inevitable that there would be some impact on local residents, but the Council would institute Codes of Practice which should ensure that this is kept to a minimum.
- 5.36 With regard to Mr & Mrs Deen's concerns relating to the severance effect of the road on pedestrians wishing to access the countryside, it should be noted that the proposed junction would be fully signalised with pedestrian facilities. Whilst the A6MARR would be an obstacle to be crossed, there is no reason to suggest that it would put people off accessing the countryside any more than any other road crossing would do.
- 5.37 Mr and Mrs Deen also raise the issue of the impact of the Scheme on Disley and query the TUBA assessment and many of the statements made by SMBC in the Scheme documentation. However, whilst such scepticism is undoubtedly healthy, it is unfounded and unsupported by any firm evidence.

¹⁸⁷ Docs MBS/8/1-2

¹⁸⁸ Paragraphs 7.26-7.28 of Doc MBS/3/1

- 5.38 Mrs D Mills (OBJ/20)¹⁸⁹. As the A6MARR would cross Mrs Mills' property, the loss of some of her land would be unavoidable. Re-aligning the Scheme to the north-west would simply impact on other third party land (for example the residential property at Coppice End¹⁹⁰). Mrs Mills would lose some grazing land but overall she has a landholding of 16 ha and the Scheme would involve only 0.8 ha in total, some of which would only be required on a temporary basis. This could be returned to her on completion of the Scheme.
- 5.39 Her access track would be re-routed under the A6MARR, along with Footpath 3, where it crosses the brook. Bearing in mind the distance of the re-routed track from the A6MARR, together with the landscaping and noise mitigation proposals, her concerns about the safety of riding or taking horses along the new route are misplaced. The access would be designed to accommodate farm traffic in terms of gradients, widths and radii and would be a reasonably convenient alternative and a prudent use of resources. The cost of an on-line tunnel would be disproportionate to the interference caused (possibly needing a pumping station and estimated in the region of £300,000-500,000) and would require third party land (part of the rear garden at Coppice End).
- 5.40 The sewer which crosses Mrs Mills' land would be protected rather than diverted. The responsible body, United Utilities, raises no objection to this. SMBC is satisfied that the land take from Mrs Mills has been kept to the minimum necessary to be able to satisfactorily implement the Scheme.
- 5.41 Ms H Mort, Ms J Bourne, Ms J Zeiss & Ms A Lomas (OBJ/21)¹⁹¹. Although the extent of land take has been queried, especially that related to the provision of the shared-use cycleway/footway and bridleways, only that required for the Scheme and its construction has been included within the CPO. The proposed shared-use cycleway/footway and bridleways are part of the main Scheme objectives and aim to increase social benefit and safety in the area. The Council considers that there is a compelling case for them to be included within the Scheme and CPO. Some land would only be needed on a temporary basis and upon completion of the Scheme, this would be offered back to the original landowner in accordance with the Crichel Down rules.
- 5.42 The accommodation bridge would mitigate the impact of severance and provide a reasonably convenient alternative means of access. In terms of its design, all users, both existing and future, have been equally considered and the design adopted would be suitable for all modern farm machinery. Weight limits and requirements would be agreed with the Technical Approval Authority (CEC Highway Structures Section) and the landowner as the design progresses. Safety of all users has been at the forefront of all design work and would continue to be assessed as the design progresses.
- 5.43 SMBC disputes the claim there has been an absence of consultation with the objectors and farming tenant concerned (Mr David Hall), pointing to a meeting held in 2012 with the farming tenant and his neighbouring landowner (Mr A Thompson). It is noted that the farming tenant did not want the Scheme to go

¹⁸⁹ Pages 67-68 of Doc MBS/11/1; pages 30-32 of Doc MBS/10/1; and Docs MBS/33 and MBS/REB/20/1

¹⁹⁰ See the objection of Mr and Mrs Wood below (OBJ/53)

¹⁹¹ Pages 28-29 of Doc MBS/10/1; pages 69-72 of Doc MBS/11/1; and Doc MBS/REB/21/1

ahead, but for reasons explained earlier in this report, planning permission was subsequently granted by all 3 LPAs.

5.44 The objections to the proposed siting of this bridge have been noted, along with the claimed advantages of the alternative location suggested by the objectors, but SMBC has sought to strike a balance between the interests of competing stakeholders, and the following factors have influenced the choice of location:

- It would provide a solution to 2 landowners in terms of severed land, providing reasonably convenient access both to the objector's land and to that of the landowner to the west;
- The location would minimise the land take of the objector;
- There is an existing track opposite Mill Hill Farm (the farmstead of the tenant farmer, Mr David Hall) that would lead directly towards the proposed bridge;
- The location would also provide a safe crossing point for walkers who currently enjoy the use of Footpaths 31 and 37 that would be intersected by the Scheme;
- The location of the bridge would rationalise the number of bridges crossing the Scheme, thereby reducing construction costs, whole life costs; the overall land take; and would also reduce the visual/landscape impacts of the Scheme.

5.45 Bearing in mind all the above and the evidence given on behalf of the objectors, it is submitted that this is a reasonably convenient route both for the affected landowners/occupiers and for the necessary diversion of the PRow.

5.46 Mr M Kingsley (OBJ/22). Mr Kingsley has, over a 17 year period, entered into a complex series of land and company transactions with respect to his land at Woodford Road. The company formerly known as Glenhazl Limited has, since September 2013, been known as Glenhazl Properties Limited ("Glenhazl"), with Mr Kingsley as its sole director and sole shareholder. Both during meetings and in response to the Requisition for Information, Mr Kingsley failed to identify the various interests, or to refer to the Blight Notice that he had served on the HA in respect of land adjacent to Woodford Road¹⁹².

5.47 The result has been that SMBC has had no way of understanding the extent or nature of the claimed cross-rights over Mr Kingsley's land to the north (now owned by the HA) and the land to the south (owned by Glenhazl); or the extent of Mr Kingsley's own ownership. Much information has only come to light with the submission of Mr Kingsley's evidence at the Inquiry itself.

5.48 Mr Kingsley's appendices show that there have been numerous requests from SMBC's previous and current land agents¹⁹³, requesting information as to these rights. But evidence to the Inquiry is that despite negotiating with Mr Kingsley for several months, SMBC's current land agent (Mr Church) only became aware of the Blight Notice and transfer to the HA¹⁹⁴ between March and June 2014, and of the Glenhazl ownership in August 2014. Mr Church made it clear at the

¹⁹² Pages 484-486 of Exhibit MK6 in Doc OBJ/22/2

¹⁹³ Initially Mr Ian Keyte and then, from January 2014, Mr Henry Church

¹⁹⁴ As Mr Kingsley agreed in cross-examination, the transfer to the HA had occurred in October 2013

Inquiry that no formal monetary offer had been made to Mr Kingsley, because it simply wasn't clear what interests he was seeking to acquire for SMBC.

- 5.49 Nor, until his cross-examination, has there been any clear statement from Mr Kingsley as to what he is seeking from the Scheme at Woodford Road. It is, apparently, to secure the future right to construct a road-bridge over the line of the A6MARR to a standard capable of providing access to residential land.
- 5.50 All of the above demonstrate how difficult it has been to negotiate with Mr Kingsley, in the absence of knowledge of the ownership and rights over the land to be acquired, and in the absence of a clear indication of what he would require of the Scheme in order to sell his land voluntarily. His criticism of SMBC's land agents as having not seriously engaged in negotiation to acquire his land by agreement has to be seen in this light¹⁹⁵. The evidence before the Inquiry¹⁹⁶ demonstrates that negotiations did take place, and terms were offered (in June 2014¹⁹⁷), but that most of the discussions were hampered by lack of information from Mr Kingsley as detailed above.
- 5.51 On the substantive issues, there can be no doubt that Mr Kingsley has no established right to create an access road along an east/west route from Woodford Road to Glastonbury Drive¹⁹⁸. He has not proved to the Inquiry that he has any rights over the P E Jones land (by which access to Woodford Road is gained), by prescription. He has not proved that any rights that he may have are other than for agricultural traffic. He has not proved that those rights can benefit land beyond his own adjacent holding¹⁹⁹. Any such access that he might have (which cannot be accepted without evidence) are, in SMBC's submission, rights to an agricultural access to serve the 3 Glenhazl plots alone.
- 5.52 In any event, the obligation of the highway authority is to replace or provide a PMA of similar quality and standard to that existing. On the east/west route, as just noted, Mr Kingsley has not demonstrated that he has any existing right to use the P E Jones' access. In the absence of that evidence, and bearing in mind that he has no direct access onto his own land from this stretch of Woodford Road, SMBC cannot be required to provide a replacement access. SMBC has, however, offered an access as a proposed modification to the SRO²⁰⁰.
- 5.53 Regarding Mr Kingsley's contention that there should be a direct connection between the A6MARR and Woodford Road, such an option was considered during Scheme development, but it was felt that this would attract additional traffic along Woodford Road seeking to access the A6MARR at this new junction. Woodford Road is not of a suitable standard to accommodate increased traffic levels and the associated environmental impacts, and the decision was therefore made to not provide a junction on Woodford Road.
- 5.54 So far as the north/south access is concerned, bearing in mind that the rights granted to Glenhazl were contained in an unregistered transfer and that those

¹⁹⁵ Pages 21-25 of Doc MBS/10/1 and Appendices HC13, HC14 and HC15 of Doc MBS/10/2

¹⁹⁶ Docs MBS/10/1-2 and OBJ/22/02

¹⁹⁷ Pages 21-25 of Doc MBS/10/1 and Appendices HC14 and HC15 of Doc MBS/10/2

¹⁹⁸ Confirmed in cross-examination of Mr Kingsley

¹⁹⁹ The 3 plots (CH316811, CH316815 and CH316814)

²⁰⁰ See SRO Modifications 4F and 4H

rights were not mentioned in the subsequent transfer to the HA²⁰¹, there must be considerable doubt as to whether they still exist. In any event, the question as to whether or not Mr Kingsley has retained rights to construct a road over the line of Footpath 31 is not relevant to this Inquiry. The HA land within the line of the A6MARR is in the CPO, and whilst SMBC cannot compulsorily acquire an interest of the Crown, it can acquire any other interest that might exist in that land. This is how the modified CPO is worded.

- 5.55 SMBC can also keep land within the CPO that it has acquired voluntarily, in order to clear the title (s261 of the Highways Act 1980). Once SMBC has entered under the CPO any rights that Mr Kingsley may have over the land acquired for the Scheme would be converted into a claim for injurious affection²⁰². The rights granted to Glenhazl would be unenforceable so long as the A6MARR road is in existence²⁰³.
- 5.56 In respect of the north/south route SMBC's only obligation is to provide Mr Kingsley with a PMA to provide access to his agricultural land. That land has no planning permission and, as Green Belt land, it has no immediate prospect of changing its status. In the modified SRO SMBC has now provided him with such an access. It is only because SMBC was unaware of the separate ownership of the Glenhazl land, as explained above, that this extended access was not provided within the original SRO. There can be no prejudice to Mr Kingsley in modifying the Order in this regard.
- 5.57 SMBC only has to provide a reasonably convenient alternative access. Whilst Mr Kingsley may or may not have a "right" to construct an estate road to Woodford Road along the line of the old roadway, any interference with that right is a matter for compensation. There is no principle of law which would require SMBC to provide him with a road or with a bridge built to a residential standard, let alone to reserve a right for him to construct a bridge to residential road standards at some time in the future. In any case, such a bridge would interfere with the provided crossing, which includes the footpath diversion.
- 5.58 Furthermore, whatever Mr Kingsley's legal rights are, he would need planning permission for such a road and it is unlikely that he would get such planning permission to construct a residential access road through open fields in Green Belt. He can have no "legitimate expectation" that he would get planning permission, or that the highway authority would allow the construction of a ghost island junction for either the east/west route or the north/south route, or even that residential access would be permitted at that point. It is noted that Mr Kingsley no longer claims to have such an expectation.
- 5.59 For Mr Kingsley to have an enforceable legitimate expectation for any of these things, he would have had to show that the relevant authority (in this case both the highway authority and the planning authority) had given a representation which is "clear, unambiguous and devoid of relevant qualification"²⁰⁴, or an

²⁰¹ Accepted in cross examination by Mr Kingsley

²⁰² *Clark v School Board for London* [1873-74] LR 9 Ch App 120 (Referred to at page 530 of Doc MBS/43 (vii))

²⁰³ Doc MBS/43 (vii): *Simeon v Isle of Wight Rural District Council* [1937] Ch 525 at 535

²⁰⁴ Doc MBS/43 (v): *R v IRC Ex p MFK Underwriting Agencies Ltd* [1990] 1 WR 1545 at 1570 (Bingham L J)

“unequivocal assurance”²⁰⁵. No evidence getting anywhere near this was presented to the Inquiry.

- 5.60 In short, Mr Kingsley’s interests would be met by the provision of the PMA along the line of the old roadway, over the accommodation bridge and then running alongside the A6MARR into his land, as is now proposed through Modification SRO Mod 4F²⁰⁶. There can be no valid objection to the CPO and any diminution in value of his agricultural land (including loss of hope value) would be a matter to be sorted out under the compensation code.
- 5.61 For the land at Clay Lane, no evidence has been presented that establishes that the junction configuration proposed as part of the approved Scheme would not have capacity to meet the existing usage from Clay Lane, and the existing usage generated from Mr Kingsley’s land. On the contrary, SMBC’s evidence demonstrates that the new junction arrangement would operate well within capacity²⁰⁷. The width of the approach to the Wilmslow Road roundabout under the approved Scheme would be no less than that existing at present. Equally, the width at the T-junctions across the slip road would be no less wide and the proposed junction should have no less capacity than the existing junction²⁰⁸.
- 5.62 Mr Kingsley may have aspirations for the development of his land off Clay Lane but that land is presently Green Belt and there is no evidence to suggest that its status is going to change. The result of the East Cheshire Local Plan examination is yet to be known. Again, using the definition given above, Mr Kingsley can have no legitimate expectation that the land would be released for development. He has never been given an “unequivocal assurance” “clear, unambiguous and devoid of relevant qualification” that a junction arrangement would be provided or retained in order to facilitate that. Nonetheless, as just noted, SMBC’s evidence is that the proposed junction would have no less capacity than that which currently exists.
- 5.63 SMBC’s Highway Engineering witness, Mr Huda, accepted under cross-examination by Mr Kingsley that subject to some minor modifications, the junction proposed by Croft would provide a satisfactory design solution in operational and safety terms. Nonetheless, he saw disadvantages with this design, including the fact that it would sit outside the planning permission boundary for the approved Scheme, would be outwith the CPO extent and would increase the area of carriageway to be constructed, and therefore increase construction costs.
- 5.64 In terms of safety, RSAs have been produced in the Croft report and the criticisms noted relate to both the SMBC proposed junction and also the initial junction proposed by Croft. The RSAs recognise that some of the problems could be designed out. SMBC has carried out its own RSA and has produced a more detailed design (within the existing CPO limits) and a designer’s response, to address these points²⁰⁹. In this regard, it has to be noted that the authors of the

²⁰⁵ Doc MBS/43 (i): R (on the application of Bancoult) v Secretary of State for Foreign and Commonwealth Affairs [2008] UKHL 61; [2009] 1 AC 453 at [60] and [134]

²⁰⁶ Page 8 of CD 1104

²⁰⁷ Table 7.1 of Doc MBS/3/1

²⁰⁸ Mr Malik’s oral evidence on Day 11

²⁰⁹ See Appendix A to Doc MBS/REB/22/2 - Sketch Layout “SK02 A6MARR Clay Lane”; also see Doc MBS/37

Croft report did not attend the Inquiry and were therefore not able to be cross-examined.

- 5.65 This revised SMBC layout seeks to address problems identified in the RSA by introducing a radius curve on the exit slip road off the southern Wilmslow Road roundabout which would reduce entry speeds into the priority junction with Clay Lane. The geometry would also provide a more conventional junction with the slip road, increasing visibility and moving further west away from Wilmslow Road. Driver confusion would be addressed through the final layout and the choice of construction materials, appropriate signing and roads markings.
- 5.66 SMBC has obtained the necessary departures from standards from CEC for this amended junction²¹⁰, and there is no merit in arguing that the junction would not be safe. Moreover, it would be a preferable junction solution to the Croft layout as it would not have the disadvantages described above. Access to the Kingsley land north of Clay Lane would be maintained by means of the replacement PMA proposed through a modification to the SRO (Modification SRO Mod 8C²¹¹).
- 5.67 Insofar as concerns are expressed regarding the junction layout proposed for Woodford Road, Bramhall, 6 alternative junction layouts were subject to public consultation, with the currently proposed layout emerging as the preferred choice. Not providing a junction at this location would mean traffic to/from Bramhall having to access the A6MARR at the Chester Road junction, or continuing to use the existing local roads for the journeys. In either case, the traffic implications were considered to be unacceptable.
- 5.68 Mr Kingsley's stated preference for a roundabout junction to connect Chester Road to the A6MARR/Oil Terminal junction is noted, but no clear justification for this request is given. The proposed traffic signal controlled junction has been designed to link with the traffic signal controlled gyratory on the A6MARR at the Oil Terminal, and both junctions are forecast to operate well within capacity, with no queuing interference between the 2 junctions. As such there is no need to consider any alternative layouts.
- 5.69 Although Mr Kingsley raises some drainage concerns, some of the land he refers to is now owned by the HA. For the rest, uncharted land drains would be picked up and re-established as accommodation works, or would be tied into the proposed highway earthworks drainage if appropriate. Mr Kingsley's concerns that the CPO does not seek to take all Kingsley land at some locations are also noted, but only the land required for the Scheme can be included within the CPO. SMBC would look to acquire any land that is severed and has no alternative access, through agreement.
- 5.70 As Mr Kingsley is the sole director and shareholder of Glenhazl and as he was aware of the CPO he cannot have been prejudiced by SMBC citing him, rather than Glenhazl in the original CPO. Nor has he ever suggested that he has been so prejudiced.
- 5.71 Notwithstanding Mr Kingsley's assertions, the SMBC SoC is clear that there is a compelling case in the public interest for the making and confirmation of the Orders, to secure the land required for the purpose of implementing and

²¹⁰ Doc MBS/40

²¹¹ Page 12 of CD 1104

completing the A6MARR. In reaching the decision to make the Orders, SMBC has had full regard to the Human Rights Act and Convention and is satisfied that any interference would be lawful, necessary and proportionate²¹².

- 5.72 In overall summary, there is nothing in Mr Kingsley's objections that should lead to the conclusion that these Orders should not be confirmed. Mr Kingsley's suggestion that the Orders be confirmed only in part is clearly not acceptable. SMBC could not start to construct a road scheme without knowing that it has secured all the necessary land interests.
- 5.73 Mr David Hall, Mr R Hall, Ms S Allen & Mr Douglas Hall (OBJ/23)²¹³. A small amount of land owned by these objectors would be required for the Scheme, some of which would be used to provide a combination of mounding and woodland planting, with the objective of mitigating noise and visual impacts for property located along Woodford Road to the north. Any land acquired but not needed permanently would be returned to these objectors in accordance with the Crichel Down rules.
- 5.74 Mr David Hall, is also the occupier of (amongst other areas), the Mort, Bourne, Zeiss and Lomas (OBJ/21) land under an annual grazing licence. Whilst Mr Hall has occupied much of the land for many years, renewing agreements annually, he has no certainty of occupation. As such his continuing occupation of that land is, in a sense, precarious and that must reflect on what it is reasonable to provide to suit his own personal requirements.
- 5.75 SMBC acknowledges that the proposed replacement PMA would require Mr Hall to move livestock and machinery along the public highway for a short distance from time to time, and is looking at other ways of providing access to the proposed PMA through agreement with the HA, who now own the adjoining land. But the route shown on the SRO would still provide a reasonably convenient alternative to the current route, and would therefore satisfy the statutory test.
- 5.76 Mr Hall takes a similar view to Mort, Bourne, Zeiss and Lomas with regards to the proposed accommodation bridge, and SMBC makes the same response, which is not repeated in detail here. That said, Mr Hall's requirement for access to be maintained to all parts of the farming operation during the construction phase has been noted and would be accommodated.
- 5.77 If the Orders are confirmed it is currently intended that this accommodation bridge would be completed in the summer of 2016. Prior to the opening of the bridge, access would be maintained by means of a suitable fenced-off access track across the works and a gated section within the track would be established. If the Contractor needed to move plant or materials along the Scheme corridor the gates would be manned to ensure safe passage and control. Any delay would be kept to a minimum. At all other times the gates would be set to allow free passage for farm usage.
- 5.78 Insofar as noise impact at Mill Hill Farm is concerned, assessments have indicated that there would be no material change in traffic-related noise levels at the farmhouse or bungalow. This is due to the distance of the properties from the proposed Scheme, the location of part of the Scheme to the south of the

²¹² Paragraph 2.5 and section 22 of CD 1105

²¹³ Pages 25-28 of Doc MBS/10/1; pages 80-81 of Doc MBS/11/1; and Doc MBS/REB/23/1

properties in cutting and the inclusion of mitigation in the form of bunding and environmental barriers, as referred to above.

- 5.79 Mr D M Westbrook (OBJ/25)²¹⁴. SMBC prepared a number of designs to represent Mr Westbrook's suggested alternative layout for the Chester Road junction, but these demonstrate no advantages over the current Scheme, and in one case would have positive disadvantages in terms of standards. The designs do not introduce an extra traffic lane, as alleged by Mr Westbrook.
- 5.80 For his original suggested design, (referred to as Option 1²¹⁵), the approach angles of the signalised junction would intersect at less than 70°. The DMRB²¹⁶ highlights that in such circumstances, inter-visibility within the junction is adversely affected; priority may not be obvious to drivers; undesirable high speed turning movements may be possible on the obtuse angles of the junction; and there would be difficulty locating secondary signals satisfactorily.
- 5.81 In addition, land would be needed from 9 properties on Chester Road and Woodford Road; 5 properties would have to access their driveways from within the junction itself; Nos 165, 167, 177 and 236 Chester Road would have limited access and egress due to the position of the necessary traffic islands; the land take which would be required is outside the scope of the current CPO; and the design is outwith the current planning permission boundary.
- 5.82 SMBC developed 2 further layouts from Mr Westbrook's suggestions, and whilst the first of these (Option 2²¹⁷), is considered to be an improvement over Option 1, it still suffers from a number of design faults. It would require additional private land (some 1,575sqm) outside the current CPO extents; the necessary works on Chester Road would extend to additional properties (Nos 173-181); the layout lies outwith the current planning permission boundary; and the potential disturbance on the residential properties on Chester Road would be about the same as with the approved Scheme proposal, such that Mr Westbrook's "pollution" concerns would not be addressed.
- 5.83 Option 3²¹⁸ also has a number of problems, including that the realigned Chester Road would have to travel on an alignment which would require a number of departures from standard, shown on the SBMC preliminary sketch. In addition, the junction location would be brought closer to the residential properties of Chester Road, when compared to the approved Scheme design; and it has not been demonstrated that this junction would operate satisfactorily.
- 5.84 The Scheme would result in a significant reduction in traffic flows along Woodford Road without any noticeable change in traffic volume along Chester Road and this should improve the safe operation of the existing junction. In any case, and contrary to the assertions made by Mr Westbrook, collision data provided by CEC indicates that this existing junction has a lower incident/collision rate (for reported incidents) than "default" values for a junction of this type. It is therefore not considered to be an "accident black spot".

²¹⁴ Pages 86-92 of Doc MBS/11/1 and Docs MBS/REB/25/1-2

²¹⁵ Appendix A to Doc MBS/REB/25/2

²¹⁶ CD 4003

²¹⁷ Appendix C to Doc MBS/REB/25/2

²¹⁸ Appendix D to Doc MBS/REB/25/2

- 5.85 The approved Scheme junction would move traffic away from some of the houses on Chester Road, and assessments of traffic-related noise have indicated that a decrease in levels of some 3.0 dB(A) would be anticipated at Mr Westbrook's property. Local air quality assessments have indicated that at properties in the vicinity of the proposed junction there would be a reduction in levels of approximately 3 µg/m³ for NO₂ and 1 µg/m³ for PM₁₀. The predicted concentrations with the Scheme in place are 24.9 and 14.6 µg/m³ respectively. Both are within the stipulated national air quality standards which provide an indicator relative to human health.
- 5.86 The A6MARR/Chester Road junction has been designed in liaison with CEC, and would accommodate any future tie-in with the Poynton Relief Road (which was the subject of a recent consultation undertaken by CEC). There would be no material conflict with the landscaping and bunding currently proposed for the western side of the link to the A6MARR.
- 5.87 In summary, the approved Scheme would provide a satisfactory junction and link between the A6MARR and Chester Road, and none of the alternatives put forward by this objector have been shown to operate more satisfactorily than the approved design. The alternative layouts suggested by the objector, as SMBC has interpreted them, would have several disbenefits which are not associated with the approved design. These alternative layouts have therefore been discounted, and should not be pursued.
- 5.88 Mr & Mrs Simumba (OBJ/29)²¹⁹. Mr & Mrs Simumba are each the owners of 2 plots of land surrounded by land in the ownership of Mr & Mrs Holmes (OBJ/27 – who have now withdrawn their objections). Mr & Mrs Simumba hold their land on a speculative basis and would receive market value through the compensation code if the Orders are confirmed.
- 5.89 In terms of the specific points of objection, SMBC's case for the Scheme has already been made, and is not repeated here. Significant traffic studies have been conducted and these have not predicted any notable negative impact at the locations the objectors mention. The design of the Scheme has been selected after considering all available options and the chosen alignment is the optimum design, minimising land take and impact on the surroundings.
- 5.90 Assessments relating to traffic-related noise have indicated there would be an increase in levels taking into account proposed mitigation. However, environmental noise barriers and noise mounding are both proposed alongside the A6MARR in the vicinity of Albany Road, and these would ensure that traffic-related noise would be kept to acceptable levels. There would also be an increase in levels of NO₂ and PM₁₀ in the vicinity of Albany Road, but these would still be within the stipulated national air quality standards which provide an indicator relative to human health.
- 5.91 The Scheme would be constructed in accordance with modern standards, and in such circumstances it is recognised that there would be no risk arising from vibration. There would be no discharge of solids or fluids onto property in the vicinity of the proposed Scheme. The A6MARR in this location would be lit on both sides of the carriageway, but the use of 10m lighting columns would ensure

²¹⁹ Pages 108-109 of Doc MBS/11/1

that there would be minimal visual impact on the landscape. Moreover, the type of lantern proposed to be used would minimise upward glare and light-spill and ensure that there would be no light above the horizontal²²⁰.

- 5.92 Mr P & Mrs L Lawson (OBJ/30)²²¹. Although the Scheme would only take a small area of land from these objectors, they are concerned about the effect that this would have on their ability to keep horses, and the loss of value of their property as an equestrian property. The last issue is a matter relating to compensation. It is accepted that the objectors already have a relatively small plot for the number of horses that they keep, but the suggestion that the land take be reduced by extending the (9m) retaining wall, instead of having a battered slope, could not be supported. The huge cost that this would entail (estimated at the Inquiry to be "hundreds of thousands of pounds") could not justify the benefit gained. Nor could SMBC seek to use its compulsory powers simply to provide replacement land for these landowners. Land take has already been minimised, by changes to the Scheme design which moved drainage attenuation and treatment ponds further to the east²²².
- 5.93 Mr A & Mrs M Romagnoli (OBJ/31)²²³. The concerns of these objectors, relating to pollution, noise, congestion, loss of Green Belt affecting wildlife, health and devaluation of property, are made generally rather than with specific examples. Devaluation of property is simply a compensation issue.
- 5.94 On their specific concern regarding the likely impact of pollution affecting the Queensgate Primary School, assessments have indicated that although the Scheme would give rise to increases in the levels of NO₂ and PM₁₀ close to the school buildings and at the boundary nearest to the proposed Scheme, the resultant concentrations at these 2 locations would be well within the stipulated national air quality standards which provide an indicator relative to human health. The Environmental Protection (UK) guidance would deem the changes to be negligible at the school and slight adverse at the site boundary²²⁴.
- 5.95 Construction of the Scheme would result in increased noise at the objector's property, but a number of factors would minimise this increase. Firstly, the A6MARR would be in deep cutting where it passes south of the objector's property; secondly, low-noise surfacing would be used on the carriageways; and thirdly, an environmental noise barrier would be introduced at the top of the cutting slopes. Assessments have indicated that the anticipated increase in noise levels would be classed as a moderate impact in the long term. It is unlikely that the property would qualify for assistance under the Noise Insulation Regulations 1975, as the resultant noise level is predicted to be below 65 dB(A)²²⁵.
- 5.96 The objectors' assertions that the Scheme would lead to congestion in Bramhall are noted, but SMBC disputes this, as traffic assessments have shown that the Scheme is actually forecast to lead to a reduction in traffic through Bramhall.

²²⁰ Paragraphs 3.14.5-6 of Doc MBS/2/1 and paragraph 2.29 of Doc MBS/4/1

²²¹ Pages 111-114 of Doc MBS/11/1

²²² Response 30/R04 in Doc MBS/REB/30/1

²²³ Pages 115-117 of Doc MBS/11/1

²²⁴ Page 115 of Doc MBS/11/1

²²⁵ Paragraph 4.14 of Doc MBS/4/1

- 5.97 Issues relating to loss of Green Belt and impacts on wildlife have been discussed above in SMBC's main case and, subject to the agreed mitigation measures, have been found to be acceptable by the 3 LPAs. Similarly, measures necessary to control dust during construction have been considered in the ES, and form the subject of conditions attached to the planning permissions for the Scheme. Specific assessments undertaken in relation to local air quality have indicated that increase in NO₂ levels and PM₁₀ at the objectors' property would be within the stipulated national air quality standards and would be negligible.
- 5.98 Mr M & Mrs C Freedman (OBJ/32)²²⁶. The proposed connecting cycle route would not interfere with these objectors' driveway. They would have the same width of access as at present, and the proposal to provide a pedestrian and cyclist link to the exchange land open space would not affect their entry or exit. The swept path drawing/photograph demonstrates this and it is also obvious on plan and on site. Usage of the cycleway would not create any safety issues, and cyclists would be slowed down by the positioning of staggered guardrails. Contrary to the objectors' assertions, there would be more than one access to the proposed open space land. There has been a "secure by design" review of the proposals and there are no issues that could not be addressed by detailed design.
- 5.99 Mr Worthington & Mrs Broadhead (OBJ/33)²²⁷. In essence, the concern of these objectors is simply that acquisition by agreement has not yet been achieved. The SMBC evidence²²⁸ indicates that discussions are ongoing and that drainage issues raised by the objectors are the subject of investigation and discussion. Negotiations are continuing and there is every confidence that an agreement can be achieved as the principal issue of concern is the purchase price. That said, SMBC requires the certainty of land assembly afforded by the CPO.
- 5.100 Mr P Darnell & Ms M Darnell (OBJ/34)²²⁹. Mr J Seed acted as Agent for these objectors, but did not appear on their behalf at the Inquiry. Nevertheless, the SMBC response given to the 3 objectors in the following section applies equally to the concerns expressed and objections raised by Mr and Ms Darnell.
- 5.101 Mrs A Rowland (OBJ/35), Mr D Jones & Mr R Jones (OBJ/36) & the Fielding Family (OBJ/37)²³⁰. These objectors all raise very similar points, essentially expressing concern about sharing an access track serving their land with the proposed public bridleway. They suggest, amongst other things, that the track is too narrow and that a segregated private access track should be provided, parallel to the bridleway. This has been considered, but SMBC does not share the objectors' views regarding the likely cost of such an alternative.
- 5.102 In particular, the objectors' estimated cost of the alternative proposal does not appear to take account of a number of important items, such as design fees, plant and labour costs, crossing the existing watercourse (at least once but possibly 3 times), vegetation clearance, preliminary costs, contractor's fee, signage and deposition of excavated material on site. SMBC estimates the likely total cost of such a new track to be about £140,000. This compares to the

²²⁶ Pages 118-119 of Doc MBS/11/1; and Doc MBS/28

²²⁷ Pages 120-121 of Doc MBS/11/1

²²⁸ Pages 34-36 of Doc MBS/10/1 and Appendix HC25 of Doc MBS/10/2

²²⁹ Pages 44-45 of Doc MBS/10/1 and pages 122-123 of Doc MBS/11/1

²³⁰ Pages 124-129 of Doc MBS/11/1 (the response to Mrs Rowland was omitted in error); pages 42-44 and 53-54 of Doc MBS/10/1 and Docs MBS/REB/35, 36 and 37

estimate of about £36,000, including design fees, preliminaries and contractor's fee, for the Scheme proposal to widen the existing track to provide a minimum width of 3.5m along its length. This proposal has been discussed with the Vulnerable Road User Groups (VRUG), and has their support²³¹.

- 5.103 In any case, the cost of providing a new, separate track would be out of all proportion to (a) the benefit that it would provide and (b) the impact of the Scheme on these objectors' landholdings. Standards submitted by the objectors show that the proposed shared-use track would be of adequate width, safely to accommodate the proposed uses. The measurements and photographs of the existing track submitted by the objectors have been noted, but whilst dimensions may differ a little from the SMBC figures, with regard to matters such as verge widths, there is a very good correlation in terms of overall "fence to fence" track width.
- 5.104 The objectors' assertion that the CPO does not take account of the current access arrangement between the Jones' land and that of Mrs Rowland is noted, but SMBC would re-grant rights to all those who currently enjoy rights over the land to be acquired. SMBC reaffirms its view that appropriate mitigation measures as proposed within the Orders and the Scheme design could be implemented with regard to the safety and convenience of all users. It therefore believes it has demonstrated there is a compelling case for the Scheme, and that the Orders should be confirmed.
- 5.105 Mr C Shenton (OBJ/38)²³². Mr Shenton's main concern relates to the width of the proposed shared cycleway and PMA leading to and over Spath Lane Bridge. This route is not proposed as a bridleway and the objector's comments about equestrian use are therefore incorrect. Moreover, this path already is a public footpath and the addition of cyclists would not create any significant extra problems, especially as warning signs and a mounted, convex mirror could be introduced to ensure that users would be aware that farm traffic may be using the track and bridge. The path would meet appropriate design standards and there has been consultation with VRUG. With the proposed passing places the improved track would be safe and satisfactory for all users.
- 5.106 Mr Shenton's concerns about access arrangements at the southern end of the Spath Lane Bridge would be addressed by the installation, in liaison with the VRUG, landowners and tenant farmers, of appropriate gates to segregate users. There is, however, no justification to divert the section of Footpath 81 sought by the objector, as the Scheme seeks to minimise impact on the existing footpath network. The objector's suggested alternative would re-route pedestrians from the field to adjacent to the A34 which, at this location, is a dual-carriageway with a 70mph speed limit. Such a re-routing would not be desirable.
- 5.107 In view of problems he has experienced previously, Mr Shenton's concerns about drainage, are noted and understood. These would be addressed as a drainage system would be provided for all adoptable earthworks, and all adoptable highway drainage would be maintained by the Local Highway Authority. There would be the opportunity to connect in severed private drains, if alternative discharge points are unavailable, and every artificial land drain, whether

²³¹ Response 36/R05 in Doc MBS/REB/36/1

²³² Pages 51-52 of Doc MBS/10/1; pages 130-135 of Doc MBS/11/1; and Docs MBS/REB/38/1-2

- previously identified or not, would be intercepted and piped to a suitable outfall. SMBC and the Contractor would liaise with the objector in order to understand the existing field drainage systems. Private accommodation drainage constructed as part of the Scheme would remain in the ownership of the landowner.
- 5.108 With regard to Mr Shenton's concerns regarding his isolation field, SMBC is reviewing its proposal to try to mitigate, as far as possible, the effects of the Scheme on this field. Assurances have been given in respect of reimbursement of affected parties' time, subject to proof as to the loss.
- 5.109 Mr A de Coninck (OBJ/39). This objector's land has been removed from the Scheme as it is no longer necessary to keep open the option to replace Spath Lane Bridge. Mr de Coninck still appears in Table 2 of the CPO as having the benefit of a right of way over the bridge. His objection, however, seems to have been related to the originally proposed land take which would now not occur. Insofar as there might be an issue raised as to the shared use of the bridge crossing, the SMBC case is the same as in response to Mr Shenton.
- 5.110 Mr A & Mrs V Walker (OBJ/42)²³³. Contrary to the assertions of these objectors, the shared use cycleway/footways and bridleways are part of the main Scheme objectives and aim to increase social benefit and safety in the area. There is a compelling case for them to be included within the Scheme and CPO.
- 5.111 It has proved possible to make some revisions to the Scheme design which have resulted in a reduction in lane numbers adjacent to the site. However, the land now sought from these objectors is the minimum deemed necessary for the Scheme, and could not be reduced further. Discussions are on-going with Mr & Mrs Walker, and it is considered that agreement is achievable, although nothing had been finalised by the time the Inquiry closed.
- 5.112 Mr & Mrs R Hankinson (OBJ/43)²³⁴. These objectors' complaints about a lack of consultation are rebutted, as it is clear that the objectors were consulted as long ago as 2012. The present Scheme alignment has not been over-dominated by the desire to avoid woodland. As the SMBC rebuttal evidence indicates, there were a number of factors which led to the choice of the present line, including environmental factors, operational safety, traffic modelling, economics, construction and land costs, construction issues, service diversion costs, and public consultation. This demonstrates that there are strong practical reasons for the chosen alignment.
- 5.113 With regard to the objectors' concerns about trespass from the diverted footpath, if this can be demonstrated as occurring, or likely to occur, it could be addressed at the implementation stage. The height of the bridge over the railway is down to the requirements of Network Rail, and is a matter beyond SMBC's control. It has been explained to the objectors on several occasions that the dictating factor regarding the height of the bridge is the vertical clearance to the Overhead Line Equipment (OLE), not clearance from the track level. The clearance to the OLE has been set at the absolute minimum that Network Rail will accept.

²³³ Pages 49-51 of Doc MBS/10/1 and pages 143-144 of Doc MBS/11/1

²³⁴ Pages 145-157 of Doc MBS/11/1; pages 47-49 of Doc MBS/10/1; and Docs MBS/REB/43/1-2

- 5.114 Access would be maintained to all their retained land and Mr and Mrs Hankinson would be granted rights over land currently owned by their neighbours, such that no "ransom strip" would be created. Access would also be maintained during the construction stage, with liaison between the contractor and the objectors. The Scheme drainage design would drain all of the carriageway, footway, verges and earthworks, and the earthworks drainage would intercept surface water from adjacent fields. Private drains and field drains encountered during construction would all be appropriately routed into the adoptable earthworks drainage, or other suitable, alternative discharge points.
- 5.115 Other detailed points made by the objectors, covering such matters as land needed on a temporary basis, and land valuation have been responded to in rebuttal evidence, and elsewhere in these responses. Many could be dealt with by detailed negotiations. Details of the predicted economic benefits of the Scheme have been made publicly available in the Committee Reports supporting the planning applications, and in the Business Case for the Scheme.
- 5.116 W Nixon & Sons (OBJ/44)²³⁵. The land proposed to be acquired is the minimum necessary to progress the Scheme, with some required for temporary soil storage and some for GCN mitigation. Land cannot be compulsorily acquired on a temporary basis, so in the absence of an agreement SMBC has to permanently acquire the land to be able to ensure delivery of the Scheme. That said, on completion of the Scheme the land would be offered back to the landowner, in accordance with the Crichel Down Rules²³⁶.
- 5.117 The alternative location suggested by the objectors for topsoil storage is already outlined for the contractor to store materials, in order to construct the new road over Styal rail line bridge and the widening of the Styal Road bridge. It would be inappropriate and inefficient to locate these compounds elsewhere. The proposed alternative location would create safety issues in terms of requiring operatives to work close to the rail lines and the substation, unnecessarily.
- 5.118 Whilst the objectors' comments about previous meetings and their willingness to engage are noted, the SMBC Land Agent has requested meetings with the Nixon family, through their agent, on a number of occasions including in March and April 2014. However, the clear response has been that the objectors would rather wait and see if the CPO is confirmed before engaging.
- 5.119 The objector also sees some advantage in the Scheme and wishes SMBC to create a new access to benefit its business. However, as the current access is not being removed a new access would not be justified or appropriate within the CPO. Only access to severed land could be provided from the A6MARR as it would be important to minimise the number of accesses for safety reasons.
- 5.120 B & K Dumville (OBJ/45)²³⁷. These objectors request an access off the A6MARR, but this would not be possible as the road design seeks to limit the number of accesses and the existing access from Ringway Road would remain.
- 5.121 It is inevitable that construction of the Scheme would result in the generation of dust, and the proximity of the nursery to the line of the A6MARR would make it a

²³⁵ Pages 158-159 of Doc MBS/11/1; page 56 of Doc MBS/10/1; and Docs MBS/REB/44/1-2

²³⁶ CD 4007

²³⁷ Page 54 of Doc MBS/10/1, pages 160-161 of Doc MBS/11/1 and Docs MBS/REB/45/1-2

high risk site. However, the ES identifies a number of measures which contractors would be required to adopt to control construction-related dust. The ES also indicates that method statements would be required in areas of high risk. Such statements would have to include provision for liaison with nearby sensitive receptors relating to the nature of the activities, the timing and duration of the activities and measures to be adopted to mitigate potential impacts.

- 5.122 It is difficult to advise on the question of whether replacement greenhouses could be justified, because of lack of financial information from the objectors. Once this has been provided it will be possible to determine whether replacements could be justified. Signage from the A6MARR itself would be contrary to MCC's signage policy, but it has been suggested to the objectors that they investigate the options for off-highway signage through the appropriate planning channels. The SMBC design team would facilitate those discussions.
- 5.123 Ms J Waddicor (OBJ/46)²³⁸. This objector is concerned with the impact of the road on Green Belt and rural character, but there is no alignment for the A6MARR that could sensibly be put forward that would not go through the rural area and the Green Belt. Ms Waddicor feels that the consultation process was "fraught with confusion and obfuscation", but there can be no doubt that a comprehensive and long lasting consultation process has been carried out, although those whose views are in the minority may be disappointed with the process. She also raises the point that at one time SMBC had not referred to Carr Wood as being ancient woodland, but matters relating to the ancient woodland have already been addressed in the SMBC general case for the Scheme, set out above.
- 5.124 Ms Waddicor also expresses disappointment that a multi-modal study has produced a road proposal. It is indeed the case that the A6MARR has emerged as a result of a multi-modal study, but the SEMMMS recognised that some problems could only be dealt with by a road proposal²³⁹. This does not mean that the other (multi-modal) measures proposed by SEMMMS have been ignored. On the contrary, most of them have already been achieved.
- 5.125 Mr P Summerton (OBJ/47). This objector makes unsubstantiated allegations of illegality. These are refuted by SMBC.
- 5.126 Dr and Mrs A Hufton (OBJ/48)²⁴⁰. These objectors raise similar points to those of Ms Waddicor (OBJ/46 - Green Belt/rural area impact/consultation) and SMBC makes a similar response. Most matters relating to air quality are dealt with in more detail in the response to Mr S Houston (OBJ/50 - see paragraphs 5.128 to 5.140 below), whilst concerns about air quality in the vicinity of Queensgate Primary School have been addressed in the response to Mr & Mrs Romagnoli (OBJ/31 - see paragraphs 5.93 to 5.97 above). There would be a long-term increase in noise levels of some 7.3dB(A), but levels would still be well below those at which the property might qualify for noise insulation under the Noise Insulation Regulations 1975.

²³⁸ Doc MBS/REB/46/1

²³⁹ Doc MBS/3/1

²⁴⁰ Pages 168-175 of Doc MBS/11/1

- 5.127 Ms S Oliver (OBJ/49). Ms Oliver's allegations about the planning application process and the grant of planning permission are incorrect and based on a misunderstanding both of the law and the facts²⁴¹. Her other objections are general and unspecific. Where they relate to matters concerning the Scheme, they have been addressed in the responses to other objectors.
- 5.128 Mr S Houston (OBJ/50). AQC's review of the air quality evidence, commissioned by Mr Houston, concluded that the air quality assessment and methodology which had been used appeared to be generally acceptable and in line with current best practice for non-trunk roads. This was already clear from both the ES and SMBC's evidence to the Inquiry²⁴², but AQC's confirmation emphasises that insofar as Mr Houston continues to pursue methodological criticisms of the air quality assessment presented in the ES and in the SMBC evidence, such criticisms are devoid of substance.
- 5.129 It is also pertinent to note that AQC did not put forward any claim that the effects of the Scheme would give rise to a breach of the EU Directive on Air Quality²⁴³ ("the Air Quality Directive"). This is not surprising as the risk assessment of compliance with the Air Quality Directive, carried out as part of the environmental assessment of the air quality aspects of the Scheme (in accordance with the then current interim advice note (IAN 175/13²⁴⁴)) concluded that the risk rating was low. In other words, that the Scheme would be compliant with the Air Quality Directive.
- 5.130 Moreover, this is not a case which falls within paragraph 5.10 of the draft National Policy Statement for National Networks²⁴⁵ which (embodying key factors found in IAN 175/13) indicates that the Secretary of State should refuse consent if the air quality impacts of a scheme would:
- result in a zone/agglomeration which is currently reported as being compliant with the Air Quality Directive, becoming non-compliant; or
 - substantially affect the ability of a non-compliant area to achieve compliance within the timescales as reported to the European Commission.
- 5.131 The Scheme would result in neither of these outcomes²⁴⁶. Furthermore, insofar as these matters concern Disley, the A6 in Disley is not one of Defra's reporting locations for the purposes of compliance with the Air Quality Directive for the North West and Merseyside Zone.
- 5.132 AQC's criticisms of the ES are not accepted. This document has already been accepted by the 3 relevant LPAs and the level of information provided in the ES was sufficient to satisfy the requirements of the EIA Regulations.²⁴⁷ The provision of full technical information was not required, would not have assisted the EIA process and would have been quite impractical, given that there were over 5,000 road links and 11,000 receptors.

²⁴¹ As part of MBS/REB/49/2

²⁴² In particular Docs MBS/5/1-2

²⁴³ Directive 2008/50/EC (CD 4403)

²⁴⁴ CD 4418

²⁴⁵ paragraphs 2.15-2.19 of Doc MBS/5/1

²⁴⁶ paragraph 6.27 of Doc MBS/5/1, and Docs MBS/REB/50/1-4

²⁴⁷ The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (CD 4018)

- 5.133 SMBC acknowledges that the effectiveness, in air quality terms, of a reduction in traffic volumes through Disley might be neutralised were that to be achieved by a reduction in traffic speed through Disley²⁴⁸. This is why the SMBC evidence concludes that the enhanced mitigation measures, designed to discharge the relevant planning conditions²⁴⁹, should provide not only for a reduction in the forecast increase in traffic on the A6, but should also seek to achieve this without significant reduction in traffic speed through the Disley AQMA²⁵⁰.
- 5.134 Moreover, contrary to AQC's assertion, there is no under-representation of the impact in Disley in the ES. It is accepted that there would be 3 new exceedances of the annual mean NO₂ limit value with the Scheme, but these would be at properties already within the AQMA. As such the AQMA would not need to be extended²⁵¹. Moreover, the "Further Assessment A6, Disley"²⁵² indicates that property at the Crescent, referred to by AQC²⁵³, is predicted to experience annual mean NO₂ concentrations of 38 µg/m³ in 2016, 12 months before the opening of the Scheme. Predicted increases in NO₂ associated with the Scheme would not lead to exceedances of short term objectives under such conditions²⁵⁴.
- 5.135 Mr Houston's complaint in relation to the A555 is wholly unfounded. Firstly, the Air Quality Directive provides expressly that compliance with the limit values directed at the protection of human health shall not be assessed "on the carriageway of roads"²⁵⁵. Secondly, even if Mr Houston's calculations were accepted, they relate to concentration levels at a point 4m from the carriageway of the existing A555, which is a location "where members of the public do not have access and there is no fixed habitation"²⁵⁶. Such a location is expressly stated in the Air Quality Directive to be one where compliance with the limit values directed at the protection of human health shall not be assessed²⁵⁷.
- 5.136 Thirdly, the simple pro-rata approach (taking account of traffic volumes only) of Mr Houston's calculations is, in any event, inappropriate and yields results which do not match the modelled outcomes, which take account of all relevant factors and not just traffic volumes²⁵⁸. Mr Houston has also wrongly located the cycle-path on the air quality contour map he appends to his rebuttal proof²⁵⁹. The cycle-path in this location would be in an area with an annual mean NO₂ concentration of 30-40 µg/m³. This is well below the 60 µg/m³ annual mean NO₂ concentration suggestive of exceedance of the short term exposure limit (which would be the relevant one in connection with the cycle-path)²⁶⁰.
- 5.137 The use of the receptor approach is a fundamental requirement of a local air quality assessment as set out in LAQM TG09²⁶¹ and is not the subject of any

²⁴⁸ Paragraphs 5.7-5.28 of Doc MBS/5/1

²⁴⁹ Condition 37 of CD 2098 and condition 8 of CD 2099

²⁵⁰ Paragraph 5.28 of Doc MBS/5/1

²⁵¹ Response 50/2/019 in Doc MBS/REB/50/2

²⁵² Issued by CEC in December 2011 – see extract at Appendix 50/2/1 in Doc MBS/REB/50/2

²⁵³ See Section 3 of Doc OBJ/50/02

²⁵⁴ Responses 50/2/018, 50/2/024 and Appendix 50/2/1 in Doc MBS/REB/50/2

²⁵⁵ paragraph 2(c) to Annex III of CD 4403; and Docs MBS/REB/50/1 and 3

²⁵⁶ paragraph 2(a) to Annex III of CD 4403; and Docs MBS/REB/50/1 and 3

²⁵⁷ paragraph 2(a) to Annex III of CD 4403; and Docs MBS/REB/50/1 and 3

²⁵⁸ See Response 50/RR05 in Doc MBS/REB/50/3

²⁵⁹ Doc OBJ/50/03

²⁶⁰ Response 50/RR06 in Doc MBS/REB/50/3

²⁶¹ CD 4419

- criticism by AQC. Mr Houston's suggestion that the SMBC evidence in relation to air quality outcomes in Disley reveals inconsistency and gives rise to the possibility that an overall worsening of air quality might have been indicated if a similar exercise had been carried out for the whole Scheme²⁶², is without merit.
- 5.138 The range of outcomes in Disley is explicable on the basis of the different inputs in relation to emission factors and "gap analysis" (and, indeed on whether any "gap analysis", up-dated or not, is employed) following changes in guidance since the ES was published. The overall picture to emerge from the updated assessment for Disley is one of air quality improvement (in the sense of fewer predicted exceedances both with and without the Scheme). In these circumstances, an updated analysis for the whole Scheme could be expected to demonstrate improvements in air quality, in all areas benefiting in air quality terms from the Scheme²⁶³.
- 5.139 It is accepted that an alternative alignment for the A6MARR, to the south of Carr Wood, could avoid impact on the ancient woodland. However, such a route would also have disadvantages. It would follow an alignment outwith the currently protected route corridor in the SMBC UDP; would require construction of 2 structures over Norbury Brook with increased impact on the watercourse; would sever agricultural land in the area and affect more PRoW; and would give rise to increased visual impact by the need to have an over-bridge crossing of the Hazel Grove to Buxton railway²⁶⁴.
- 5.140 In addition, it would emerge on the A6 directly outside a number of residential properties and be likely to require some demolition of these properties, notwithstanding Mr Houston's views to the contrary. It would also lead to an increased likelihood of further demolition of residential property to enable connection to a possible future A6 to M60 (Bredbury) phase of SEMMMS, as well as placing that phase of the road directly in the line of a United Utilities' underground reservoir. In summary, any advantages of such a route would be decisively outweighed by disadvantages, to the extent that such an alternative could not be considered a viable option.
- 5.141 Mr G Willman (OBJ/51)²⁶⁵. Mr Willman does not believe that the traffic modelling has been carried out competently and maintains that it should have been "independently" checked. However, he produces no firm evidence of his own to support these views. The modelling was carried out by professional consultants, including SMBC's Traffic and Economics witness²⁶⁶, with inputs from the Highways Forecasting and Analytical Services division of TGM and the Systra consultancy, and made use of industry standard traffic modelling software. Mr Willman's unsupported assertion that this modelling might not be independent, competent and honest cannot be given any credence at all.
- 5.142 In any case, the transport modelling reports were submitted to the DfT as part of the Business Case submitted in October 2012. DfT has indicated that it has

²⁶² Doc OBJ/50/01

²⁶³ See, for example, response 50/R11 in Doc MBS/REB/50/1

²⁶⁴ Paragraph 3.6.12 of Doc MBS/2/1, and response 50/R18 in Doc MBS/REB/50/1

²⁶⁵ Pages 180-181 of Doc MBS/11/1 and Docs MBS/REB/51/1-2

²⁶⁶ Mr Malik – see Docs MBS/3/1-3

- considered the design and parameters of the model and is satisfied that its outputs are appropriate.
- 5.143 Mr Willman continually argued that the traffic modelling and its results could have been better explained to the public by some form of visual representation using a micro-simulation model such as PARAMICS. However, he has simply failed to grasp the difference between the type of model that has been used to predict the routing decisions of traffic over a large network (SATURN²⁶⁷), and a modelling technique which can give a visual representation of traffic movements over a smaller area, once those routing decisions have been made.
- 5.144 Whilst SMBC accepts that micro-simulation software can be used to predict traffic assignment, the visual element of the programme will only provide a visualisation of what is happening in particular areas. It cannot assist the viewer in understanding why or how the routing decisions that have resulted in that interaction are being taken, in the wider network. It is not the appropriate tool for the task. It would be enormously expensive and time consuming to programme, to produce something that would not provide any more useful information or representation of that information. Its use for the purpose Mr Willman seeks is simply not justified.
- 5.145 Following Mr Willman's repeated requests, a model demonstration workshop had been organised in August 2014 to show the live operation of the traffic model and to provide complete transparency in how the traffic forecasts have been derived without any manual manipulation of the results. However, subsequent to the date being agreed Mr Willman, and then PAULA, stated that they would not attend. The event was nevertheless held, as other people had agreed to attend. The demonstration allowed attendees to see that the forecast average daily traffic flows for the A6 through High Lane and Disley would reduce from a previously predicted additional up to 30% increase to an increase of 11-16% when the enhanced mitigation measures are included²⁶⁸.
- 5.146 As the precise package of enhanced mitigation measures has not yet been agreed, Mr Willman does not understand how it can be argued that they would reduce traffic flow increases by a specific amount. However, this again demonstrates that Mr Willman has not understood how traffic modelling works. Mr Malik has made it clear that for modelling purposes, an increase in journey time of between 1 and 3 minutes has been modelled along the A6 east of the Scheme, to reflect the potential mitigation measures²⁶⁹. This increase in journey times is based on knowledge of the likely speed impacts of the range of measures that could be considered for this corridor.
- 5.147 There are a number of possible ways in which this element of increased journey time could be introduced onto the A6. It is not necessary at this stage to know precisely what measures would be adopted, especially as they would need to be the subject of public consultation. What does need to be known, now, is that there is a range of measures available and feasible which, in combination, could produce that increase in journey time. That information is known, funding of

²⁶⁷ SATURN: Simulation and Assignment of Traffic to Urban Road Networks – a combined simulation and assignment traffic model

²⁶⁸ Doc MBS/REB/51/2

²⁶⁹ Response 51/R03 in Doc MBS/REB/51/1

some £4.71 million is available, and the LPAs and the Local Highway Authorities have clearly been satisfied that the level of journey time change, and the level of associated reduction in traffic volumes, could realistically be achieved. Otherwise, they would not have imposed the relevant planning conditions on the planning permissions for the Scheme²⁷⁰.

- 5.148 Mr Willman's concerns about the likely impact of the Scheme on the Peak District National Park are noted, but Derbyshire County Council has been consulted on the Scheme and raises no objection. Indeed it is supportive of the package of mitigation and complementary measures which is proposed²⁷¹. Other criticisms levelled at the Scheme by Mr Willman have been addressed in the main body of the SMBC case and in responses to other objectors.
- 5.149 Ms C Valek (OBJ/52)²⁷². The points raised by this objector about existing congestion, loss of the ancient woodland and green areas, pollution and the need for the road have all been addressed in the SMBC general case, and in response to other objectors.
- 5.150 Mr & Mrs Wood (OBJ/53)²⁷³. These objectors are the owners of Coppice End, the property on the other side of the Scheme from Mrs Mills (OBJ/20), and there is no doubt that the Scheme would change the rear aspect of this property. But SMBC has sought to mitigate this as far as possible. The vertical alignment of the A6MARR has been lowered and the balancing pond proposed for an area to the north of Mr and Mrs Wood's property has been re-designed so that it is not visible from the house.
- 5.151 In addition, new tree planting is proposed between this balancing pond and Coppice End, together with dense woodland on the embankment slopes where the A6MARR would cross the valley to the east. As a result, views of traffic using the road would be limited to the tops of high-sided vehicles upon Scheme opening, and these views would be blocked as the tree planting and woodland establishes and matures.
- 5.152 The proposals also provide for the use of low-noise surfacing on the new carriageways and an environmental barrier at the top of the embankment slopes. These mitigation measures would serve to reduce the impact of traffic-related noise, although as identified within the ES, there would still be a major increase in the order of 12dB(A).
- 5.153 To address Mr & Mrs Woods' concerns regarding security, the Scheme has undergone a brief "Design for Security" review which has provided general advice on the matter of security, and ways of safeguarding personal safety. The vehicular right of way would be available for authorised users only, and whilst the PRoW is to be diverted, it does currently exist within the Coppice End boundary. Discussions are continuing with Mr & Mrs Wood and it is hoped that an agreement will be reached, although this had not been achieved by the close of the Inquiry.

²⁷⁰ CDs 2098, 2099 and 2100. Also see Doc MBS/34

²⁷¹ CD 2104 and Doc MBS/31

²⁷² Pages 182-183 of Doc MBS/11/1

²⁷³ Pages 184-186 of Doc MBS/11/1

- 5.154 The Woodland Trust (OBJ/54)²⁷⁴. Much of the substance of this objection, relating to the effect of the Scheme on the ancient woodland at Carr Wood, has already been addressed, above, in the section dealing with the environmental aspects of the SMBC case. In addition, consideration has been given to the Woodland Trust's claim that the Scheme could result in ongoing deterioration of the ancient woodland, by way of indirect impact from new road and associated traffic. However, the Scheme would not involve any marked modification of landform beyond the area of woodland which would be removed and would therefore not involve any material modification to the groundwater regime within the area. Moreover, there are no proposals for the introduction of road-related lighting in the vicinity of the woodland.
- 5.155 It is accepted that the construction process would result in the generation of dust in the vicinity of the woodland for part of the anticipated 27 month construction period. But measures would be taken to control construction dust close to sensitive locations, such as the woodland, through an appropriate construction activity method statement, which would be adhered to. In view of all these points, the concerns raised by the Trust, relating to indirect impacts, would not materialise.
- 5.156 Mr P Galligan (OBJ/55)²⁷⁵. The oil pipeline diversion is being promoted by the OPA under its legislation and is not, therefore, a matter for this Inquiry. However, as noted previously, an updated planning application has been submitted for the oil pipeline diversion, as the realignment along "Route B", as agreed with Mr Galligan, goes outside the existing "red line boundary" for the Scheme. SMBC has every reason to believe that this application will be successful. SMBC has designed the Scheme to facilitate the "Route B" option as requested by Mr Galligan.
- 5.157 In terms of land drainage, as part of the Scheme SMBC would intercept every artificial land drain, whether previously identified or not, and would pipe to a suitable outfall. Much of the existing land drainage would need to be discovered and dealt with during the construction stage. All adoptable earthworks drainage would provide a drainage system to cater for the toe and top of earthworks slopes run off. SMBC and the Contractor would liaise with the objector in order to understand the existing field drainage systems and his specific requirements.
- 5.158 Mr Galligan's desire to secure the diversion of footpaths could not be justified because they would not be required as part of the Scheme. It is not an objective of the Scheme to close existing rights of way and no closures without accompanying diversions were consulted upon as part of the Scheme's consultation process. The PRoW across the fields are used by local residents and it is anticipated that any suggestion of closure would receive objections.
- 5.159 Finally, SMBC has undertaken to provide a mains water supply to Mr Galligan's land and has committed to providing a culvert underneath the A6MARR mainline and to construct accommodation works drainage (or compensate the objector in order to construct the drainage system himself). The Council would ensure that a constant water supply is maintained during and after the works, subject to the overall compensation package.

²⁷⁴ Doc MBS/REB/54/1

²⁷⁵ Doc MBS/REB/55/1

- 5.160 Mr P Simon (OBJ/56)²⁷⁶. A full response to the varied points raised by Mr Simon is given in the SMBC rebuttal proof²⁷⁷ and many are also covered in the responses to other objectors. Mr Simon has raised some points about his not being kept informed about progress with the Scheme. However, SMBC considers it has taken all appropriate and necessary measures to keep the public informed regarding progress with the Scheme at all its stages, and that the proper publication processes associated with the Orders and this Inquiry have been carried out as required²⁷⁸.
- 5.161 Mr Simon's substantive objections seem to be that a second orbital road echoing the line of the M60 in South East and South West Manchester either side of the Airport should not be built by stealth and that a road scheme is fundamentally the wrong approach. The SMBC evidence in chief to this Inquiry²⁷⁹ has explained clearly and specifically why this road is justified. SMBC stands by that evidence and its overall SoC²⁸⁰.
- 5.162 Mrs J Hulme (OBJ/57)²⁸¹. This objector raises similar points to those of Ms Waddicor (OBJ/46 - Green Belt/rural area impact/consultation) and SMBC makes a similar response. Mrs Hulme disputes the fundamental premise of the Scheme that better access east-west across the south of the conurbation is required and that a new road is the only way to deliver this. However, she offers no firm evidence of her own. She expresses concern over traffic increases in Disley but SMBC has taken account of concerns over those increases and, accordingly, is proposing the package of enhanced mitigation measures that would reduce the increase in traffic²⁸².
- 5.163 Stockport FoE (OBJ/58). Contrary to any assertions from this objector, the SRO and CPO Public Inquiry process for the A6MARR has been undertaken in accordance with due statutory process. Appendix L of the Business Case for the Scheme examines whether the case for the Scheme is still justified or whether other solutions should be considered²⁸³. This document concludes that "*the conclusions of the SEMMMS study remain valid in relation to the need for the SEMMMS Road Scheme. The road scheme can be seen to be justified from the analysis of network congestion and journey patterns. No solution other than a road could cater for the very dispersed, orbital journeys currently taken across the scheme corridor albeit using north-south routes in order to make east-west journeys.*"
- 5.164 Moreover, a Sustainability Statement²⁸⁴ (SS) was prepared to support the planning applications, and was considered by each of the 3 responsible LPAs prior to the grants of planning permission. Amongst other matters, this SS demonstrates that sustainability principles have been adhered to during the preparation of the Scheme, and this is reinforced by the awarding of

²⁷⁶ Doc MBS/REB/56/1

²⁷⁷ Doc MBS/REB/56/1

²⁷⁸ Doc MBS/12

²⁷⁹ See, in particular, Docs MBS/1/1-2; MBS/3/1-2 and MBS/3/1-2

²⁸⁰ CD 1105

²⁸¹ Doc MBS/REB/57/1

²⁸² Doc MBS/34

²⁸³ CD 5004

²⁸⁴ CD 2087

CEEQUAL²⁸⁵ “Excellent” scores at the Interim Award stage, for both Sustainability Strategy and Sustainability Performance.

- 5.165 The SS confirms that the Scheme is predicted to lead to an increase in carbon emissions of about 10,300 tonnes over a 60 year evaluation period. The Business Case²⁸⁶ for the Scheme clarifies that this small increase in carbon would result largely from the slight increase in the overall number of vehicular trips on the highway network and the associated increase in total vehicle kilometres travelled. The Business Case goes on to state that this increase in carbon emissions represents a negligible increase of 0.02% over the dominant situation, such that the predicted increase in carbon emissions as a result of the Scheme can be seen to be negligible.
- 5.166 The SS makes it clear that although this increase in carbon emissions has to be seen, in planning terms, as an adverse impact of the Scheme which carries some weight against the proposal, when considered in the sustainability Appraisal Summary Table it has only been given a neutral impact²⁸⁷. The Business Case also highlights the fact that there would be other positive impacts of the relief road in relation to carbon emissions, relating specifically to the expected mode shift to cycling and a potential mode shift to bus.
- 5.167 Furthermore, in considering the planning applications the 3 LPAs, took into account the Framework requirement to consider the impact of the proposal on climate change, including as part of the Flood Risk Assessment²⁸⁸ (FRA) for the Scheme. In this regard, climate change is projected to increase the peak rainfall intensity by 20% and increase the peak river flow by up to 20% over the lifetime of the development, but it has been demonstrated that the A6MARR and its related works would be adequately protected from flooding, and would not cause an increase in flood risk elsewhere.
- 5.168 Mr P Taylor (OBJ/59). Mr Taylor makes no substantive objection and there is nothing for SMBC to respond to.
- 5.169 Dr S Riley (OBJ/60)²⁸⁹. This objector is concerned about traffic volumes on Threaphurst Lane and Torkington Road after the Scheme is implemented. The SMBC traffic modelling demonstrates that in 2017, with the A6MARR in place and with the proposed enhanced mitigation measures operative, the traffic on both of these roads would be reduced, compared with the position without the A6MARR. Dr Riley does not appear to accept this, but offers no evidence of her own on how traffic flows would alter.

Modifications proposed to the Orders

- 5.170 As a result of ongoing consultation and negotiation with stakeholders and objectors, and further examination of the Orders, SMBC is proposing a number of minor modifications to the SRO and the CPO. These are set out in detail in the CPO/SRO Modifications Report²⁹⁰ and its accompanying Appendices (A to H), and

²⁸⁵ CEEQUAL – an international evidence-based sustainability assessment and rating award, originally developed by a team led by the Institution of Civil Engineers

²⁸⁶ CD 5004

²⁸⁷ Table 4.3 in CD 2087

²⁸⁸ CD 2081

²⁸⁹ Docs MBS/REB/60/1-2

²⁹⁰ CD 1104

are therefore not repeated here, but are simply summarised in the following paragraphs.

- 5.171 For the SRO, a total of 39 modifications are proposed, some of which are simply minor changes to the text to address typographical errors. Other proposed modifications cover such matters as amendments to various PMA and PRoW labels; minor corrections to street names and road numbers; the provision of new PMAs; the extension of some previously proposed PMAs; and reductions in the lengths of some PMAs to be stopped up. Some of the modifications require corrections or amendments to be made to the SRO itself, whilst others involve amendments and/or modifications to the Schedules and/or Site Plans, as set out below:
- For the SRO: SRO Mods 0A, 0B & 0C;
 - For Schedule 1/Site Plan 1: SRO Mods 1A, 1B & 1C;
 - For Schedule 2/Site Plan 2: SRO Mods 2A & 2B;
 - For Schedule 3/Site Plan 3: SRO Mods 3A, 3B, 3C & 3D;
 - For Schedule 4/Site Plan 4: SRO Mods 4A, 4B, 4C, 4D, 4E, 4F, 4G & 4H;
 - For Schedule 5/Site Plan 5: SRO Mods 5A, 5B, 5C & 5D;
 - For Schedule 6/Site Plan 6: SRO Mods 6A & 6B;
 - For Schedule 7/Site Plan 7: SRO Mods 7A, 7B, 7C, 7D & 7E;
 - For Schedule 8/Site Plan 8: SRO Mods 8A, 8B & 8C;
 - For Schedule 9/Site Plan 9: SRO Mods 9A, 9B, 9C, 9D & 9E.
- 5.172 None of the proposed modifications are considered to be significant and none affect the extent or scale of the proposals. Moreover, it is not considered that any of the modifications would materially alter anyone's understanding of the Order. For all these reasons it is considered that no further formal consultation is necessary, especially as a large number of those people likely to be affected by the modifications have been contacted directly about them²⁹¹.
- 5.173 Appendix A to CD 1104 contains the SRO and its accompanying Schedules, with the proposed modifications shown by means of "track changes" and comments. Appendix B subsumes the proposed modifications, showing what is intended to be the "final" SRO and Schedules. Appendix C contains SRO Site Plans 1 to 9 with the proposed modifications highlighted, whilst Appendix D contains the "final" Site Plans incorporating the proposed modifications.
- 5.174 For the CPO, a total of 18 modifications are proposed, some of which, again, are simply minor changes to the text to address typographical errors or omissions. Some relate to reductions in the size of plots needed to be acquired, whilst others reflect the fact that some plots are no longer required for the Scheme and are proposed to be deleted from the CPO. In other cases, plots have needed to be divided and renumbered to reflect ownership changes, whilst in other cases, ownership details have simply needed to be amended. Modifications are also proposed to address incorrect headings for a number of Schedules, and wrongly labelled streets and road numbers.
- 5.175 There are also a number of plots which have been purchased by the Secretary of State for Transport, since the publication of the Orders, and in these circumstances modifications are proposed to the text in the relevant Schedules to

²⁹¹ Doc MBS/29

limit the interests to be acquired to exclude those owned by the Crown. Similar textual changes are needed in relation to other plots to exclude, where appropriate, interests owned by CEC and/or MCC. As with the SRO, some of the proposed modifications relate to the CPO itself, whilst others involve amendments and/or modifications to the Schedules and/or Site Plans, as set out below:

- For the CPO: CPO Mods 0A, 0B & 0C;
- For Schedule 2/Site Plan 2: CPO Mod 2A;
- For Schedule 3/Site Plan 3: CPO Mods 3A, 3B & 3C;
- For Schedule 4/Site Plan 4: CPO Mods 4A;
- For Schedule 5/Site Plan 5: CPO Mods 5A, 5B & 5C;
- For Schedule 7/Site Plan 7: CPO Mods 7A, 7B & 7C;
- For Schedule 8/Site Plan 8: CPO Mods 8A & 8B;
- For Schedule 9/Site Plan 9: CPO Mods 9A & 9B.

- 5.176 It should be noted that proposed Modification CPO Mod 5A relates to Plot 5/7D, which forms part of the proposed exchange land. This modification reduces the size of land to be acquired as exchange land, to exclude an area of existing public footpath (size reduced from 15,982sqm to 15,714sqm). SMBC acknowledges that this modification would have implications for the s19 Exchange Land Certificate application, which it notes is to be amended accordingly.
- 5.177 None of the proposed modifications are considered to be significant and none require additional land or affect the extent or scale of the proposals. Moreover, it is not considered that any of the modifications would materially alter anyone's understanding of the Order. For all these reasons it is considered that no further formal consultation is necessary.
- 5.178 Appendix E to CD 1104 contains the CPO and its accompanying Schedules, with the proposed modifications shown by means of "track changes" and comments. Appendix F subsumes the proposed modifications, showing what is intended to be the "final" CPO and Schedules. Appendix G contains CPO Site Plans 1 to 9 with the proposed modifications highlighted, whilst Appendix H contains the "final" Site Plans incorporating the proposed modifications.
- 5.179 For the Exchange Land Certificate, minor modifications are necessary to ensure consistency with the CPO. These have come about as a result of the need to remove Footpath No 14A from the CPO, as this is already available to the public and cannot therefore be considered valid Exchange Land. Although this reduces the area of exchange public space, it still exceeds the area of open space taken by the Scheme and the change is not considered significant. No further formal consultation is therefore necessary. The necessary modifications are:
- Paragraph 3 of the public notice of intention to issue a s19 Certificate should be amended to clarify that the total area of exchange land would be 16,722sqm, and that the reference to Plot 5/1D should be to Plot 5/7D;
 - The area of Plot 5/7D in Schedule 2 should be amended to 15,714sqm.

Overall Summary of SMBC's Case as Acquiring Authority

- 5.180 Although Circular 06/2004 recognises that every effort should be made to acquire land by agreement, it is appropriate to have commenced the compulsory

purchase process in tandem with those negotiations²⁹². In this case whilst only a few properties have been acquired it is clear from the submitted evidence that SMBC has been talking to affected landowners over a considerable period, prior to making the Orders, and has attempted to reach agreement where possible²⁹³.

- 5.181 In relation to both Orders the statutory tests have been met. The CPO is compliant with the requirements of Circular 06/2004 and with Article 1 of the First Protocol to the European Convention on Human Rights. A compelling case in the public interest has been demonstrated²⁹⁴ and this public interest is sufficient to outweigh the interests of the affected landowners. SMBC has been shown to have acted proportionately and democratically and none of the objections, either singly or in combination, should lead the Secretaries of State to come to the view that the Orders should not be confirmed.
- 5.182 Insofar as all objectors are concerned, should a person feel that the value of their land and property has decreased or that they have suffered other losses as a direct consequence of the Scheme, they are entitled to claim compensation under the statutory compensation code and each claim will be determined on its merits.
- 5.183 The Scheme would achieve the legitimate objectives set for it, and SMBC has demonstrated precisely the purposes for which compulsory land acquisition is required. This acquisition is required now²⁹⁵, and there are no planning or other impediments to prevent the Scheme coming forward²⁹⁶. The necessary funding is in place²⁹⁷ and Scheme represents extremely good value for money.
- 5.184 The Secretaries of State are therefore invited to confirm the Orders, and issue the s19 Certificate, all as proposed to be modified. All relevant parties should now be aware of the nature of the proposed modifications²⁹⁸ and it is maintained that the Orders could be confirmed without the need to go through any further advertisement process.

Inspector's conclusions begin on the next page

²⁹² paragraphs 24-25 of Circular 06/2004

²⁹³ Docs MBS/10/1-2

²⁹⁴ paragraph 17 of Circular 06/2004

²⁹⁵ paragraphs 9.32-9.33 of Doc MBS/11/1; and paragraphs 18-19 of Circular 06/2004

²⁹⁶ paragraphs 22-23 of Circular 06/2004

²⁹⁷ paragraphs 20-21 of Circular 06/2004

²⁹⁸ Doc MBS/29 and MBS/30

6. CONCLUSIONS

- 6.1 Bearing in mind the submissions and representations I have reported, I have reached the following conclusions, reference being given in superscript brackets [□] to earlier paragraphs or Core or Inquiry documents where appropriate.

Structure of Conclusions

- 6.2 These conclusions first deal with the legal issues of partial confirmation of the Orders, requested by Mr Kingsley. They then set out the tests which the Orders must satisfy if they are to be confirmed. They then consider the matters raised by both statutory and non-statutory objectors. Many of the points raised by objectors, particularly in the written representations, are general matters relating to the history, principle and development of the Scheme, and the justification for the chosen design. Such objections are of limited, direct relevance to the CPO and SRO, especially as the Scheme benefits from planning permissions, granted by the 3 relevant LPAs, with no formal challenge having been made to these permissions^[1.4, 3.17, 3.27].
- 6.3 Nevertheless, to ensure a thorough assessment, and in the interests of natural justice, I have considered and appraised these objections in reaching my conclusions. That said, where the matters raised are clearly outside the scope of this Inquiry, they have not been responded to in detail. All key issues have been identified and the main objectors raising particular points are referenced in footnotes, although others may have raised the same or similar points.
- 6.4 After dealing with these general objections, which in addition to the matters set out above cover such things as the operational, environmental and economic aspects of the Scheme, I then turn to the more detailed objections from those who are directly affected by the CPO and/or the SRO. Finally, the conclusions are drawn together into recommendations on each of the Orders and on the exchange land Certificate.
- 6.5 I have taken account of the ES published by SMBC, CEC and MCC as part of the planning application process^[1.7, 3.8], together with all other environmental information submitted in connection with the Scheme, in arriving at my recommendations^[3.31-3.50].

Legal issues

- 6.6 Mr Kingsley asks that the CPO be confirmed in part, omitting those parts of land to which his various objections relate and allowing discussions to continue to attempt to achieve a satisfactory resolution of his remaining objections. This would mean removing from the CPO all of the Kingsley land shown on Site Plan 8; all of the proposed land take shown on Site Plan 3, from Footpath No 3 (but not including it) to the western end of that plan; and all of the proposed land take shown on Site Plan 4 between the eastern cut line and the eastern side of the West Coast Mainline^[4.50].
- 6.7 Mr Kingsley cites s259 of the Highways Act 1980 as providing the powers under which a partial confirmation could be carried out^[4.50], but this section was repealed by the Planning and Compulsory Purchase Act 2004. However,

confirmation in stages can be authorised under section 13C of the Acquisition of Land Act 1981²⁹⁹, provided certain criteria are met.

- 6.8 Following this course of action would remove a significant part of the land required for the Scheme and, understandably, SMBC opposes any partial confirmation, arguing that it could not reasonably start to construct a road scheme without knowing that it had secured all the necessary land interests^[5.72]. I share that view.
- 6.9 As will be seen later in these conclusions, I consider that Mr Kingsley's objections either cannot be supported, or could be adequately and satisfactorily addressed through the compensation process.
- 6.10 However, if the Secretaries of State were to take a different view on this matter, it seems to me that 1 of 2 actions could be followed:
- The CPO could be confirmed in part, omitting those plots of land detailed above. If the Secretaries of State decide on this course of action it would also be necessary to only confirm those parts of the SRO relating to the confirmed CPO; or
 - The Secretaries of State could decide not to confirm the Orders at all.
- 6.11 In this case, with the land in question spread over several discrete parts of the whole Scheme, I do not consider that a partial confirmation would be a reasonable option and, as noted above, SMBC opposes any such partial confirmation. Accordingly, if the Secretaries of State decide that Mr Kingsley's objections should be supported, or could not adequately be dealt with through compensation, then the SRO and CPO should not be confirmed and the Exchange Land Certificate should not be issued.

The Statutory Tests against which the Orders need to be assessed

- 6.12 The SRO is made under Sections 14 and 125 of the Highways Act 1980. Subject to confirmation by the Secretary of State for Transport, it would authorise SMBC to stop up any highway or PMA and provide any improved or replacement highway, footpath, PMA or new means of access to premises adjoining or adjacent to a highway.
- 6.13 It is a requirement that provision be made for the preservation of any rights of statutory undertakers in respect of their apparatus. No stopping up order shall be confirmed unless either another reasonably convenient route is available or will be provided before the highway is stopped up. Furthermore, the stopping up of a PMA shall only be authorised if the Secretary of State is satisfied that no access to the land or premises is reasonably required, or that another reasonably convenient means of access to the land or premises is available or will be provided.
- 6.14 The CPO is made under Sections 239, 240, 246, 249, 250 and 260 of the Highways Act 1980 and Schedule 2 of the Acquisition of Land Act 1981. For this Order to be confirmed the land affected must be required for the construction or improvement of, or the carrying out of works to, a highway maintainable at

²⁹⁹ CD 4009

public expense, or for the provision of buildings or facilities to be used in connection with the construction or maintenance of a highway maintainable at public expense. The powers extend to the acquisition of land to mitigate any adverse effect the existence of a highway would have on the surroundings of that highway. The powers also extend to the acquisition of rights over land.

- 6.15 The CPO would authorise the acquisition of land and rights for the construction of the A6MARR and its associated junctions and for the construction and improvement of highways and new means of access to land and premises in pursuance of the SRO. It would also authorise the acquisition of land to enable mitigation measures to be implemented as an integral part of the Scheme.
- 6.16 Some of the land required for the Scheme falls within an area of open space (part of the Woodford Recreational Ground). The purchase of such land through a CPO shall be subject to special parliamentary procedures unless the Secretary of State is satisfied that certain criteria apply. One of these, set out in Section 19(1)(a) of the Acquisition of Land Act 1981, is that there has been or will be given in exchange for such land, other land, not being less in area and being equally advantageous to the persons, if any, entitled to rights of common or other rights, and to the public, and that the land given in exchange has been or will be vested in the persons in whom the land purchased was vested, and subject to the like rights, trusts and incidents as attach to the land purchased.
- 6.17 To address this matter the CPO therefore authorises the acquisition of exchange land to compensate for this open space land needed for the Scheme. That said, during the course of the Inquiry, the only objection lodged against this s19 Certificate was withdrawn, and in these circumstances SMBC considered withdrawing the application for a Certificate, as the land in question would no longer need to be acquired compulsorily. It decided, however, to maintain its application for a Certificate so that, if confirmed and issued, the legal rights pertaining to the parcels of land in question could be transferred, without the need for any separate legal process^[3.60-3.62].
- 6.18 In addition to the tests detailed above, Circular 06/2004^[3.66, 5.180] points out that for land and interests to be included in a CPO there must be a compelling case for acquisition in the public interest; that this justifies interfering with the human rights of those with an interest in the land affected; that the acquiring authority has a clear idea of how it intends to use the land it seeks to acquire; that the acquiring authority can show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale; and that the Scheme is unlikely to be blocked by any impediment to implementation.

Objections relating to the principle and design of the Scheme

- 6.19 A number of objectors maintain that the Scheme is not necessary, arguing that Manchester Airport and the south-eastern part of the Greater Manchester conurbation are already well served by a range of transport options³⁰⁰. Criticisms are also made of the various aspects of the public consultation

³⁰⁰ Objections raised by Mr & Mrs Simumba (OBJ/29), Ms Waddicor (OBJ/46), Ms Valek (OBJ/52), Mr Simon (OBJ/56), Ms Hulme (OBJ/57), Stockport Friends of the Earth (OBJ/58)

exercises³⁰¹ and the fact that a multi-modal study (SEMMMS) has produced a road scheme³⁰². Some objectors are critical of the traffic modelling undertaken for the Scheme³⁰³, whilst others object to certain design aspects, including such matters as the need for a shared-use cycleway and footway and the particular layout chosen for certain junctions³⁰⁴. Finally under this heading, those objections which make criticisms of the planning application process itself are considered³⁰⁵.

- 6.20 The need for the Scheme. Although the need for the Scheme was disputed by some objectors, who claim that there is already good accessibility within this south-eastern part of the conurbation, none of these objections were supported by any firm, factual evidence. In contrast, SMBC has clearly outlined and evidenced the existing transport problems in the area, highlighting the fact that there is no direct east/west transport link in this part of south-east Manchester, connecting with the A6, and pointing out how, as a consequence, eastbound or westbound traffic has to make lengthy and often inappropriate detours^[3.11].
- 6.21 The SMBC evidence demonstrates that significant congestion exists on the local road network; speeds on local roads are very low; and that major problems of journey time reliability also exist. Indeed, this area suffers from a higher level of congestion in the morning peak period than is experienced in the rest of the Greater Manchester conurbation^[3.12]. In these circumstances, and despite the contrary claims of objectors, I see no reason to doubt the SMBC view that access to Manchester Airport, especially by bus-based public transport, is adversely affected and that these problems can only worsen as major development opportunities come forward in the Manchester Airport area^[3.13].
- 6.22 The evidence also demonstrates that much thought has already been given to the best way to deal with these traffic problems, following the removal of a number of high-profile schemes from the Government's Roads Programme^[3.1-3.3]. In common with other parts of the country, a multi-modal approach has been adopted, with the Final Report of the SEMMMS published in 2001^[3.3]. This recommended a large number of integrated transport initiatives covering public transport improvements, along with scaled-down versions of the previously-intended highway schemes^[3.3]. Although some objectors have criticised the fact that recommendations for a road scheme is an output of a multi-modal transport study, I see nothing untoward in this, in view of the fact that other recommendations of the study covered non-road transport solutions, many of which have already been implemented^[3.3, 5.124].
- 6.23 Moreover, it is clear that the version of the highway scheme which has received planning permission and is now the subject of these Orders (the A6MARR), is
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³⁰¹ Objections raised by Mrs Shirt (OBJ/08), Mr & Mrs Gilchrist (OBJ/11), C Krystek & U Krystek-Walson (OBJ/12), Mr & Mrs Deen (OBJ/13), Mr Barson & Ms Whittingham (OBJ/14), Mr & Mrs Hadfield (OBJ/15); Mr & Mrs Hunt (OBJ/16); Mr & Mrs Burke (OBJ/17), Mr Clayton & Mrs Hayward (OBJ/18), Dr & Mrs Hufton (OBJ/48), Mr Simon (OBJ/56)

³⁰² Objections raised by Dr & Mrs Hufton (OBJ/48), Ms Oliver (OBJ/49)

³⁰³ Objections raised by Mr Barson & Ms Whittingham (OBJ/14), Ms Oliver (OBJ/49), Mr Willman (OBJ/51)

³⁰⁴ Objections raised by The Trustees of Simpson (OBJ/02), Mr & Mrs Gilchrist (OBJ/11), Mr Barson & Ms Whittingham (OBJ/14), C Krystek & U Krystek-Walson (OBJ/12); Mr & Mrs Deen (OBJ/13); Mr & Mrs Hadfield (OBJ/15); Mr & Mrs Hunt (OBJ/16); Mr & Mrs Burke (OBJ/17), Mr Clayton & Mrs Hayward (OBJ/18), Mrs Mills (OBJ/20), Mr Kingsley (OBJ/22), Messrs Hall & Ms Allen (OBJ/23), Mr Westbrook (OBJ/25), A & V Walker (OBJ/42), Mr & Mrs Hankinson (OBJ/43), Ms Waddicor (OBJ/46), Mr S Houston (OBJ/50), Mr & Mrs Wood (OBJ/53)

³⁰⁵ Objections raised by Mr Summerton (OBJ/47), Ms Oliver (OBJ/49), Mr Willman (OBJ/51), Mr Simon (OBJ/56)

much reduced in scale from previous proposals, notably through the use of at-grade rather than grade-separated junctions^[3.3]. As such, the Scheme is clearly intended to function as a local relief road, providing relief from through traffic for local communities and improving local accessibility, rather than serving as a new, strategic route of regional and potentially national significance.

- 6.24 In addition, the A6MARR is firmly supported by policies in the development plans of the 3 relevant LPAs, which safeguard land for the Scheme^[3.25-3.30], and the Scheme's objectives are in full accord with national aims and policies set out in the Framework. Taken together, these points lead me to conclude that there is a clear and demonstrable need for the Scheme, and that it is fully supported by relevant planning policies at both local and national level.
- 6.25 Public consultation. A number of criticisms have been made of the public consultation process, with many objectors claiming that they have not been consulted on matters which directly affect them, whilst in other cases the claim is that local views have not been listened to. However, in terms of the scope and range of the consultation exercises, the submitted evidence shows that an extensive programme of consultation has taken place, at appropriate times, in terms of the overall Scheme options and different options for individual junctions^[3.6].
- 6.26 Moreover, it is clear from the logs of meetings and correspondence with objectors, provided in Mr Church's evidence³⁰⁶, that discussions and consultations have taken place on Scheme options and other matters of detail affecting individual landowners and tenants.
- 6.27 I can understand and appreciate the concern and frustration expressed by some objectors, when the approved Scheme details do not reflect their preferences. However, in putting forward the Scheme for approval, the LPAs will have had to balance a wide range of issues, with the views of individual objectors only being one input to this process. There is nothing in the evidence to suggest that the final Scheme design failed to have due regard to any of the necessary matters, or that unsafe or inappropriate design elements have been incorporated into the approved Scheme. In view of these points I am not persuaded that the criticisms levelled at the public consultation process are justified.
- 6.28 Traffic modelling. Similarly, although a number of objectors criticised the traffic modelling undertaken for the Scheme, none of these criticisms was backed up by any firm, factual evidence. Mr Willman (OBJ/51) was particularly critical and sceptical of the traffic modelling, arguing that it had never been independently checked or verified, and indeed that it is defective and not fit for purpose^[4.93]. He was insistent that SMBC should "re-format its data" to provide a "5-minute real time video slice" along the A6, using a modelling program such as PARAMICS^[4.96, 4.98, 4.99]. However, when pressed to explain in detail what he expected such an exercise to demonstrate, he was unable to do so.
- 6.29 In light of the written evidence submitted, and the various oral exchanges at the Inquiry, I have formed the view that Mr Willman's knowledge of the traffic

³⁰⁶ Docs MBS/10/1-2

modelling process is limited. I also note that he declined to attend a traffic modelling demonstration held in August 2014 by SMBC, specifically to assist objectors to better understand the modelling process^[4.99, 5.145]. Mr Willman's assertions and allegations relating to traffic modelling were not supported by any verifiable evidence and I therefore give them very little weight.

- 6.30 Having regard to the comprehensive and detailed evidence submitted by SMBC on this topic I am satisfied that the traffic modelling for the Scheme has been undertaken by experienced professional transport planners, using the "industry standard" traffic modelling software (SATURN)^[5.143], appropriate for the task in hand. I share the SMBC view that PARAMICS, which is a model better equipped to model small networks to gauge and assess driver behaviour and vehicle interaction, would not be appropriate for a network of the size involved in assessing the A6MARR^[5.143-5.144].
- 6.31 As SMBC accepted, it would be possible to model a small area, such as part of the A6, using PARAMICS, but a small PARAMICS model of this nature could not deal meaningfully with the likely changes in route choice which would arise in the wider network as a result of the construction of the A6MARR. Such "route choice" modelling needs to be undertaken across a wider area than just a slice of the A6 corridor, to be able to reflect the real decisions drivers would have to make, in a network including an A6MARR^[5.144].
- 6.32 The outputs from the traffic model have been used to complete the Scheme's Business Case ^[3.6, 3.14, 5.142], which has been considered and assessed by DfT, and there is no evidence before me to suggest that this process has not been undertaken in a fair and thorough manner. Overall, on this issue, I conclude that the SMBC traffic modelling for the Scheme is robust and reliable, and that objections to the traffic modelling process or outputs cannot be supported.
- 6.33 Design matters. On matters of detailed design, a number of land-owners were critical of the fact that land is proposed to be acquired to enable the shared-use cycleway/footway to be constructed along the length of the Scheme, arguing that there is no need for such a facility. It is quite clear to me, however, in view of both the Scheme's objectives^[3.19], and the unambiguous wording of the Stockport Core Strategy Policy CS10^[3.26], that this shared-use facility is, indeed, an essential component of the Scheme. The inclusion within the CPO of the necessary land for its construction is therefore justified.
- 6.34 Other, specific objections to elements of the Scheme design came from Mr Kingsley (OBJ/22) and Mr Westbrook (OBJ/25). Some of Mr Kingsley's concerns relate directly to his land interests at Clay Lane and Woodford Road, Poynton, and these are addressed later in this Report. However, he also made 2 more general criticisms of the Scheme design, the first of these being that the Woodford Road, Bramhall junction should either have east-facing slip roads (in addition to the existing west-facing slips), or there should be no connection between the A6MARR and Woodford Road at all at this point^[4.43].
- 6.35 Mr Kingsley's concerns are noted, but he provides no firm and convincing reasoning for his first suggestion, only stating that this would allow the junction at Chester Road, Poynton, to be considered in isolation and on its own merits; whilst a reduction in land-take is his only reason for his second suggestion^[4.43].

It is clear to me that SMBC has thoroughly assessed junction options at this location^[5.67], and see no good reason to dispute its conclusions in this regard. Because of this, Mr Kingsley's alternatives cannot be supported.

- 6.36 Mr Kingsley now accepts that an at-grade junction would be appropriate at the A6MARR/Oil Terminal junction, but argues that the link to Chester Road should connect at a roundabout junction, rather than the traffic signal controlled junction included within the approved Scheme^[4.44]. I have noted his concerns, but no clear justification for his alternative proposal have been given, and in any case the proposed junction, linked to the traffic signal controlled A6MARR/Oil Terminal gyratory, is predicted to operate well within capacity^[5.68]. I am therefore of the view that Mr Kingsley's suggestions should not be pursued.
- 6.37 Mr Westbrook also criticises the proposed location and layout of the junction connecting Chester Road to the A6MARR, but this is more appropriately dealt with as part of his detailed objections, addressed later in these conclusions.
- 6.38 A further objection to the design of the Scheme came from Mrs Mills (OBJ/20), who referred to a "bend" in the alignment as it crosses her land. Her case is that this bend is not necessary, as it does not reflect the former alignment of one of the remitted schemes^[4.29]. She argues that this bend should be straightened out to reduce the land required from her property. Her suggestion would, however, simply push the land-take elsewhere^[5.38]. The SMBC evidence is that the Scheme has been designed using the appropriate DfT highway design guidance and there is no contrary evidence before me on this matter^[3.14]. In these circumstances I can give little weight to Mrs Mills' suggestion.
- 6.39 The planning application process. Some objectors have raised criticisms and concerns regarding the planning application process. The facts of the matter are, however, clear. The Secretary of State for DCLG was informed of the planning applications but, after due consideration, decided that he did not need to call the applications in for his own determination^[3.8]. Each of the relevant LPAs therefore moved to reach its own decision on the applications, with all 3 granting planning permission for the Scheme (subject to conditions), in June/July 2014^[3.8, 3.64]. None of these permissions have been formally challenged. In these circumstances I see no need or merit in considering these objections further.
- 6.40 Taking all the above points into account, I conclude that there is a clear, justified need for the A6MARR and that the current alignment, design and layout have been properly assessed. The Scheme has been consulted upon, has the benefit of planning permission from all 3 responsible LPAs, and would accord with national and local planning and transport policies. There is no policy impediment to it proceeding and I therefore conclude that these objections to the principle of the Scheme, and its justification and detailed design, should not carry weight against the confirmation of the Orders.

Objections relating to operational aspects of the Scheme

- 6.41 A number of general objections have been lodged against the Scheme, on the grounds that it would give rise to increased traffic and congestion on other

roads³⁰⁷ and that the proposed mitigation measures would not be effective³⁰⁸. Again, however, no firm evidence is submitted to support these views, and the objectors' assertions are not supported by outputs from the traffic model.

- 6.42 That said, it is indeed the case that traffic levels are predicted to increase on some roads if the Scheme was to be implemented. But SMBC has clearly recognised this, and where such increases would be unacceptable or undesirable it has arranged for these adverse impacts to be reduced to acceptable and manageable levels by the proposed mitigation measures^[3.16, 3.22-3.24]. More importantly, however, the evidence before the Inquiry is that with the Scheme in place there would be a significant reduction in traffic along many existing roads and through existing communities^[3.16]. There would also be a significant reduction in road traffic congestion and delay across the study area, and a small saving in accidents^[3.51].
- 6.43 SMBC was particularly concerned that implementation of the Scheme was initially predicted to increase traffic flows on the A6 through High Lane and Disley by up to 30%^[3.16, 3.22-3.24]. It considered that such increases were neither desirable nor acceptable, and is therefore proposing to introduce a package of enhanced mitigation measures, aimed at reducing this increase in traffic to between 11% and 16%^[3.24, 5.145]. This package of measures would be secured by conditions attached to the planning permissions^[3.27, 3.30, 5.133, 5.147].
- 6.44 Perhaps understandably, some objectors³⁰⁹ found it difficult to accept that specific reductions in modelled traffic flows could be determined even when the physical package of mitigation measures has not been finalised. I am satisfied, however, that this is a common and well established approach in traffic modelling. As Mr Malik explained^[5.146], the key is to establish how much delay the mitigation measures would need to add to a particular link or route. Once that had been determined, and verified through the traffic model, it would then be down to traffic engineers to produce that delay through traffic management measures^[3.22, 3.23, 3.64].
- 6.45 Examples of the type of measures which would be able to achieve such results have been suggested by SMBC, and as these involve tried and tested traffic management techniques, which would be familiar to the Authorities' traffic engineers, I see no reason why they should not be effective. Achieving these reductions in traffic increases is clearly a pre-requisite of the Scheme, as detailed in the relevant planning conditions, and I can understand the concern expressed by some objectors as to what would happen if traffic flow increases could not be constrained to the required levels.
- 6.46 However, the planning conditions are quite comprehensive, requiring details not only of the mitigation measures but also of a methodology and timetable for their delivery, a programme for review, surveys and monitoring of the impact of

³⁰⁷ Objections raised by Mr & Mrs Gilchrist (OBJ/11), C Krystek & U Krystek-Walson (OBJ/12), Mr & Mrs Deen (OBJ/13), Mr Barson & Ms Whittingham (OBJ/14), Mr & Mrs Hadfield (OBJ/15), Mr & Mrs Hunt (OBJ/16), Mr & Mrs Burke (OBJ/17), Mr Clayton & Mrs Hayward (OBJ/18), Mr & Mrs Lawson (OBJ/30), Ms Waddicor (OBJ/46), Mr Willman (OBJ/51), Ms Valek (OBJ/52), Ms Hulme (OBJ/57), Dr Riley (OBJ/60)

³⁰⁸ Objections raised by Ms Waddicor (OBJ/46), Mr Willman (OBJ/51)

³⁰⁹ Principally Mr Willman (OBJ/51)

the measures and, if required, reappraisal of and addition to the agreed package of measures³¹⁰. SMBC witnesses expressed strong confidence at the Inquiry in the ability of these mitigation measures to achieve the required results, pointing out that the LPAs would not have accepted the imposition of such a condition if they did not consider they were realistic. There is no firm evidence before me to cause me to take a contrary view.

- 6.47 Drawing these points together, assessments of the proposed junctions indicate that all would operate with sufficient capacity in the opening year of 2017^[3.17]. SMBC has indicated that the Scheme design has not sought to provide larger capacity junctions based on longer-term predictions of traffic, in view of the fact that adjacent junctions on the existing network would be likely to reach capacity before the A6MARR junctions, and that this would provide an overall constraining effect on network flows. I consider that in the overall context of SEMMMS, and the clear intention to improve the opportunities for non-car modes of transport^[3.3], such a pragmatic approach is appropriate. Indeed it was on this basis that the LPAs granted planning permission for the Scheme^[3.17].
- 6.48 Overall, on the basis of the submitted evidence I am satisfied that the Scheme would not give rise to any unacceptable operational difficulties, in terms of traffic flows or junction capacity. As a result I conclude that the objections made in this regard cannot be supported.

Objections relating to environmental aspects of the Scheme

- 6.49 Objections were raised against the Scheme on the grounds that it would give rise to various environmental problems, such as noise, vibration, intrusive lighting and air pollution, both during construction and when completed³¹¹. It was also contended that the Scheme had not properly taken matters of sustainability, energy use and climate change into account³¹². Loss of Green Belt³¹³ was also a key concern of many objectors, as was the impact of the Scheme on the ancient woodland at Carr Wood³¹⁴. Finally, some objectors expressed concern regarding the likely impact of the Scheme on the Peak District National Park³¹⁵.
- 6.50 Noise, vibration, lighting and air pollution. SMBC acknowledges that the Scheme would produce both benefits and disbenefits in noise terms, and that although noise mitigation measures are proposed (including the use of low-noise surfacing and the introduction of mounding and/or environmental

³¹⁰ Condition 37 of CD 2098 and condition 8 of CD 2099

³¹¹ Mrs Harrison (OBJ/04) and Mill Farm Riding School (OBJ/05), Mr & Mrs Gilchrist (OBJ/11), C Krystek & U Krysteck-Walson (OBJ/12), Mr & Mrs Deen (OBJ/13), Mr Barson & Ms Whittingham (OBJ/14), Mr & Mrs Hadfield (OBJ/15), Mr & Mrs Hunt (OBJ/16), Mr & Mrs Burke (OBJ/17), Mr Clayton & Mrs Hayward (OBJ/18), Messrs Hall & Ms Allen (OBJ/23), Mr Westbrook (OBJ/25), Mr & Mrs Simumba (OBJ/29), Mr A & Mrs M Romagnoli (OBJ/31), B & K Dumville (OBJ/45), Ms Waddicor (OBJ/46), Dr and Mrs A Hufton (OBJ/48), Ms Oliver (OBJ/49), Mr S Houston (OBJ/50), Ms Valek (OBJ/52)

³¹² Objections raised by Mr P Simon (OBJ/56), Stockport Friends of the Earth (OBJ/58)

³¹³ Objections raised by Mr & Mrs Gilchrist (OBJ/11), C Krystek & U Krysteck-Walson (OBJ/12), Mr & Mrs Deen (OBJ/13), Mr Barson & Ms Whittingham (OBJ/14), Mr & Mrs Hadfield (OBJ/15), Mr & Mrs Hunt (OBJ/16), Mr & Mrs Burke (OBJ/17), Mr Clayton & Mrs Hayward (OBJ/18), Mr A & Mrs M Romagnoli (OBJ/31), Dr and Mrs A Hufton (OBJ/48), Ms Valek (OBJ/52), Ms Hulme (OBJ/57)

³¹⁴ Objections raised by Ms Waddicor (OBJ/46), Dr and Mrs A Hufton (OBJ/48), Mr S Houston (OBJ/50), Ms Valek (OBJ/52), The Woodland Trust (OBJ/54), Ms Hulme (OBJ/57)

³¹⁵ Objections raised by Dr and Mrs A Hufton (OBJ/48), Mr G Willman (OBJ/51)

barriers), there are still parts of the Scheme corridor where noise would have a significant impact^[3.47, 3.50]. Indeed, the ES indicates that some 55 properties would potentially qualify for noise insulation under the Noise Insulation Regulations 1973^[3.49].

- 6.51 However, this matter has already been given careful consideration by the 3 responsible LPAs when they were assessing the planning applications for the Scheme. The LPAs were required to balance all the material issues before coming to a decision on the proposal, and the fact that all 3 authorities granted conditional planning permissions indicates that they considered that the benefits outweighed the disbenefits^[3.27]. There is no new noise evidence available to me that was not available to the relevant LPAs, and because of this there is no reason why I should reach any contrary view on this matter. Accordingly I conclude that objections on noise grounds should not constitute a reason for not confirming the Orders.
- 6.52 Similarly, assessments of the likely impact of vibration and lighting associated with the Scheme are unchanged from the time the planning permissions were granted. The Scheme would be constructed in accordance with modern standards, such that there would be no risk arising from vibration^[5.91]. Moreover, the lighting for the A6MARR would be by use of 10m lighting columns with cut-off lanterns, which would minimise upward glare and light-spill^[5.91]. In these circumstances I am not persuaded that weight should be given to the objections on these topics.
- 6.53 In any case, if it could be demonstrated that the Scheme has led to a decrease in the value of properties through vibration or artificial lighting, or indeed through other environmental impacts such as noise, smell, fumes or smoke, then compensation may become payable under the provisions of the Land Compensation Act 1973^[5.35]. Moreover, whilst it is inevitable that some disruption may occur as a result of some of these matters during the construction period, SMBC would ensure that this was kept to a minimum through the CEMP which is required as part of the conditions attached to the planning permissions^[5.16].
- 6.54 Turning to matters of air quality a number of objectors made the general assertion that the Scheme would be highly likely to result in a breach of the EU Air Quality Directive by increasing traffic in Disley and bringing 3 additional properties³¹⁶ into exceedance of the annual mean limit value for NO₂, within the Disley AQMA. However, SMBC has made it quite clear that this is not how breaches of the Air Quality Directive are defined, and that increases at a single or small number of receptors which result in exceedance of a standard does not constitute a breach under the Air Quality Directive or the Air Quality Standards Regulations. There is no firm, contrary evidence before me to rebut this point.
- 6.55 More detailed objections, alleging various problems, inaccuracies and omissions with the air quality assessments provided in the ES (and updated to some extent by SMBC for the Inquiry), were made by Mr S Houston (OBJ/50) on behalf of PAULA. As well as providing his own evidence and critiquing the SMBC

³¹⁶ Increasing to 11 properties when the updated guidance is used – see paragraph 3.33 of this Report

evidence, Mr Houston/PAULA also commissioned AQC³¹⁷ to carry out a review of the air quality evidence presented to the Inquiry, covering the information in the ES; the evidence provided to the Inquiry by the SMBC expert witness, Mr P Colclough; and additional information procured by PAULA through a FOI request made in August 2014^[4.85].

- 6.56 However, this AQC review does not allege any breach of the EU Air Quality Directive^[5.129], reinforcing SMBC's position on this matter. Moreover, AQC acknowledges that the approach taken to the air quality assessment and the methodology used appear to be generally acceptable and in line with current best practice for non-trunk roads^[5.128]. The AQC review does make some criticisms of the overall SMBC evidence^[4.86-4.87], but all of these have been forcefully rebutted by SMBC^[5.132-5.134] and, in any case, none of the points raised seem to me to be of a fundamental nature, sufficient to call any aspect of the assessments into question.
- 6.57 The AQC review does highlight the fact that any proposed enhanced mitigation measures which would slow traffic down in Disley would be counter-productive in terms of improving air quality, but this point is already acknowledged and accepted by SMBC^[4.86]. It is clear that the final package of mitigation measures, which needs to be prepared and approved to discharge the planning conditions, will have to carefully balance both the traffic and air quality objectives^[5.133], but there is nothing before me to suggest that this would not be possible.
- 6.58 Aside from the AQC review, Mr Houston has also made a number of criticisms of the SMBC air quality assessments, but these criticisms are, in the main, unsupported by AQC, and in my view have to therefore carry less weight as a consequence. On matters of detail, Mr Houston has undertaken a simplified calculation in his evidence relating to the location around Queensgate School, leading him to suggest that the A555 is at risk of breaching the Air Quality Directive hourly limit values^[4.88-4.89]. However, such "pro-rata" calculations cannot be treated as reliable, as the impact of road traffic on local air quality is highly complex and will be dependent on traffic volumes, types of vehicles, speeds and local atmospheric dispersion^[5.136]. As such, it requires complex dispersion modelling as undertaken and reported in the ES^[3.32, 5.128].
- 6.59 In any case, SMBC makes it clear that UK guidance requires assessment to be taken at sensitive receptors (locations where members of the public are regularly present and designated ecological receptors). Assessments should not be undertaken along or adjacent to roads such as the A555, where members of the public do not have access and where there is no fixed habitation^[5.135].
- 6.60 I have also noted Mr Houston's criticisms of the more recent assessments for the Disley AQMA, and his suggestion that had the same exercise been carried out on the whole Scheme then it could well have indicated a worsening of air quality^[4.87-4.89]. This is directly rebutted by Mr Colclough, who points out that these new assessments show that those undertaken in the ES had overestimated the impact of traffic emissions on local air quality in the Scheme's

³¹⁷ Referred to on their Report as "Experts in air quality management & assessment"

opening year. This therefore suggests an improvement in predicted air quality, compared with that reported in the ES^[5.138].

- 6.61 Overall, it seems to me that the principal aim of Mr Houston's evidence is to cast doubts on the reliability and accuracy of that put forward by SMBC, but SMBC has provided firm, convincing and authoritative rebuttals^[5.128-5.138] to all of Mr Houston's points. I find these rebuttals persuasive and because of this, and the other points detailed above, I conclude that the objections relating to the topic of air quality cannot be supported.
- 6.62 Sustainability. With regard to the assertions that insufficient attention has been given to concerns about energy use and climate change, I have noted that the SS prepared to support the planning applications demonstrates that sustainability principles have been adhered to during the preparation of the Scheme^[5.164]. This point is reinforced by the fact that the Sustainability Strategy and the Sustainability Performance of the Scheme have both been awarded interim ratings of "Excellent" by CEEQUAL, the international evidence-based sustainability assessment, rating and awards scheme for civil engineering, infrastructure and similar works^[5.164].
- 6.63 Although the SS confirms that the Scheme is predicted to lead to an increase in carbon emissions of about 10,300 tonnes over a 60 year evaluation period, the Business Case for the Scheme clarifies that overall, the predicted increase in carbon emissions as a result of the Scheme would be negligible^[5.165]. Indeed, the SS indicates that although this increase in carbon emissions has to be seen, in planning terms, as an adverse impact of the Scheme carrying some weight against the proposal, when considered in the sustainability Appraisal Summary Table it has only been given a neutral impact^[5.166].
- 6.64 I note, as well, that there are predicted to be other, off-setting factors, such as expected or potential mode shifts to cycling and bus, which would offer other positive impacts in terms of carbon emissions^[5.166]. I have also had regard to the fact that the implications of climate change have been considered in the FRA for the Scheme^[5.167].
- 6.65 On the basis of the submitted evidence, summarised above, I am of the view that issues of sustainability, energy use and climate change have been appropriately considered in the development of the Scheme. Despite the predicted slight increase in carbon emissions, the LPAs concluded that in the overall balancing exercise, this was not a matter which justified the withholding of planning permission. As already noted, it is not my role, within the context of this Inquiry, to re-visit this matter. Accordingly I conclude that those objections raised on these topics should be given little weight.
- 6.66 Green Belt. There is no dispute that a large part of the Scheme corridor lies within designated Green Belt^[2.2], and objections to the loss of Green Belt are therefore quite understandable. This is, however, another matter which has been properly considered by the LPAs at planning application stage. These authorities have acknowledged that the Scheme would amount to inappropriate development in the terms set out in the Framework, but that very special circumstances exist which support the granting of planning permission^[3.28]. Again, this is a matter I do not need to re-visit as part of my assessment of

objections to these Orders, and I therefore conclude that such objections should not carry weight against the confirmation of the Orders.

- 6.67 Ancient woodland. Similar points to those set out in the preceding paragraph also apply to the objections to the loss of ancient woodland. The Scheme would cut across the western edge of Carr Wood, which is classed as ancient woodland and, as a result, about 0.08 ha of this resource would be lost out of a total area of 2.3 ha. Paragraph 118 of the Framework is clear that planning permission should be refused for development resulting in the loss or deterioration of ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss, and this point was made explicit in the planning application committee reports^[3.44-3.45].
- 6.68 Members of the respective planning committees needed to make a judgement as to whether the overall Scheme benefits would outweigh the loss of 0.08ha of ancient woodland. The plain fact is that all 3 LPAs decided to grant planning permission, and this indicates that they considered the balance to be in favour of the Scheme. Whilst I can appreciate that there are some objectors who still oppose the loss of a part of the ancient woodland, the decisions to grant planning permission have been appropriately and democratically taken^[3.27].
- 6.69 An alternative route to avoid Carr Wood, was suggested by PAULA, and referred to by both Mr S Houston and Ms Waddicor. I acknowledge that there would be advantages to certain aspects of such an alternative^[4.90-4.91]. However, despite Mr S Houston's views to the contrary, there would also be a number of disadvantages, particularly the adverse impact on residential properties, the likely increased visual impact and the difficulties which would be created for a possible extension of the A6MARR to the M60 motorway^[5.139-5.140]. In light of the evidence presented, I share the SMBC view that the disadvantages of such an alternative route clearly outweigh any advantages, and that this alternative should therefore not be pursued.
- 6.70 In summary, and for the reasons set out above, I conclude that the objections relating to the loss of ancient woodland should not carry weight against the confirmation of the Orders.
- 6.71 Impact on the Peak District National Park. Mr Willman (OBJ/51) argues that the A6MARR is a "political scheme that will destroy the Peak District as it will suck goods traffic from the east coast ferry ports directly to the "Airport Road" that is this Scheme"^[4.98]; whilst Dr and Mrs Hufton (OBJ/48) simply contend that the knock-on effect of the Scheme on this National Park does not seem to have been calculated^[4.130].
- 6.72 The evidence before the Inquiry, however, shows that these views and fears are unfounded. In particular, CD 2104 provides a response from the Peak District National Park Authority in which that Authority clearly states that it no longer has any concerns that the Scheme would adversely impact on traffic flows within the National Park. It goes on to indicate that it is content with the traffic model which has been used to predict future traffic flows, and also has no concerns regarding the Scheme's impact on air quality or landscape within the National Park^[5.148]. In view of these comments I conclude that the aforementioned objections can carry very little weight.

- 6.73 In summary, most of the objections on environmental grounds are very general and not supported by any detailed evidence. Against these generalised concerns I have to weigh the wealth of well-documented evidence on such matters, both contained within the ES, and also specifically submitted to the Inquiry. Where more detailed objections have been made (on air quality grounds), I favour the SMBC evidence as I consider it to be more robust and reliable than that submitted by Mr S Houston, for the reasons set out above.
- 6.74 As with most highway and transport projects of this scale there would be a number of adverse impacts, but these have been shown to be outweighed by the benefits of the Scheme (in the case of the loss of Ancient Woodland^[3.45]), or to be capable of being mitigated by design and good construction management^[3.27]. Overall, I am satisfied that the likely environmental and ecological impacts of the Scheme have been thoroughly assessed by SMBC and that appropriate mitigation measures have been satisfactorily planned, including GCN mitigation through the licensing process^[3.38,3.43, 3.48, 5.16]. I therefore conclude that objections raised on the above topics cannot be sustained and that there are no reasons on environmental or ecological grounds why the Orders should not be confirmed.

Objections relating to economic aspects of the Scheme

- 6.75 Some objectors question and are sceptical of the claimed economic benefits of the Scheme³¹⁸, although none of these provide any firm evidence to support their views. Mr & Mrs Deen (OBJ/13) refer to the forecast travel time savings and total transport economic efficiency benefits of up to £825 million and £858 million respectively as "sweeping predictions"^[4.106], whilst Mr & Mrs Hankinson (OBJ/43) simply state that they have never received a copy of the costs versus benefits analysis for the Scheme^[4.117]. Further criticism comes from Mr Simon (OBJ/56), who questions the realism of the predicted Scheme costs and contends that the Scheme's economic rationale is of a general nature, lacking substance or certainty^[4.142].
- 6.76 However, funding sources for the Scheme are all established^[3.5-3.7], and there is no firm evidence before me to suggest that the costs are unrealistic. Moreover, any questions about the ability of the A6MARR to assist with the regeneration of the local area and the wider area are not supported by the detailed evidence before the Inquiry. Firstly, the Scheme is predicted to perform well against its objectives, which include that of increasing employment, generating economic growth and providing efficient access and improved connectivity to, from and between Manchester Airport, local, town and district centres, and key areas of development and regeneration^[3.19, 3.21].
- 6.77 Secondly, using standard DfT methodology the Scheme has been assessed as representing very good value for money, with a strong BCR of 5.06^[3.51], with travel time savings valued at up to £825 million and total transport economic efficiency benefits of £858 million^[3.51]. Thirdly, by improving access to Manchester airport, and to the proposed developments around the airport, total GVA generated by the Scheme is predicted to be some £492 million over the 60 year appraisal period^[3.63]. These clear Scheme benefits and the absence of any

³¹⁸ Objections raised by Mr & Mrs Deen (OBJ/13), Mr & Mrs R Hankinson (OBJ/43), Mr P Simon (OBJ/56)

firm economic evidence to the contrary lead me to conclude that the objections made in this regard cannot be supported.

Objections from those directly affected by the CPO and/or SRO

- 6.78 Harrison Developments Holdings Limited (OBJ/01). This objector argues that the CPO should be amended to acquire more of the unadopted Occupiers Lane than is currently included within the CPO, so that the proposed replacement PMA could be extended to the boundary between the objector's site and Easter Cottage. This would also require a modification to the SRO^[4.2-4.4].
- 6.79 However, there is a strip of land between the objector's land and Occupiers Lane, and there is no firm evidence before the Inquiry to demonstrate that the objector has a right of way from this land to Occupiers Lane. Indeed, T&SPS, who own Occupiers Lane and its verge dispute the existence of any such right of way^[5.2].
- 6.80 The objector claims that its site is served by a splayed vehicular access with a fixed gate which can be lifted out, but this was not clearly borne out at my site visit. I saw that there is a wide gap in the hedging bounding this site, but this gap appear to be closed off by a section of upright fencing. Whilst it may be possible to lift this fencing out, I do not consider that this would be an easy manoeuvre, such that I am not persuaded that this fencing could reasonably be termed a "fixed gate".
- 6.81 Moreover, as there is just a grassed area between this gate and Occupiers Lane, to refer to it as a splayed vehicular access seems to be stretching a point somewhat. I acknowledge that there is an extant planning permission for the erection of 2 dwellings on the site^[4.2], but presumably an access to Occupiers Lane would need to be constructed to allow this development to proceed, and there would be no material change to that situation if the Orders were to be confirmed.
- 6.82 Notwithstanding the views and wishes of the objector, Occupiers Lane is not an adopted highway, and the new length of highway to be created through the SRO would, similarly, not be adopted highway. I can appreciate that the objector does not want a new ransom strip to be formed between its land and Occupiers Lane^[4.3, 5.7], but as it appears that T&STS owns the land between the objector's site now, and would still do so in the future, I am not persuaded that confirming the Orders would materially alter the current situation.
- 6.83 Taking all these points into account I do not consider that there is any justification for acceding to the objector's requests, and I therefore conclude that this objection cannot be supported.
- 6.84 Mr M E Simpson & Mrs K O Livesey (The Trustees of Simpson). (OBJ/02). These objectors do not, themselves, occupy any of the land sought to be acquired, but let it out to a number of tenants, including 2 further objectors (Mrs H Harrison and Mrs J Shirt – see below). The Trustees are primarily concerned about the extent of land take and its impact on future development prospects for their land holding. In essence they do not wish the Orders to be confirmed on the plots in question, but if they are confirmed, the Trustees are keen to ensure that land take is kept to a minimum.

- 6.85 The Trustees raise concerns about the inclusion of a shared-use cycleway and footway within the Scheme design, and the consequent land take needed for this, but I have already indicated, earlier in these conclusions, that I consider the land take for this facility to be justified, throughout the Scheme. I am also satisfied that the land take required for bunding, for visual and noise mitigation purposes is also justified, as no firm evidence has been submitted to demonstrate that it would be excessive or unnecessary³¹⁹.
- 6.86 I acknowledge that some land take could be reduced if noise fencing was used instead of bunding, but share SMBC's view that such fencing would not be appropriate in this countryside and Green Belt location^[5.9]. I understand and appreciate the objectors' concerns about the Scheme's impact on any development potential the land may have, but see no reason why this could not be adequately addressed through appropriate compensation, to be agreed.
- 6.87 Notwithstanding the objectors' concerns about the design and location of the accommodation bridge proposed for south of the A6, evidence has shown that those with an interest in the bridge and its location were involved in the consultation process on this matter^[4.10, 5.23]. Whilst this does not necessarily mean that the views and wishes of all those consulted have been taken on board in the final proposal, I note that the bridge has been designed to accommodate agricultural vehicles, and that its location has been carefully chosen to cater for a number of different uses and demands^[5.10-5.11].
- 6.88 I also note that an additional PMA, highlighted at the Inquiry, has now been accommodated in the final design, through one of the proposed modifications^[4.10, 5.17]. On balance I consider that the proposed bridge would be the most appropriate solution to cater for the various demands and I am not persuaded that the suggested alternative location would be satisfactory.
- 6.89 Finally, the Trustees maintain that specialist land drainage consultants and contractors should be engaged by SMBC and/or its contractors, as a standard accommodation work, to advise on and undertake appropriate land drainage remedial works for any retained land³²⁰. However, SMBC has explained that existing land drainage across private fields is often difficult to detect, with much of the drainage only being discovered during construction^[5.12]. Nevertheless, SMBC would intercept every artificial land drain, whether previously identified or not, and pipe it to a suitable outfall. This undertaking is proposed as a contractual term in the Heads of Terms put forward by SMBC and in my opinion would satisfactorily address the objectors' concerns in this regard^[5.12].
- 6.90 Having regard to all the above points, I conclude that these objections cannot be supported, and do not amount to reasons why the Orders should not be confirmed.
- 6.91 Mrs H Harrison (OBJ/04) and Mill Farm Riding School (OBJ/05). A large part of the area currently used for the operation of the Mill Farm Riding School would

³¹⁹ These issues of land take for a shared-use cycleway/footway, and for bunding, were raised by Mr Seed on behalf of several of the objectors he represented, but as my views and conclusions on these matters remain the same, I do not repeat these points for subsequent objectors

³²⁰ Similarly, this land drainage issue was raised by Mr Seed on behalf of most of the objectors he represented, but as my views and conclusions on this matter remain the same, I do not repeat this point for subsequent objectors

be lost to the Scheme and Mrs Harrison's concerns are fully understood. She would clearly prefer that her land was not affected by the Scheme, but is keen to ensure that if it does go ahead, its impact upon both her businesses and her home is minimised, both during construction and afterwards.

- 6.92 Insofar as Mrs Harrison's home, 1 Red Row is concerned, the Scheme would result in increased noise to the rear, but a significant reduction in noise to the front^[5.18]. There would also be an increased impact from road lighting, but only negligible changes in the concentrations of NO₂ and PM₁₀, which would both still be well below the air quality objectives for both pollutants^[5.18]. As SMBC has commented, insofar as her property could be shown to be injuriously affected by the Scheme, she would be entitled to claim for compensation under Part 1 of the Land Compensation Act 1973^[5.18].
- 6.93 The sole access to the riding school is along Wellington Road and it is clearly essential that any restrictions on access should be minimised and carefully and sensitively co-ordinated with the riding school's needs, to minimise disruption. I consider, however, that Mrs Harrison's fears in this regard would be satisfactorily addressed by the CMP required by a condition on the planning permission^[5.16]. I saw at my site visit that the Scheme would take an appreciable area of land from the riding school and livery business, but I see no good reason why the implications of the disruption to Mrs Harrison's businesses could not be satisfactorily resolved through the compensation process.
- 6.94 I appreciate Mrs Harrison's concerns about her ability to safely cross the re-aligned A6 with horses, especially as this section of highway is forecast to carry higher traffic flows than the existing A6. However, during the course of the Inquiry, SMBC agreed to the provision of a Pegasus crossing at the signal controlled junction, together with a new PMA to serve the riding school land close to this junction^[5.15]. Taken together, I consider that these arrangements would ensure that Mrs Harrison would be able to safely cross the road with her horses. I also share SMBC's view, that Mrs Harrison's movements along the old A6 would be easier, as this road would be largely traffic-free, with the Scheme in place^[5.15].
- 6.95 Moreover, as noted in my conclusions relating to the Trustees of Simpson land, vehicular access would be maintained across the proposed accommodation bridge to the woodland at Norbury Brook, through one of the proposed modifications^[5.17]. This means that Mrs Harrison's access to this area in conjunction with the riding school activities would be retained.
- 6.96 Overall, in light of the submitted evidence, I am satisfied that the land take from Mill Farm Riding School would be justified, and that the Scheme's impact on Mrs Harrison's home and businesses could be satisfactorily mitigated or addressed by compensation. Accordingly, I conclude that these objections should not stand in the way of the Orders being confirmed.
- 6.97 Mr P Gwinnett, Peak Group (OBJ/06). Mr Gwinnett's objection is understandable, in view of the significant impact the Scheme would have on land and buildings in the ownership of the Peak Group. However, SMBC has explained that in order to cross the existing A6, minimise the impact on Carr Wood and avoid residential property it has been necessary to route the Scheme

through this commercial property^[5.20]. This seems to me to be an inevitable consequence of the Scheme going ahead, and the impact on this business will have been taken into account in the overall balance, when planning permission was granted.

- 6.98 That said, I see no reason why the loss of car parking would not be adequately compensated for, by the proposed provision of on-street parking on the old line of the A6^[5.20]. Mr Gwinnett's wish to see an existing wooden building replaced elsewhere on the site is noted, but SMBC has stated that it has not been possible to identify a location for a replacement building, because of Green Belt policy^[5.20]. This is not a matter for me to take a view on, as any new or replacement building in this area would require a separate grant of planning permission, outside the scope of this Inquiry. The Peak Group would be entitled to claim compensation under the compensation code, and because of this I conclude that this objection cannot be supported.
- 6.99 Mrs J Shirt (OBJ/08). This objector is a private individual who keeps horses. She does not own land required for the Scheme, but is a tenant of land owned by the Trustees of Simpson, as already indicated, and a licensee of land owned by SMBC. She objects to the Orders because of the impact the Scheme would have on her ability to continue to look after her horses, and she also objects to the current proposals for the location and design of the accommodation bridge to the south of the A6. However, matters relating to this bridge have already been considered under other objectors' cases, above, and I have concluded that the chosen location and design are both acceptable.
- 6.100 Whilst some of the land Mrs Shirt occupies would be required permanently, other areas would only be needed on a temporary basis, for storage and construction compound purposes^[5.22]. These latter areas could be handed back to the owner under the Crichel Down Rules following completion of the Scheme, but it is clear that in the short term at least, the Scheme would have a significant impact on Mrs Shirt's ability to continue with her equestrian business^[5.21]. This situation is regrettable, but to my mind it is unavoidable if the Scheme is to proceed. In the granting of planning permission SMBC and the other responsible LPAs have already concluded that the benefits offered by the Scheme outweigh any disbenefits and because of this, it is my conclusion that this objection cannot be supported.
- 6.101 Klondyke New Ltd and William Strike Ltd (OBJ/09 & OBJ/10). These objectors, who between them own and operate the Brookside Garden Centre, object to the Orders on the grounds that the Scheme would have an adverse impact on access and egress to the garden centre, and would also take away some areas currently used for parking. However, on the basis of the submitted evidence and my own site visits, I share SMBC's view that only a relatively small number of parking spaces would be lost to the Scheme. SMBC maintains that these lost spaces could be partly made up by re-organising the car park, and no firm contrary evidence has been put forward by the objectors to dispute this^[5.25].
- 6.102 Whilst it is clear that the northern access point (currently used as an exit only) would have to close, I am aware that discussions on access arrangements are ongoing between the objectors and SMBC highway engineers^[5.25]. Although no final solution has yet been agreed upon, I can see no good reason why

satisfactory access and egress arrangements could not be devised at the southern access point, suitably remodelled. Because of this, and as the fact that the land in question is plainly necessary for the A6MARR to be constructed, I conclude that these objections cannot be supported, and should not stand in the way of the Orders being confirmed.

- 6.103 Mr & Mrs Gilchrist (OBJ/11); C Krystek & U Krysteck-Walson (OBJ/12); Mr & Mrs Deen (OBJ/13); Mr Barson & Ms Whittingham (OBJ/14); Mr & Mrs Hadfield (OBJ/15); Mr & Mrs Hunt (OBJ/16); Mr & Mrs Burke (OBJ/17); and Mr Clayton & Mrs Hayward (OBJ/18). The general matters raised by these objectors, who all live on Macclesfield Road to the north of the proposed A6MARR junction, have already been addressed in previous sections of these conclusions. Here I just look at the specific safety concerns which the objectors have regarding this proposed new junction. Most of the objectors have made the general claim that implementation of the Scheme would make access to and from their properties more difficult, whilst Mr & Mrs Gilchrist and Mr Barson and Ms Whittingham have provided more specific details of their concerns.
- 6.104 I saw at my site visit that the existing Macclesfield Road in the vicinity of these objectors' houses, is a wide, 2-lane single-carriageway, widening to 2 approach lanes at the traffic signal controlled "Fiveways" junction a little to the north. It has wide footways, on-carriageway cycle lanes, and is subject to a 30 mph speed limit. The physical layout of Macclesfield Road would change significantly in this general area, with the introduction of the multi-lane, traffic signal controlled crossroads junction with the A6MARR. However, the changes would be much more modest directly outside the objectors' houses as the road would still have 1 lane northbound, but 2 lanes would be provided southbound, flaring out to provide 4 lanes south of 121 Macclesfield Road^[5.29].
- 6.105 Information contained in Mr Malik's appendices³²¹ shows that with the A6MARR in place, traffic levels are generally expected to increase on Macclesfield Road, between the A6MARR and the Fiveways junction, although both of these junctions are predicted to operate within their theoretical capacity in the opening year of 2017. No excessive queuing is predicted, nor is there predicted to be any queuing interaction between the 2 junctions.
- 6.106 The changed layout and changed pattern of traffic movements would be likely to have an impact on the way in which objectors enter and/or leave their driveways, but I am not persuaded that the necessary manoeuvres would be impracticable or unsafe. It is clearly preferable for drivers to reverse into their driveways, so that they can then enter the highway in forward gear. To my mind the wide footways, which would not be altered as a result of the Scheme, would assist such manoeuvres as they would provide sufficient space for the manoeuvres to be undertaken, and would also ensure good visibility.
- 6.107 Mr Barson and Ms Whittingham highlighted the fact that there is often standing traffic in both directions on this stretch of Macclesfield Road^[4.24], but plainly this has not prevented the driveways from being accessed in the past, and I see no good reason why such manoeuvring should be materially more difficult with the

³²¹ Doc MBS/3/2

proposed junction in place. Similarly, although I understand and sympathise with the difficulties which Mr and Mrs Gilchrist describe, regarding other drivers misunderstanding their signalling and manoeuvring intentions^[4.20], I am not persuaded that the situation would be materially different with the new junction.

- 6.108 There would still only be 1 southbound lane prior to the Ashbourne Road junction, with a northbound right-turn lane into this side road, together with central hatching, just to the south of Ashbourne Road³²². The southbound 2 lane section would begin just before Mr & Mrs Gilchrist's driveway, and in the scenario these objectors describe^[4.20], it seems to me that there would still be scope for following drivers to pull out to pass Mr or Mrs Gilchrist's slowing car, if need be.
- 6.109 I fully accept that care would need to be taken when entering and leaving these private driveways, and that on occasions it might be necessary for other drivers to slow down or stop to allow these manoeuvres to take place. But I find it difficult to imagine that this does not also reflect the present day situation. Indeed I saw at my site visit that occupiers of some houses on Macclesfield Road, located close to the Fiveways junction, already have to cross 2 lanes of traffic when entering or leaving their driveways.
- 6.110 I have also been mindful of the fact that the new junction has been designed with full regard to national standards and that the Stage 1 RSA carried out to date in relation to Macclesfield Road did not identify a problem with the access and egress arrangements to and from Mr & Mrs Gilchrist's property^[5.27]. I further note SMBC's comment that RSAs will continue to be undertaken at different stages of the project^[5.27].
- 6.111 Overall, whilst recognising the changed conditions which these objectors would have to face if the Scheme goes ahead, I am not persuaded that safety would be compromised to the extent that this junction should not be constructed. In view of all the above points I therefore conclude that these objections cannot be supported.
- 6.112 Mrs D Mills (OBJ/20). This objector is keen to ensure that any land which has to be acquired from her is kept to the minimum, and in this regard I have already dealt with her concerns about the Scheme alignment, in paragraph 6.38 above. In concluding that little weight can be given to this objection I have had regard to Mrs Mills' comment that this field is particularly important to her, more so than other land she owns further away from the Scheme^[4.29].
- 6.113 However, I have also been mindful of the fact that a significant proportion of the land to be acquired would only be needed on a temporary basis, and would be returned to Mrs Mills after completion of the Scheme^[5.38], such that this field would still be of an appreciable size even if the Scheme was to be constructed.
- 6.114 Mrs Mills is also particularly concerned about the proposed re-routing across the A6MARR of the Poynton-with-Worth Footpath 3 and her private right of way which passes from the rear of her property to Mill Hill Hollow and on to Woodford Road. She argues that the proposed diverted route would be unsafe,

³²² Plan in Doc MBS/REB/11/2

especially for equestrians, as it would have high banks and steep drops down to a brook, and maintains that an "on-line" tunnel to take the right of way under the A6MARR would be a preferable solution^[4.28]. However, SMBC has made it clear that the gradients, widths and radii of the proposed access track would be designed to accommodate all users, including farm traffic, and would provide a perfectly safe and reasonably convenient alternative to the existing route^[5.39].

- 6.115 It also explains that having undertaken a preliminary investigation and design into an on-line underpass of the A6MARR, the cost of such a facility, which could well require a pumping station, would be disproportionate to the interference caused^[5.39]. It would also require third party land in the form of some of the rear garden area at Coppice End (the residence of Mr & Mrs Wood who are also objectors to these Orders - OBJ/53)^[5.39]. In view of these points I share the SMBC view that the currently proposed route for the diverted right of way would be a satisfactory and convenient alternative to the existing route, and would represent a prudent use of resources.
- 6.116 I have noted Mrs Mills' concerns about the current plans to protect rather than divert the existing sewer which crosses her land, but am mindful of the fact that there is no objection on this matter from United Utilities, the body responsible for this sewer^[4.30, 5.40]. I sympathise with Mrs Mills' deeply-felt concerns regarding the lengthy history of road proposals in this area, and the effect that these have had upon her well-being. It remains the case, however, that such historic matters are not before me as part of this Inquiry, and are not matters upon which I can or need to take a view, or make any recommendation.
- 6.117 Having regard to all the above points I am satisfied that the CPO would only take the minimum amount of land necessary from this objector, and that the SRO proposes a reasonably convenient alternative to the rights of way which would be disrupted by the Scheme. Accordingly I conclude that this objection cannot be supported.
- 6.118 Ms H Mort, Ms J Bourne, Ms J Zeiss & Ms A Lomas (OBJ/21). The principal objection raised by these objectors relates to the design and proposed siting of the accommodation bridge which would carry both Poynton-with-Worth Footpath 31 and Poynton-with-Worth Footpath 37 across the A6MARR. Dealing first with the issue of design, SMBC has explained that the needs of all users, both existing and future, have been equally considered and that the bridge would be capable of accommodating all modern farm machinery^[5.42].
- 6.119 The submitted evidence indicates that weight limits and requirements would be agreed with the CEC Highway Structures Section and the landowner as the design progresses^[5.42]; that likely conflicting movements have been analysed, and would continue to be assessed as the design progresses; and that the safety of all users has been at the forefront of all design work^[5.42]. No firm, contrary evidence has been submitted on this matter, and I see no reason to dispute the SMBC position. I therefore conclude that the accommodation bridge would be able to satisfactorily cater for all users.
- 6.120 Turning to the matter of siting, I have noted that the objectors would prefer a location further to the east, on the line of Footpath 37, which they say is used more extensively than Footpath 31, although no evidence was submitted to the

Inquiry to support this claim. Contrary to the claims of the objectors, the evidence before me is that a meeting did take place with the objectors and the farming tenant concerned (Mr David Hall, OBJ/23) to discuss the location of the bridge, but I understand that the tenant did not want the Scheme to proceed^[4.33]. Nonetheless, planning permission was granted and the LPAs are clearly seeking to press ahead with the Scheme.

- 6.121 The issue therefore comes down to where the weight of evidence lies for the best location for the bridge, and in this regard it is the case that very little persuasive evidence has been put before me by the objectors. In contrast, SMBC have provided a number of reasons why the approved location would be preferable^[5.44], including that it would provide a solution to 2 landowners in terms of severed land, providing reasonably convenient access both to the objector's land and to that of the landowner to the west; would rationalise the number of bridges crossing the Scheme, thereby reducing construction costs, whole life costs; the overall land take; and the visual/landscape impacts of the Scheme. In the absence of any firm, convincing reasons to the contrary, I find these arguments, and the other points put forward by SMBC, persuasive.
- 6.122 In view of the above points I am satisfied that the currently proposed design and location of the proposed accommodation bridge are acceptable, and I therefore conclude that this objection cannot be supported.
- 6.123 Mr M Kingsley (OBJ/22). This objector made a detailed case to the Inquiry, supported by a substantial amount of supporting information, amounting to well over 600 pages. Unfortunately, this supporting information was not submitted in accordance with the prescribed Inquiry timetable, but only once the Inquiry was well in progress. This was not helpful, but it did lend weight to SMBC's claims that it had encountered significant difficulties in its negotiations with Mr Kingsley. Indeed, although Mr Kingsley maintained that he had been a willing seller throughout this process^[4.36], it was apparent that certain important information had only been made clear by Mr Kingsley at a very late stage, with SMBC stating that the first time it had seen many of the documents relied on by Mr Kingsley was when they were submitted at the Inquiry^[5.47].
- 6.124 In particular I understand that Mr Kingsley had continued to maintain, until a late stage in the process, that all the land in question was in his ownership, whereas it transpired that some of the land had been purchased by the HA in October 2013 as a result of a Blight Notice arising from a previous version of the Scheme^[4.47, 5.46]. In addition, other land had been transferred to the company Glenhazl^[5.46, 5.47], of which Mr Kingsley is the sole director and sole shareholder³²³. SMBC stated that it had not been made aware of the Blight Notice until around March-June 2014, and did not know about the Glenhazl interest until as late as August 2014^[5.48].
- 6.125 Mr Kingsley is critical of SMBC for not making him a firm offer for his land and interests, and argues that because of this SMBC could not be said to have been seriously seeking to acquire by negotiation, as required by Circular 06/2004. In

³²³ Note that as elsewhere in this Report, for ease and where appropriate the terms "Kingsley land" and "land in Kingsley ownership" are used to denote land with which Mr Kingsley is involved, whether in his own right; as Personal Representative of the Estate of Marques Kingsley Deceased; or as Director of Glenhazl Ltd

these circumstances he argues that there is no entitlement to the CPO^[4.36]. The SMBC Land Agent, Mr Church, accepted that no offer containing any monetary figure had been put to Mr Kingsley, but indicated that this was because he simply does not understand what interests he is seeking to acquire for SMBC^[5.48]. That said, I have noted that Heads of Terms, setting out the methodology for an agreement which would see SMBC acquire the required Kingsley land interests was submitted to Mr Kingsley in June 2014, but understand that these have not been responded to^[5.50].

- 6.126 It is difficult to cut through all the claims and counter-claims put to me, and for me to be clear what information was provided; at what stage; and how explicit and detailed that information has been. Importantly, however, I find it telling that it was only under cross-examination at the Inquiry that Mr Kingsley made it clear what his detailed requirements were, in terms of his claimed north/south rights concerning the land at Woodford Road, Poynton^[5.49]. The extreme lateness of clarity on this important matter, coupled with the lack of clarity concerning land ownership and the very late submission of his extensive supporting data, leads me to conclude that SMBC has been significantly hampered in its attempts to negotiate with Mr Kingsley.
- 6.127 In these circumstances I can understand why a firm monetary offer has not been made as part of the negotiations, and consider that Mr Kingsley himself is responsible, at least in part, for this situation. As a result I find it difficult to accept Mr Kingsley's criticisms of SMBC in this regard.
- 6.128 Turning to the specific matters of objection, insofar as Mr Kingsley's land interests at Clay Lane are concerned he has long-term aspirations to develop this land for housing purposes. Persimmon Homes Ltd have taken out an Option on the land and are seeking to have it allocated for housing through the emerging Cheshire East Local Plan process^[4.39].
- 6.129 Mr Kingsley points out that studies commissioned by Persimmon (principally the Croft report^[4.40]) maintain that the junction layout for which planning permission has been granted as part of the overall Scheme would be unsafe and may have capacity limitations^[4.40]. The first of these comments, relating to safety, is made on the basis of an independent Stage 1 RSA commissioned by Croft, which echoes matters raised in the Stage 1 RSA undertaken as part of the approved planning application for the Scheme.
- 6.130 To address these concerns Croft has produced an alternative junction layout which Mr Kingsley claims would be a safe and preferable option^[4.40]. The Cass Associates report notes that this alternative junction arrangement could serve about 350 dwellings and Mr Kingsley is seeking an amendment to the Scheme and to the Orders to accommodate this junction^[4.40]. However, SMBC has also taken on board the comments of the Stage 1 RSA and has produced a revised version of the approved junction, in sketch form, which it considers would also satisfactorily address the safety concerns raised in the 2 RSAs^[5.64-5.66].
- 6.131 With regards to capacity, Croft provide no further evidence to support their concerns as to how the approved junction would operate in capacity terms, nor do they provide any detailed assessment of this aspect of their own, proposed alternative. In fact the only detailed evidence on capacity put to the Inquiry

came from SMBC's Traffic witness, Mr Malik, who confirmed that both the approved Scheme junction, and the SMBC amended layout, would have at least the same capacity as the existing Clay Lane entry onto the Wilmslow Road southern dumb-bell roundabout^[5.61-5.62].

- 6.132 I consider that the Croft alternative would provide a more "conventional" form of junction, and I note that the SMBC Highway Engineering witness (Mr Huda), accepted that subject to some minor changes it could well be acceptable in physical and operational terms, and would provide a safe junction^[5.63]. Mr Huda did, however, point out a number of disadvantages with the Croft proposal, including that it would sit outside the Scheme planning permission boundary, and would increase costs as it would require additional land outside the CPO and would involve a greater area of carriageway^[5.63]. Moreover, it seems to me that the scale and extent of this alternative layout would be well in excess of what would be necessary to simply cater for existing traffic, and take account of known development commitments, which Mr Malik explained was the basis on which all the Scheme junctions had been designed^[3.15, 3.17].
- 6.133 Whilst I fully understand Mr Kingsley's desire to ensure that any future development potential of his land at Clay Lane is not compromised, the fact remains that there is no firm indication that this land would come forward for development in the near future, or indeed at all. In particular, its Green Belt location weighs substantially against its allocation for housing^[5.62]³²⁴. I accept that new housing land allocations may well need to be made as part of the emerging Cheshire East Local Plan process, but the most recent Government guidance on Green Belts^[3.29] reinforces the fact that need (in housing and economic terms) is not the only factor to be considered when drawing up a Local Plan.
- 6.134 This update to the Planning Practice Guidance highlights the Framework guidance that LPAs should meet their objectively assessed needs unless, amongst other things, specific policies in the Framework indicate that development should be restricted^[3.29]. It cites land designated as Green Belt as one such restriction and goes on to emphasise that once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. To my mind this indicates that there are still significant hurdles to be overcome, before development on this land could be considered firm enough to warrant being taken into account in a junction design exercise such as this.
- 6.135 In view of the above points I share SMBC's view that Mr Kingsley can have no legitimate expectation that this land would be released for development^[5.62] and in these circumstances I am satisfied that the SMBC amended junction, albeit of a somewhat unusual layout, would provide sufficient capacity and operate safely.
- 6.136 Mr Kingsley does have legitimate concerns, however, that the existing PMA to the Kingsley land north of Clay Lane, which connects to the adopted portion of Clay Lane, should be satisfactorily re-provided for through the SRO. This PMA

³²⁴ Also see Doc MBS/41

had not been accounted for in the original SRO, and this has prompted SMBC to propose Modification SRO Mod 8C, which would recognise the need to stop up the existing PMA and provide a replacement^[5.66, 5.170-5.171]. Although Mr Kingsley does not consider this to be a satisfactory replacement, it does seem to me to be capable of providing a reasonably convenient alternative connection to the full-width adopted section of Clay Lane, and would therefore meet the necessary statutory tests.

- 6.137 With regard to Mr Kingsley's objections relating to his land at Woodford Road, Poynton, he appears to have 2 key concerns. The first relates to land which would be retained as Kingsley land to the south of the A6MARR. Mr Kingsley states that this land is accessed from an existing 7.3m (24 ft) wide gateway on Woodford Road to the west, which he improved some years ago and has used without interference for over 20 years^[4.45]. However, this access does not open directly onto Kingsley land, but onto a sliver of land owned by P E Jones. Notwithstanding Mr Kingsley's assertions, he could not present any firm written evidence to the Inquiry to verify his claim that he has rights over the P E Jones' land to use this access^[5.51].
- 6.138 Kingsley land does have a frontage onto Woodford Road in this location, a little to the north-east of the existing field access, but there is no formal access from this frontage land onto Woodford Road^[4.46, 5.52]. In these circumstances I find it quite understandable that SMBC only sought to provide a PMA into P E Jones' land in the original SRO. If Mr Kingsley does, indeed, have the right to cross the P E Jones' land to use the existing access he may well be able to use the replacement PMA now proposed for this landowner.
- 6.139 However, in an attempt to rectify a previous omission, and provide a PMA to directly serve the retained Kingsley land SMBC is proposing Modifications SRO Mod 4G and Mod 4H^[5.52, 5.170-5.171]. Mod 4H would provide a new PMA of the same width as the PMA to be closed³²⁵ and although it would require a small amount of work outside the CPO limits, to construct a ramp down to ground level, I understand that Mr Kingsley has provided confirmation and permission for SMBC to undertake such works³²⁶.
- 6.140 Aside from this specific issue of a replacement PMA, on the basis of the evidence before me I share SMBC's view that Mr Kingsley has not demonstrated that any rights he may have are for other than agricultural traffic, nor that any such rights could benefit land beyond the Kingsley land^[5.51]. In this regard I understand that as a longer-term aim Mr Kingsley seeks to keep open the option of a residential standard road being constructed between Glastonbury Drive to the east and Woodford Road to the west, to serve possible future housing development^[4.45-4.46, 5.51], although any such road would have to cross land not in Kingsley ownership.
- 6.141 I also note that all land to the south of the A6MARR in this area, down to the railway and the built-up area of Poynton, lies within Green Belt^[5.58]³²⁷. As such I have already concluded, above, that it would not be reasonable to take account

³²⁵ Referred to as "24ft or 6m" at the inquiry, although it should be noted that 24ft equates to about 7.3m

³²⁶ Page 9 of CD 1104

³²⁷ Also see Doc MBS/42

of any future, speculative development in the Scheme design, especially where that development would lie within the Green Belt.

- 6.142 In this regard I have some difficulty fully understanding Mr Kingsley's contention that is important for him to have the ability to create what he refers to as a full ghost island junction on this western section of Woodford Road. Any such junction would need to be fully justified and would require the grant of planning permission from the LPA and the approval of the local highway authority. There is no firm evidence before me that either of these authorities would look favourably on such a junction improvement at this location, and I therefore see no good reason why design of the A6MARR should need to take this matter into account.
- 6.143 Insofar as Mr Kingsley argues that a direct junction should be created between the A6MARR and Woodford Road, this option was assessed during development of the Scheme, but discounted because of the operational and environmental impacts likely to arise with increased traffic flows^[5.67]. In the absence of any firm, contrary evidence on this matter, I see no reason to take a different view.
- 6.144 Mr Kingsley's second objection relating to the Woodford Road land is that the Scheme design does not fully cater for his existing rights regarding north/south movements along what was referred to as an old roadway, passing across the Kingsley land and linking to Woodford Road in the north^[4.47]. Mr Kingsley claims to have the right and the ability to construct a road to a full 7.3m width along the line of this old roadway, and the right and ability to create a full ghost island junction at Woodford Road to the north^[4.47].
- 6.145 However, I share SMBC's view that there must be considerable doubt as to whether those rights still exist insofar as the HA land is concerned, as they were first of all contained in an unregistered transfer from Mr Kingsley to Glenhazl^[5.54], and then not mentioned in the subsequent transfer to the HA^[5.54]. I understand that Mr Kingsley is in the process of pursuing this issue with the Land Registry^[4.47], but at the close of the Inquiry there had been no resolution to this matter. I cannot, therefore, take a firm view on this matter.
- 6.146 I do, however, agree with SMBC that under the terms of the CPO, although it cannot compulsorily acquire an interest of the Crown, it can acquire any other interest that might exist in that land^[5.54]. As such, if the CPO is confirmed, any rights which Mr Kingsley may have over the land acquired for the Scheme would be converted into a claim for injurious affection. Rights granted to Glenhazl would be unenforceable so long as the A6MARR road is in existence^[5.55]. I see no good reason why this matter could not be satisfactorily and adequately covered by compensation, as stated by SMBC^[5.60].
- 6.147 In the original SRO, SBMC thought it had re-provided all necessary PMAs to access the land to the south of the A6MARR, because at that time it was unaware of the complexities of issues relating to the Kingsley land, and did not know that land it thought was in Kingsley ownership had been purchased by the HA. The PMAs originally intended to serve the land to the south of the Scheme have now been shown to be insufficient, as no specific provision is made to access the retained Kingsley land.

- 6.148 SMBC has therefore sought to rectify this by means of proposed Modification SRO Mod 4F^[5.60, 5.170-5.171]. This would provide an agricultural standard access from Woodford Road in the north, over the proposed accommodation bridge (which would also carry the re-routed Footpath 31), to the Kingsley land immediately south of the A6MARR.
- 6.149 Mr Kingsley is not satisfied that this proposed PMA would provide an adequate replacement, as it would not allow for future construction of the full width residential standard road which he says he has the right and ability to construct. However, SMBC maintains that all it is required to do under the SRO legislation is to provide a reasonably convenient alternative, and that by providing an agricultural standard access to replace the existing agricultural access it would be satisfying the appropriate tests^[5.57].
- 6.150 I consider there to be merit in this argument, because whatever Mr Kingsley's legal rights may be, he would still need planning permission and the approval of the local highway authority to construct a residential standard road and the ghost island junction referred to earlier. In this regard the comments and conclusions I have already reached in the context of Clay Lane and Woodford Road west also apply here. Any residential development which such a road and junction would serve, would lie in open countryside and within the Green Belt to the north-west of Poynton, and would therefore have to overcome significant planning hurdles before gaining planning permission.
- 6.151 As a result of evidence given at the Inquiry I understand that Mr Kingsley acknowledges that he can have no legitimate expectation that any such planning permissions would be forthcoming^[5.58-5.59]. In these circumstances I conclude that the PMA offered through the proposed Modification SRO Mod 4F would be a satisfactory and reasonably convenient replacement for the existing agricultural track serving the HA/Kingsley land.
- 6.152 On other matters raised, I note Mr Kingsley's concerns regarding various drainage matters^[4.49, 5.69], but SMBC's proposed methods of dealing with drainage, both of the land within the Scheme and of land retained by objectors have already been referred to in my conclusions on general matters. I am satisfied that this proposed approach would be effective and appropriate.
- 6.153 Mr Kingsley's request that the Orders be only confirmed in part, excluding the areas of land relevant to his objections has already been dealt with earlier in these conclusions. For the reasons just given above I conclude that Mr Kingsley's objections can either not be supported, or could be dealt with through the compensation process. As a result, it is my conclusion that Mr Kingsley's objections should not stand in the way of the Orders being confirmed. In the event that the Orders are not confirmed in part, Mr Kingsley asks that they be not confirmed, and that he be awarded costs. Mr Kingsley was informed that if his objections are successful and the Orders are not confirmed, he would be entitled to the reasonable costs incurred in defending his interests.
- 6.154 In view of my overall conclusions regarding Mr Kingsley's objections, I am not persuaded that confirmation of the CPO would deprive him of existing rights without adequate compensation for loss or diminution of those rights. I consider there would be significant public benefit arising from construction of

the A6MARR^[3.51, 5.181], and because of this I conclude that any interference with Mr Kingsley's Human Rights would be both justified and proportionate.

- 6.155 Messrs Hall & Ms Allen (OBJ/23). As noted above, Mr David Hall is the tenant of the land owned by Ms H Mort and others (OBJ/21), and he supports the objection they make to the design and location of the proposed accommodation bridge to carry Footpath 31 and Footpath 37 over the A6MARR. For the reasons already given, I share SMBC's view that the bridge, as approved, is acceptable in terms of both design and location, and it follows that I cannot support this part of Mr Hall's objection.
- 6.156 Mr Hall also owns and farms land of his own, which is required under the CPO, and in this regard he raises similar concerns to other objectors concerning the impact of the Scheme on agricultural land; the need for land drainage consultants to be engaged by SMBC; and the fact that some of the land included within the CPO is for the purposes of providing for bunding, environmental mitigation works, and pedestrian, cycling and equestrian traffic^[4.53]. I have already made it clear in my conclusions on general matters, and when dealing with other objectors' cases, that I cannot support these objections and that is my conclusion here as well, for the reasons already given.
- 6.157 Mr Hall also raises concerns about what he refers to as significant noise impact on the farmhouse and bungalow at Mill Hill Farm, and the absence of mitigation measures proposed by SMBC, although no further information has been submitted to support these claims^[4.53]. The Scheme would, in fact, run in cutting to the south of Mill Hill Farm, and noise mitigation would also be provided in the form of bunding and environmental barriers. Because of this, and the distance of Mill Hill Farm from the line of the A6MARR, assessments have indicated that there would be no material change in traffic-related noise levels at the farmhouse or bungalow^[5.78]. As a result I give very little weight to this objection.
- 6.158 I do accept, as was made clear at the Inquiry, that with the proposed Scheme Mr Hall would need to move livestock and machinery along the public highway for a short distance from time to time, to travel to and from the track which would serve the proposed accommodation bridge^[5.75]. That said, it has not been made clear how much (if at all), this would change Mr Hall's current farming practice, and how much (if any) inconvenience it would cause.
- 6.159 I have noted the measures that SMBC has indicated the Contractor would take, during construction, to ensure that Mr Hall would have access to all parts of the land he farms and it seems to me that these would be comprehensive, and would ensure that disruption to Mr Hall's farming enterprise would be kept to a minimum^[5.77]. Because of this, and the other reasons set out above, I conclude that this objection cannot be supported.
- 6.160 Mr D M Westbrook (OBJ/25). This objector lives close to the proposed location of the junction between Chester Road and the spur which would link to the A6MARR at the Oil Terminal junction, and is concerned that this layout would give rise to standing traffic and noise and air pollution. He has put forward a suggested alternative junction layout, consisting of traffic lights at the Woodford Road/Chester Road junction and a new link to the A6MARR at the

aforementioned Oil Terminal gyratory junction. SMBC has interpreted this junction and drawn it up into a total of 3 different options^[4.57-4.63].

- 6.161 However, all of these have been shown to have practical, design and operational problems, such that none of them could be considered preferable to the approved Scheme junction^[5.79-5.83]. Whilst I note that Mr Westbrook questions and does not accept these criticisms of his suggested alternatives, I have also to be mindful of Mr Westbrook's acknowledgement that he is not a Civil Engineer^[4.60]. Because of this, and the detailed and well-supported criticisms of the proposed alternatives, made by professional highway design engineers, I have to give more weight to the SMBC position on this matter^[5.87]. These points lead me to conclude that there is no advantage in Mr Westbrook's alternatives, compared to the approved Scheme layout.
- 6.162 Moreover, whilst I have noted Mr Westbrook's concerns about possible standing traffic and its effect in terms of noise and air pollution, the undisputed evidence before the Inquiry is that with the Scheme, noise levels in the vicinity of Mr Westbrook's property would reduce by 3 db(A), and there would also be a reduction in the levels of NO₂ and PM₁₀ of about 3 µg/m³ and 1 µg/m³ respectively, with both resultant levels being well within the stipulated national air quality standards, which provide an indicator relative to human health^[5.85].
- 6.163 Mr Westbrook's concern about the accident situation at the existing Woodford Road/Chester Road junction is noted, but evidence before the Inquiry shows that the recorded accident rate at this junction is lower than the "default" values for a junction of this type, such that it cannot be termed an accident black-spot^[4.58, 5.84]. There is therefore no imperative to improve this junction, especially as SMBC has stated that its safe operation is likely to improve in any event, if the Scheme proceeds, as traffic volumes on Woodford Road would reduce significantly^[5.84].
- 6.164 Furthermore, whilst I have noted Mr Westbrook's comments regarding the landscaping and bunding proposed for the Chester Road/Oil Terminal junction^[4.62], the submitted evidence clearly demonstrates that this junction has been designed in liaison with CEC, to accommodate a future Poynton Relief Road^[5.86]. The objector's criticisms therefore seem to be unfounded.
- 6.165 Finally, I have noted Mr Westbrook's disquiet at the fact that the Scheme now proposed does not reflect the plans which were current when he purchased his house back in 1994^[4.63]. However, as noted in the SMBC SoC, changed circumstances caused the abandonment of the previous proposals, and the current Scheme has emerged from a full re-assessment of all relevant matters^[3.1-3.10]. Whilst Mr Westbrook may find this disappointing, there is nothing untoward in this sequence of events. Having regard to all the above points, I conclude that these objections cannot be supported, and should not stand in the way of the Orders being confirmed.
- 6.166 Mr & Mrs Simumba (OBJ/29). These objectors argue that the A6MARR is not needed as existing roads are adequate for the purpose, and that the proposed road would cause traffic blockage at the A6 and Woodford Road^[4.108]. No further information is provided to support these views, however, and I have

already addressed such general objections and have concluded that they cannot be supported, earlier in these conclusions.

- 6.167 Similarly, the absence of any firm evidence means that I find it difficult to give any weight to these objectors' allegations that the Scheme would give rise to adverse environmental effects^[4.109], especially as environmental matters would have been weighed by the 3 responsible LPAs and were found acceptable, prior to the grants of planning permission. In view of these points, I conclude that these objections cannot be supported.
- 6.168 Mr P & Mrs L Lawson (OBJ/30). These objectors own a dwelling, together with land which is used to stable and graze 4 horses, at Woodford Road, Bramhall. The Scheme would require a total of about 0.13 ha of land from the northern part of this property, with about 0.03 ha of this only being needed on a temporary basis, during construction^[4.64].
- 6.169 Although Mr & Mrs Lawson argue that the reduction in grazing capacity would make the appeal of the property to equestrian users marginal, in turn making the property very difficult to sell, it seems to me that this has to be a function of the number of horses an owner would wish to keep on the land. Whilst I have noted the objectors' comment that there is only sufficient land at present to support 4 horses^[4.65], it follows that fewer horses could still be satisfactorily accommodated on this land. To my mind, any decrease in value of the property as a result of its inability to cater for 4 horses, is a matter which could be taken into account through any compensation settlement.
- 6.170 I understand that SMBC has already amended the Scheme design in order to minimise the land take from these objectors, by moving the drainage attenuation and treatment ponds further to the east^[5.92]. I share SMBC's view that it would not represent good value for money to attempt to reduce the land take further by extending the 9m high retaining structure across Mr & Mrs Lawson's land, as they suggest^[5.92]. Moreover, an environmental noise barrier (one of the objectors' other suggestions), is already proposed as part of the Scheme, and could not be re-positioned to reduce land take.
- 6.171 SMBC has further indicated that the cutting slope could not reasonably be steepened to reduce the land take, nor could the Council use its compulsory purchase powers simply to provide replacement land for these landowners^[5.92]. No persuasive evidence has been submitted on any of these points to cause me to take a contrary view and in view of this, and the other matters detailed above, I conclude that these objections cannot be supported.
- 6.172 Mr M & Mrs C Freedman (OBJ/32). These objectors maintain that the proposal to create a path for pedestrians and cyclists to access the proposed open space to the south of Albany Road would effectively halve the width of the driveway at their property. They argue that this is already an awkward driveway to access, in view of the angles involved, and that the construction of this path would inhibit their vehicular access to their property^[4.68].

- 6.173 However, on the basis of the most recent diagram demonstrating the manoeuvres necessary to enter and exit this driveway³²⁸, coupled with my own observations at my site visit, I am satisfied that no material change is proposed to the driveway width. Nor would any impediment alter the available space for manoeuvring, compared to the present day situation, and in these circumstances it is my view that Mr & Mrs Freedman's ability to access their driveway would be unchanged.
- 6.174 The proposed pathway would be likely to increase the movements of both pedestrians and cyclists past Mr & Mrs Freedman's house, but this would not be an uncommon situation within a residential area and should not, of itself, cause concern, especially as this would not be the only access point to this proposed open space^[5.98]. Moreover, in view of the generally low-trafficked nature of culs-de-sac, I am not persuaded that any significant safety problems would arise, or that a more central location for this path, at the head of the cul-de-sac, as the objectors suggest, would make any material difference in safety terms^[4.68]. In this regard I have noted that cyclists would be slowed down by the positioning of staggered guardrails^[5.98].
- 6.175 With regard to the objectors' fears that this public open space would attract undesirable individuals and anti-social behaviour, in an area adjacent to the Queensgate Primary School^[4.69], SMBC has commented that there has been a "secure by design" review of the proposals and there are no issues that could not be addressed by detailed design^[5.98]. As no firm evidence to the contrary has been submitted, I see no reason to take a different view. Having regard to all the above points I conclude that these objections cannot be supported.
- 6.176 Mr Worthington & Mrs Broadhead (OBJ/33). From the evidence available to me, these objectors do not oppose the principle of the Scheme, but have simply maintained their objection because they have not yet reached agreement with SMBC regarding their land affected by the Scheme. The land in question is currently used for agriculture, but the objectors have long-term aspirations to develop their larger land-holding for residential use^[4.111]. That said, the objectors accept that the land is not currently zoned for development, but have indicated that they would not be seeking to dispose of this land, in the absence of the Scheme proposals, unless they could achieve an uplift in value to reflect the potential development^[4.112].
- 6.177 Whilst these are understandable concerns, they do not amount to a credible and defensible objection to the Orders. I therefore cannot support them.
- 6.178 Mr P Darnell & Ms M Darnell (OBJ/34), Mrs A Rowland (OBJ/35), Messrs Jones (OBJ/36) & the Fielding Family (OBJ/37). These objectors all own and/or occupy land in the vicinity of the existing A555, and their principal concern is the proposal to introduce a bridleway onto the private track which runs along the northern boundary of the A555, providing the only access to their land.
- 6.179 The objectors argue that the existing track is not wide enough to safely carry pedestrians, cyclists and equestrians as well as the existing farm and agricultural vehicles^[4.72-4.73]. They want to see a new, 3.2m wide private track

³²⁸ Doc MBS/28

provided to the north of the existing track, leaving the existing track solely for the new bridleway use^[4.74]. There is, however, a clear difference of opinion as to the likely costs of constructing a new track, with the objectors estimating some £25-34,000^[4.75], whilst SMBC has estimated a much higher cost of around £140,000^[5.102]. Having noted the more comprehensive list of items included by SMBC, I consider this to be a more realistic estimate.

- 6.180 This compares with an estimated cost of around £36,000 to widen the existing track to a minimum of 3.5m along its length, as is currently proposed as part of the Scheme^[5.102]. The SMBC proposal clearly represents better value for money, but only if a widened track could safely accommodate all users. In this regard I have noted the parties' differing views on the appropriate width of track to be provided, and also the slightly different survey results of the width and layout of the existing track, although in my assessment there is little difference between these 2 surveys in terms of the overall width available^[4.72, 5.103]. Having regard to these points it seems to me that the SMBC proposal would accord with all the cited standards. I also note SMBC's comment that consultation with the VRUG has been part of the design process for the new bridleway^[5.102].
- 6.181 No firm details of the current level of use of the existing track have been provided, but in view of the limited number of owners/occupiers it serves, I consider it unlikely to be heavily used on a daily basis. Moreover, it is clearly a straight track, offering good visibility for all users, and in these circumstances I see no major safety issues with the current proposal. On balance I therefore conclude that the Scheme proposal to widen the existing track to a minimum width of 3.5m would be acceptable. Accordingly, these objections cannot be supported and should not weigh against the Orders being confirmed.
- 6.182 Mr C Shenton (OBJ/38). A very similar situation to that outlined above also applies in this case, as one of Mr Shenton's primary concerns is the safety aspect of allowing pedestrians and cyclists to use another existing track adjacent to the A555, together with Spath Lane Bridge. He argues that this track is not wide enough to safely accommodate pedestrians and cyclists as well as the type of agricultural equipment which he uses on this route^[4.78-4.79]. However, contrary to the detail contained in Mr Shenton's original objection, no equestrian use of this track is proposed^[4.78, 5.105].
- 6.183 Mr Shenton attended the accompanied site visit and drove an agricultural vehicle along the track and onto the bridge, to demonstrate his concerns. He has also submitted a number of photographs highlighting the problems he envisages would occur^[4.78-4.79]. I note, however, that this track currently carries a PRow, so it must be the case that Mr Shenton already encounters pedestrians when undertaking his business^[5.105].
- 6.184 Surveys carried out by SMBC indicate that the track has a minimum width of 3.0m and a maximum width of 6.5m³²⁹. Slightly different details of track configuration and dimensions are recorded in some locations by Mr Shenton, but I am satisfied that the overall widths shown by both parties' surveys are very

³²⁹ Response 38/R05 in Doc MBS/REB/38/1

- similar. I saw at my site visit that much of the track is straight, with good forward visibility, and coupled with the proposed addition of formal passing places at a number of locations along its length^[4.79, 5.105], I see no reason why any unacceptable safety issues should arise.
- 6.185 Clearly, the addition of cycle use to this track, including across the Spath Lane Bridge, would introduce a new class of user and I acknowledge that unless carefully managed this could have safety implications. However, there is no firm information before me to suggest that the existing track and bridge is heavily used at the present time, and with appropriate warning signs and additional safety measures, such as the possible use of mounted, convex mirrors I see no reason why acceptable levels of safety for all users could not be achieved, especially as SMBC has confirmed that the VRUG has been involved with the design of this facility^[5.105].
- 6.186 On other matters raised, I consider that Mr Shenton's concerns about access arrangements at the southern end of the Spath Lane Bridge could be satisfactorily dealt with in liaison with the VRUG, landowners and tenant farmers^[5.106]. Furthermore, I share SMBC's view that there is no need or justification, as part of the Scheme, to divert the section of Footpath 81 from its existing, rural route, to alongside the busy A34^[3.19, 4.80]. This would not accord with the Scheme's aims of minimising impact on the existing PRow network and would therefore be undesirable^[5.106].
- 6.187 From the submitted evidence it is clear that Mr Shenton has experienced drainage problems, arising from the construction of the A555 some years ago, and I can appreciate his apprehension regarding other drainage changes likely to arise if the Scheme is constructed^[4.81]. However, SMBC's general drainage intentions have been well covered elsewhere in these conclusions and I do not repeat them here. I am satisfied that as SMBC and the Contractor would liaise with the objector in order to understand the existing drainage systems and accommodate them as necessary, there is no good reason why drainage of this track should present a significant problem.
- 6.188 Finally, I note that SMBC is putting matters in hand to mitigate any problems the Scheme would have on Mr Shenton's use of his isolation field, with assurances having been given that affected parties' time would be reimbursed, subject to proof as to the loss^[4.82, 5.108]. Overall, in light of the points set out above, I conclude that these objections cannot be supported and should not weigh against the Orders being confirmed.
- 6.189 Mr A de Coninck (OBJ/39). Mr de Coninck objected to the CPO as land in his ownership was originally thought to be needed to provide a replacement for the Spath Lane Bridge over the existing A555. However, since the Orders were published, further design work has been undertaken that has determined that the existing bridge could be retained, meaning that Mr de Coninck's land is no longer required for the Scheme. It is therefore proposed to be removed from the CPO under Modification CPO Mod 7A^[4.83, 5.109].
- 6.190 Despite this, Mr de Coninck still chose to appear at the Inquiry to make some general, non-specific objections covering such matters as the overall cost of the Scheme and the technical competency of the Scheme designers^[4.84]. These

objections were, however, not supported by any firm, factual evidence, and I therefore give them very little weight. I conclude that these objections cannot be supported and should not weigh against the Orders.

- 6.191 Mr A & Mrs V Walker (OBJ/42). The principal concern of these objectors is that the land to be acquired should be kept to a minimum and in this regard they argue that SMBC has failed to show any compelling case for the inclusion of land to provide pedestrian and cycle routes and bridleways. They maintain that land for these purposes should be deleted from the CPO^[4.115]. However, as already explained, I accept SMBC's case that such facilities are an essential part of the overall Scheme^[5.110]. Objections along these lines therefore cannot be supported.
- 6.192 Mr & Mrs R Hankinson (OBJ/43). It is clear that these objectors have experienced the compulsory purchase process in the past, with some of their land having been acquired for the railway into Manchester Airport, and for a previous version of the current Scheme^[4.116]. Because of this I can appreciate their disillusionment and concern regarding ongoing road schemes in this corridor, stretching back over many years. That said, I have to deal with the Orders before me, and in this regard I understand that one of Mr & Mrs Hankinson's main concerns relates to the proposed height of the bridge over the railway, and the knock-on effect this would have on land take^[4.118].
- 6.193 On this point, however, it is clear that SMBC has had to produce a design for this bridge which accords with Network Rail's requirements for clearance to the OLE, and not simply clearance to the track which appears to be the basis on which the objectors have been viewing this matter. The evidence before me is that the clearance to the OLE has been set at the absolute minimum that Network Rail will accept^[5.113], and in these circumstances I do not consider that there is any realistic scope to amend this element of the design further.
- 6.194 SMBC has also explained that access would be maintained to all of Mr & Mrs Hankinson's retained land, with rights granted over land currently owned by their neighbours, from a new PMA to be constructed on the eastbound carriageway of the A6MARR, to the east of the railway bridge. No "ransom strip" would be created and the PMA would allow the retain land to be accessed, and would also provide an access for maintenance purposes to the area where a mobile phone mast is sited^[4.117, 4.119, 5.114].
- 6.195 I have noted Mr & Mr Hankinson's allegations about a lack of consultation on the current Scheme, although this is not fully borne out by the evidence to the Inquiry, which includes details of meetings and correspondence with the objectors going back to April 2012^[4.117, 5.112]. In any case, earlier in these conclusions I have given my general view that I do not consider the objections and criticisms levelled at the public consultation process to be justified.
- 6.196 On other matters raised, it is clear from the evidence before the Inquiry, that the Scheme alignment in this location was not chosen simply to avoid an area of woodland as asserted by the objectors, but that a wide range of relevant factors were taken into account^[4.117]. The objectors' concerns about likely trespass from the diverted footpath could be addressed at the implementation stage, if this can be demonstrated as occurring, or likely to occur. The SMBC evidence

has also clarified that Mr & Mrs Hankinson would have access to their land during the construction stage, in liaison with the contractor; and has explained how the A6MARR and affected land would be effectively drained^[5.114].

- 6.197 The objectors comment that land which is only required temporarily should be obtained through a licence, rather than the plots being included in the CPO, but the evidence before me indicates that this is SMBC's preference also^[3.58]. However, in the absence of such agreements, SMBC's approach of including such land within the CPO, with a view to offering it back under the Crichel Down Rules when no longer needed, is justified. Mr & Mrs Hankinson's comment about being unaware of the benefit/cost assessment of the Scheme has already been addressed in paragraphs 6.75 to 6.77 above.
- 6.198 Mr & Mrs Hankinson are clearly unhappy with the current situation, concerning development of the A6MARR and the impact it would have on their land, although I understand that negotiations are still ongoing between the parties. That said, there is no resolution to these matters at present, but on the basis of the evidence before me I do not consider that there are any outstanding matters of sufficient weight to count against the confirmation of the Orders.
- 6.199 W Nixon & Sons (OBJ/44). In common with other objectors, W Nixon & Sons want to ensure that only the minimum amount of their land is acquired for the Scheme, and in this regard they maintain that an excessive amount of land appears to be needed for landscaping purposes^[4.121]. SMBC has, however, confirmed that it is only seeking to acquire the minimum amount of land necessary to construct the Scheme, and that some of this land is only required on a temporary basis and would be offered back to the original landowner under the Crichel Down Rules once construction is complete^[5.116]. There is no firm evidence to the contrary to cause me to come to a different view on this matter.
- 6.200 The objectors' request for a direct access off the A6MARR, on the grounds that it would benefit their business, is noted^[4.122]. However, I understand and agree with SMBC's design philosophy, that the number of access points on the Scheme should be kept to a minimum, in the interests of safety^[5.119]. As the current access to the W Nixon & Sons premises would not be affected by the Scheme, there is no justification for providing a new access through these Orders.
- 6.201 Finally, the submitted evidence indicates that there is a difference of opinion between the parties as to the extent that meaningful meetings have taken place, and the willingness of the objectors to engage in dialogue concerning SMBC's proposals^[5.118]. Whilst this is not a matter which affects my consideration of these objections, it does mean that discussions and negotiations may not have progressed as far as might otherwise have been possible. Notwithstanding these last comments, for the reasons already outlined above I conclude that these objections cannot be supported.
- 6.202 B & K Dumville (OBJ/45). A key concern of these objectors is that Ringway Road, from where access to the Primrose Cottage Nursery and Garden Centre is currently taken, would just become a service road if the Scheme was to proceed. They argue that in such circumstances customers would be discouraged from visiting the nursery and they therefore request a direct access

off the A6MARR or, failing this, the provision of highway signage on the A6MARR to the nursery^[4.125].

- 6.203 However, as with the previous objectors, SMBC point out that the design philosophy for the Scheme is to keep the number of access points to a minimum. The objectors' concerns are understood and appreciated, but as the existing access would not be directly affected by the Scheme (in physical terms), there is no clear justification for a new, direct access to be provided. Moreover, I understand that signage for the nursery on the A6MARR itself would be contrary to MCC's signage policy^[5.120]. It is possible, however, that the objectors could obtain off-highway signage, and SMBC has indicated it would facilitate discussions with the appropriate LPA to explore this issue^[5.122].
- 6.204 The proximity of the objectors' land to the line of the A6MARR, mean that the nursery and its greenhouses have to be considered as a high-risk site, in terms of being affected by construction-related dust^[4.124]. However, the ES identifies a number of measures which contractors would be required to adopt to control and deal with such hazards, and also indicates that method statements would be required in areas of high risk^[5.121]. It seems to me that these matters would fall within the remit of the CMP and the CEMP which are required by conditions to the planning permissions.
- 6.205 I understand that SMBC is not able, at present, to advise the objectors on whether or not replacement greenhouses could be justified, because of lack of financial information from the objectors^[4.124, 5.122]. This matter is clearly ongoing, but it is not something which goes to the heart of the matters before me, and is not something I need to form a view on. Overall, in view of the points set out above, I conclude that these objections cannot be supported, and do not amount to a reason why the Orders should not be confirmed.
- 6.206 Mr & Mrs Wood (OBJ/53). These objectors live at Coppice End, at the end of Mill Hill Hollow, and the A6MARR is proposed to run close to the south-eastern boundary of their property. They are mainly concerned about visual intrusion, traffic noise and security, and because of the proximity of the Scheme to their property these concerns are understandable^[4.134-4.136]. In particular, I can appreciate that noise from the proposed new road would certainly be noticeable as, even with the proposed noise barriers and low-noise surfacing on the carriageways, this property is predicted to experience a noise increase of about 12dB(A)^[5.152].
- 6.207 This situation is, of course, regrettable, but it seems to me that the resultant noise levels, whilst clearly appreciably higher than present day, would be unlikely to be increased to such a level that the property would qualify for assistance under the Noise Insulation Regulations 1973^[3.49]. As I have commented in the case of some other objectors, the fact that the 3 responsible LPAs decided to grant planning permission indicates that they felt the benefits offered by the Scheme would outweigh any disbenefits. Because of this, I conclude that this objection on noise grounds cannot be supported.
- 6.208 In terms of visual impact, a significant amount of planting is proposed, adjacent to the A6MARR and around the proposed balancing pond. SMBC has indicated that this planting would limit views of traffic using the A6MARR to just the tops

of high-sided vehicles upon Scheme opening, and that these views would close as the tree planting and woodland establishes and matures^[5.151]. It is difficult to see what more could be done, bearing in mind the close relationship between Coppice End and the proposed new road, and the fact that there is no realistic scope to re-align the Scheme further away from Coppice End as to do so would simply increase the impact on land owned by Mrs Mills (OBJ/20).

- 6.209 I have also noted Mr & Mrs Wood's concerns about the impact of the Scheme proposals on the security of Coppice End, but although there would be a re-alignment of the public and private rights of way in proximity to their property, these paths already exist^[4.136, 5.153], and there is no firm evidence before me to suggest that there would be a material increase in usage of these paths.
- 6.210 Taking all the above points into account, on balance, and whilst appreciating the concerns of these objectors, I conclude that these objections are not of sufficient weight to stand in the way of the Orders being confirmed.
- 6.211 Mr P Galligan (OBJ/55). Mr Galligan raises a number of concerns, but matters relating to the diversion of the oil pipeline which crosses his land are being promoted by the OPA under its own legislation^[4.139, 5.156] and are not, therefore, before the Inquiry for consideration. Nonetheless, I have noted that SMBC has designed the Scheme to facilitate the "route B" option as requested by Mr Galligan and is pursuing an updated planning application for the oil pipeline diversion^[4.139, 5.156]. There is no firm evidence before me to counter SMBC's view that this application will be successful. This would address this part of Mr Galligan's objection.
- 6.212 Moreover, the submitted evidence also makes it clear that Mr Galligan's concerns about land drainage and mains water supply would be effectively and satisfactorily addressed by SMBC^[5.157, 5.159]. Mr Galligan's remaining objections relate to his request that parts of Footpath 16 and Footpath 19, which would lie to the north of the A6MARR, be extinguished once the Scheme has been constructed. I can appreciate Mr Galligan's desire to see the closure of PRow which cross his land, but as this reflects the existing situation, I can see no justification in supporting the objector's request.
- 6.213 Whilst I accept that alternative routes would exist for each of these sections of PRow, they would be different in nature to the current "cross-field" paths, and I share SMBC's view that public consultation would need to take place on any such diversions or closures, before they could reasonably be implemented^[5.158]. Taking these points into account, I conclude that nothing in these objections should weigh against confirmation of the Orders.
- 6.214 Summary of conclusion relating to individual objectors. An appreciable number of objections were still maintained against the Orders at the close of the Inquiry, as detailed above, but in my assessment none of them weigh significantly against the Scheme. Having regard to all the above points I conclude that the parcels of land in question are all needed for the implementation of the Scheme, its essential mitigation measures and to provide appropriate exchange land for the area of Woodford Recreational Ground which would be lost; and that no more land than necessary is being sought.

6.215 I further conclude that the proposed exchange land would satisfy the requirements set out in Section 19(1)(a) of the Acquisition of Land Act 1981, such that special parliamentary procedures would not need to be invoked for the acquisition of the open space land. A Public Notice of Intention to issue a certificate to this effect has been prepared and I conclude that it should be issued, subject to the minor modifications referred to earlier^[5.179]. Accordingly I conclude that the objections raised to the acquisition of these plots and rights, and to the various aspects of the SRO, cannot be supported.

Other Matters

6.216 I turn now to other matters which need to be established before the Orders can be confirmed, as detailed earlier in these conclusions. I am satisfied that SMBC has properly considered its obligations with regard to human rights legislation, and that in discharging these obligations it has sought to strike a balance between the rights of the individual and the interests of the public^[3.65].

6.217 In light of the significant public benefit which would arise to a wide area of the south-east of the Manchester conurbation if the Scheme was to go ahead, it is my view that the Orders would not constitute an unlawful interference with individual property rights. I conclude that any residual interference with human rights would be necessary in order to achieve the Scheme and, having regard to the Scheme benefits, would be proportionate.

6.218 As previously noted, the Scheme has the benefit of planning permission and is fully funded, with £165 million secured from DfT; £105 million of additional capital grant funding from Government in the context of the Earnback deal; and £20 million coming from LTP funding^[3.71]. Although a number of planning conditions will need to be discharged, there are no outstanding objections from any statutory undertakers and SMBC has confirmed that all necessary statutory formalities in connection with the promotion of the Orders and the holding of the Inquiry have been complied with^[3.53]. The Scheme is therefore in an advanced state of readiness and there is no evidence to suggest that the Scheme is likely to be blocked by any impediment to implementation^[5.183].

Conclusion on the Side Roads Order

6.219 SMBC asks for the SRO to be confirmed in modified form, to cover a total of 39 modifications discussed at the Inquiry. It is not necessary to list these proposed modifications in detail here, as they are set out fully in CD 1104 and its accompanying Appendices A to D^[5.170-5.173]. In summary, however, I have noted that these modifications cover a range of matters, including minor changes to the text to address typographical errors; amendments to various PMA and PRow labels; minor corrections to street names and road numbers; the provision of new PMAs; the extension of some previously proposed PMAs; and reductions in the lengths of some PMAs to be stopped up^[5.171].

6.220 The proposed modifications comprise the following:

- For the SRO: SRO Mods 0A, 0B & 0C;
- For Schedule 1/Site Plan 1: SRO Mods 1A, 1B & 1C;
- For Schedule 2/Site Plan 2: SRO Mods 2A & 2B;
- For Schedule 3/Site Plan 3: SRO Mods 3A, 3B, 3C & 3D;
- For Schedule 4/Site Plan 4: SRO Mods 4A, 4B, 4C, 4D, 4E, 4F, 4G & 4H;

- For Schedule 5/Site Plan 5: SRO Mods 5A, 5B, 5C & 5D;
- For Schedule 6/Site Plan 6: SRO Mods 6A & 6B;
- For Schedule 7/Site Plan 7: SRO Mods 7A, 7B, 7C, 7D & 7E;
- For Schedule 8/Site Plan 8: SRO Mods 8A, 8B & 8C;
- For Schedule 9/Site Plan 9: SRO Mods 9A, 9B, 9C, 9D & 9E.

6.221 Having had regard to the descriptions of these proposed modifications and the explanations as to why they are considered necessary, all as set out in CD 1104, I share SMBC's view that they all relate to relatively minor matters which would not affect the extent or scale of the proposals.

6.222 Because of this I further accept that none of the modifications would materially alter anyone's understanding of the Order and, in view of the fact that many of the people likely to be affected by the modifications have been informed of them directly³³⁰, I consider that no further formal consultation on these modifications is necessary. The final versions of the SRO, Schedules and Site Plans, are contained in Appendices B and D to CD 1104^[5.173].

6.223 I consider that all the above modifications to the SRO are necessary to address specific objections, and for clarity and accuracy. I further consider that they can all be made in accordance with paragraph 8 of Schedule 1 to the Highways Act 1980.

6.224 With regard to the statutory criteria to be satisfied, I am mindful that there are no objections to the Scheme or the Orders from Statutory Undertakers. Moreover, where a highway or PMA is to be stopped up, I am satisfied that a reasonably convenient alternative route or access would be provided, as described in the Schedules and Site Plans of the SRO.

6.225 I conclude that the SRO should be confirmed with the modifications detailed in paragraph 6.220 above.

Conclusions on the Compulsory Purchase Order

6.226 SMBC asks for the CPO to be confirmed in modified form, to cover 18 modifications discussed at the Inquiry. As with the SRO it is not necessary to list these proposed modifications in detail here, as they are set out fully in CD 1104 and its accompanying Appendices E to H^[5.170, 5.174-5.178].

6.227 In summary, however, I have noted that these modifications cover a range of matters, including minor changes to the text to address typographical errors or omissions. Some relate to reductions in the size of plots needed to be acquired, whilst others reflect the fact that some plots are no longer required for the Scheme and are proposed to be deleted from the CPO. In other cases, plots have needed to be divided and renumbered to reflect ownership changes, whilst in other cases, ownership details have simply needed to be amended. Modifications are also proposed to address incorrect headings for a number of Schedules, and wrongly labelled streets and road numbers^[5.174].

6.228 There are also a number of plots which have been purchased by the Secretary of State for Transport, since the publication of the Orders, and in these circumstances modifications are proposed to the text in the relevant Schedules to

³³⁰ Docs MBS/29 and MBS/30

limit the interests to be acquired to exclude those owned by the Crown^[5.175]. Similar changes to the text are needed in relation to other plots to exclude, where appropriate, interests owned by CEC and/or MCC.

6.229 The proposed modifications comprise the following:

- For the CPO: CPO Mods 0A, 0B & 0C;
- For Schedule 2/Site Plan 2: CPO Mod 2A;
- For Schedule 3/Site Plan 3: CPO Mods 3A, 3B & 3C;
- For Schedule 4/Site Plan 4: CPO Mods 4A;
- For Schedule 5/Site Plan 5: CPO Mods 5A, 5B & 5C;
- For Schedule 7/Site Plan 7: CPO Mods 7A, 7B & 7C;
- For Schedule 8/Site Plan 8: CPO Mods 8A & 8B;
- For Schedule 9/Site Plan 9: CPO Mods 9A & 9B.

6.230 Having had regard to the descriptions of these proposed modifications and the explanations as to why they are considered necessary, all as set out in CD 1104, I share SMBC's view that they all relate to relatively minor matters which would not affect the extent or scale of the proposals. Indeed the modifications would not require additional land outside that required for the published Scheme^[5.177].

6.231 Moreover, I am satisfied that none of the modifications would materially alter anyone's understanding of the Order. Accordingly, I am of the view that no further formal consultation is necessary on these modifications, and consider that they could be made in accordance with paragraph 8 of Schedule 1 to the Highways Act 1980 and paragraphs 4 and 5 of Schedule 1 to the Acquisition of Land Act 1981. The final versions of the SRO, Schedules and Site Plans, are contained in Appendices F and H to CD 1104^[5.178].

6.232 At paragraph 6.74 I indicate that I agree with SMBC that appropriate measures have been taken in the design of the Scheme to mitigate adverse effects. Furthermore, in paragraph 6.217 I conclude that the purposes for which the CPO is being promoted justifies interfering with the human rights of those with an interest in the land affected, and that any residual interference with human rights is proportionate and necessary to achieve the Scheme.

6.233 In my assessment, all the land proposed to be acquired is necessary for the Scheme to proceed and there is no firm evidence before me to suggest that this land is not the minimum necessary for the Scheme to be constructed. I am satisfied that SMBC has a clear idea of how the land to be acquired would be used. In paragraph 6.218 I note that the necessary resources are available for the Scheme to be implemented within a reasonable timescale, and that SMBC has confirmed that all statutory procedures have been followed correctly.

6.234 I conclude that the CPO should be confirmed with the modifications detailed in paragraph 6.229 above.

Conclusion on the Exchange Land Certificate

6.235 SMBC put forward no firm, suggested modifications to the s19 exchange land Certificate at the Inquiry, but did make it clear, in the context of Modification CPO Mod 5A (set out in CD 1104), that the s19 exchange land Certificate would need to be amended to accord with this CPO modification.

- 6.236 The necessary amendments to the exchange land Certificate are not contentious and are simply needed to ensure accuracy of the Certificate and consistency with the CPO. Indeed, there was only a single objection to the s19 Certificate, which has now been withdrawn, and as the necessary modifications to the Certificate would reduce the amount of exchange land to be acquired, I consider that there is no need for further publicity on this matter. The necessary modifications are^[5.179]:
- Paragraph 3 of the Public Notice of Intention to issue a s19 Certificate should be amended to clarify that the total area of exchange land would be 16,722sqm, and that the reference to Plot 5/1D should be to Plot 5/7D;
 - The area of Plot 5/7D in Schedule 2 should be amended to 15,714sqm.
- 6.237 Having already concluded that the Scheme is acceptable and that the CPO should be confirmed, it follows that I find no objection to the proposals for the provision of exchange land to replace the open space land at the Woodford Recreational Ground required for the Scheme. I conclude in paragraph 6.215 that the requirements of Section 19(1)(a) of the Acquisition of Land Act 1981 would be met and that there would be no need to invoke special parliamentary procedures for the acquisition of the necessary public open space land.
- 6.238 A Public Notice of Intention to issue a Certificate to this effect has been prepared in accordance with Section 19(1)(a) of the Acquisition of Land Act 1981, and I conclude that it should be issued with the modifications detailed in paragraph 6.236 above.

7. RECOMMENDATIONS

- 7.1 I recommend that the **Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013** should be modified as indicated in paragraph 6.220 above, and that the Order so modified should be confirmed.
- 7.2 I recommend that the **Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013** should be modified as indicated in paragraph 6.229 above, and that the Order so modified should be confirmed.
- 7.3 I recommend that the Certificate under Section 19(1)(a) of the Acquisition of Land Act 1981, relating to land forming part of Woodford Recreational Ground, Bramhall, Stockport, should be modified as indicated in paragraph 6.236 above, and that the Certificate so modified should be issued.

David Wildsmith

INSPECTOR

APPENDIX 1 - APPEARANCES

FOR SMBC AS ACQUIRING AUTHORITY:	
Mr Stephen Sauvain QC, assisted by Mr Alan Evans of Counsel	instructed by Mr John Hill, Planning and Highways Lawyer, SMBC, on behalf of Parveen Akhtar, Head of Legal and Democratic Governance, SMBC
They called:	
Mr James McMahon BSc CEng MICE	Director, Major Projects, Place and Regeneration Directorate, SMBC
Mr Nazrul Huda BEng CEng MICE	Client Design Manager, SMBC
Mr Nasar Malik BSc MSc CEng TPP FICE FCIHT	Project Director, Transport Planning, Atkins
Mr Paul Reid DipLD CMLI	Technical Director, Environmental Assessment Team, Infrastructure Services Business Unit, Mouchel
Mr Paul Colclough BSc(Hons) MSc CChem MRSC	Head of Air Quality, Infrastructure Services Business Unit, Mouchel
Mr Jamie Bardot BSc LLM CEnv MIEMA	Principal Environmental Advisor, Morgan Sindall plc
Mr Alan Houghton BA(Hons) DMS MRTPI	Head of Planning Regeneration North, URS Infrastructure & Environment UK Limited
Mrs Susan Stevenson BA(Hons)	Investing in Growth Manager, Place Management and Regeneration Directorate, SMBC
Mr Henry Church MRICS FCAAB(Ret'd) MCPA MNIPA	Senior Director, CBRE Ltd

OBJECTORS TO THE ORDERS:	
Mr Andrew de Coninck (OBJ/39)	Private individual
Mrs Helen Harrison (OBJ/04)	Private individual
Mill Farm Riding School (OBJ/05)	Represented by Mrs Helen Harrison, as above
Mr C R Barson and Ms J M Whittingham (OBJ/14)	Private individuals
Simpson & Livesey Trustees (OBJ/02); Mrs Janet Shirt (OBJ/08); Ms Hazel Mort, Ms Janet Bourne, Ms Jill Zeiss & Ms Anne Lomas (OBJ/21); Mr David Hall, Mr Roger Hall, Ms Susie Allen & Mr Douglas Hall (OBJ/23); Mr Paul & Mrs Lisa Lawson (OBJ/30); Mr Mark & Mrs Carole Freedman (OBJ/32); Mrs Angela Rowland (OBJ/35); Mr David Jones & Mr Richard Jones (OBJ/36); The	All represented by Mr John Seed MA(Oxon) FRICS FAAV, Partner, The Brown Rural Partnership

Fielding Family (OBJ/37); Mr Christopher Shenton (OBJ/38)	
Harrison Developments Holdings Limited (OBJ/01)	Represented by Mr John Houston BSc(Hons) DipArb FRICS ACI Arb, Sole Principal, John Houston Consulting
Mr & Mrs Tony Gilchrist (OBJ/11)	Private individuals
Mr D M Westbrook (OBJ/25)	Private individual
Mr Michael Kingsley (OBJ/22)	Personal Representative of the Estate of Marques Kingsley deceased; Director of Glenhazl Ltd; and as a private individual
Mr Stephen Houston BSc(Hons) (OBJ/50)	Chair of the Poynton Against Unnecessary Links to the Airport (PAULA) Residents' Group- supported by Ms Julie Waddicor (private individual - OBJ/46)
Mrs D Mills (OBJ/20)	Represented by Mr Peter Ashburner FRICS FAAV Director, Wright Marshall Ltd, Chartered Surveyors (Mrs Mills also attended the inquiry and spoke briefly)
Mr Greg Willman (OBJ/51)	Private individual

APPENDIX 2 – CORE DOCUMENTS

1. DOCUMENTS RELATING TO THE CPO AND SRO	
1001	The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013
1002	The Order Map referred to in The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) Compulsory Purchase Order 2013.
1003	The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013
1004	The Order Plan referred to in The Metropolitan Borough of Stockport (Hazel Grove (A6) to Manchester Airport A555 Classified Road) (Side Roads) Order 2013.
1005	Newspaper notice
1006	Confirmation of site notices
1007	Section 19 Certificate
1008	A6(M) Stockport North/South Bypass Revocation Orders
1009	A6MARR Delivery Agreement
	<u>Additional Documents</u>
1102	CPO Aerial Photography Plans
1103	SRO Aerial Photography Plans
1104	Proposed Modifications Report
1105	SMBC Statement of Case
2. DOCUMENTS RELATING TO THE PLANNING APPLICATION & PERMISSION	
	<u>Documents submitted as part of Planning Application, Oct 2013</u>
2001	Location Plans
2002	Planning Application Location Plan

2003	Planning Application Location Plan – Local Authority Boundary Locations
2004	Proposed Layout of A6MARR
2005	General Arrangements sheets 1 to 9
2006	Planning Application Block Plans – Existing Sheets 1 to 23
2007	Planning Application Block Plans – Proposed Sheets 1 to 23
2008	Preferred Scheme – Cross Sections Sheets 1 to 10
2009	Landscape Mitigation Proposals – Sheets 1 – 15
2010	Landscape Design Sheets 1 to 12
2011	Proposed Lighting – Sheets 1 to 9
2012	Drainage layout Sheet 1 to 16
2013	Summary of Proposed Drainage Networks
2014	Existing and Proposed Speed Limits – Sheets 1 to 4
2015	Proposed Structure Locations – Side 1 and 2
2016	Retaining Walls – R002A General Arrangement
2017	Retaining Walls – R009 General Arrangement
2018	Retaining Walls – R010 General Arrangement
2019	Retaining Walls – R011 General Arrangement
2020	Retaining Walls – R016 General Arrangement
2021	Retaining Walls – TR1 B General Arrangement
2022	Retaining Walls – TR1 G General Arrangement
2023	Retaining Walls – TR1 M General Arrangement
2024	A6 Bus Bridge – General Arrangement
2025	Hazel Grove/Buxton Railway Underline Bridge – General Arrangement
2026	Mill Lane Accommodation Bridge – General Arrangement
2027	Mill Lane Footbridge – General Arrangement
2028	Norbury Bridge Widening
2029	Mill Hill Hollow Bridge – General Arrangement
2030	Mill Hill Hollow Footbridge – General Arrangement
2031	Hill Green Accommodation Bridge – General Arrangement
2032	Woodford Road Bridge – General Arrangement
2033	West Coast Mainline Bridge – General Arrangement
2034	Woodford Road Bridge – General Arrangement (Sheet 1 of 2)
2035	Woodford Road Bridge – General Arrangement (Sheet 2 of 2)
2036	Yew Tree Accommodation Bridge – General Arrangement
2037	Styal Railway Bridge – General Arrangement
2038	Styal Road Airport Spur Bridge – General Arrangement Option 1
2039	Styal Road Airport Spur Bridge – General Arrangement Option 2
2040	Dairy House Lane Culvert
2041	Spath Brook Twin Culvert Extension
2042	Proposed Mainline Signing – Sheet Location Plan
2043 to 2053	Proposed Mainline Signing – Sheets 1 to 11
2054	Photomontages
2055	Existing and Proposed Public Rights of Way – Sheets 1 to 5
2056	Tree Survey Plan (Sheet 1 to 19)
2057	Planning Application Statement
2058	Design and Access Statement – Vol. 1

2059	Design and Access Statement – Vol. 2
2060	The Design and Access Statement – Vol 2 consists of the structures reports
2061	Retaining Structures Preliminary Design Report
2062	B001 A6 Bus Bridge – Preliminary Design Report
2063	B002 – Hazel Grove to Buxton Feasibility Study Report
2064	B003 Mill Lane Accommodation Bridge – Preliminary Design Report
2065	B004 Mill Lane Bridle Bridge – Preliminary Design Report
2066	B004A Norbury Bridge Widening – Preliminary Design Report
2067	B005 Mill Hill Hollow Bridge – Preliminary Design Report
2068	B005A Mill Hill Hollow Footbridge – Preliminary Design Report
2069	B006 Hill Green Accommodation Bridge – Preliminary Design Report
2070	B007 Woodford Road Bridge – Preliminary Design Report
2071	B008 West Coast Mainline Over Bridge - Preliminary Design Report
2072	B010B Woodford Road Bridge (Bramhall) – Preliminary Design Report
2073	B012 Yew Tree Footbridge – Preliminary Design Report
2074	B013 Styal Mainline Overbridge – Preliminary Design Report
2075	B014 Styal Road Airport Spur – Feasibility Study Report
2076	TR1-11 Dairy House Lane Culvert – Preliminary Design Report
2077	TR1-12 Spath Brook Twin Culvert Extension – Preliminary Design Report
2078	Statement of Community Involvement
2079	Transport Assessment
2080	Socio-economic Impacts Report
2081	Flood Risk Assessment
2082	Tree Survey
2083	Street Lighting Design Statement
2084	Health Impact Assessment
2085	Drainage Strategy Report
2086	Airport Safeguarding
2087	Sustainability Statement
2088	Equalities Impact Assessment
2089	Soft Landscape Specification
2090	Landscape Management Plan
2091	Code of Construction Practice
2092	Environmental Statement and Associated Appendices
2093	[not used]
	<u>Other planning application related documents</u>
2094	Highways Agency response to A6MARR planning application consultation. December 2013.
2095	MCC Local Planning Authority Referral Letter to the National Planning Casework Unit March 2014
2096	SMBC Local Planning Authority Referral Letter to the National Planning Casework Unit February 2014
2097	CEC Local Planning Authority Referral Letter to the National Planning Casework Unit March 2014
2098	SMBC Draft Planning Conditions
2099	CEC Draft Planning Conditions
2100	MCC Draft Planning Conditions
2101	MCC Planning Committee Report

2102	SMBC Planning Committee Report
2103	CEC Planning Committee Report
2104	Peak District National Park Authority response regarding traffic impact (incorrectly labelled as 2098 within the Statement of Case Document)
2105	Responses to Neighbouring Authorities regarding traffic impacts (incorrectly labelled as 2099 within the Statement of case document)
2106	Objections to the Side Road Order and Compulsory Purchase Order (incorrectly labelled as 2100 within the Statement of Case document)
	<u>Additional Documents</u>
2201	SMBC - Planning Application Form
2202	MCC - Planning Application Form
2203	CEC - Planning Application Form
2204	Letters from Department for Communities and Local Government to 3 Local Planning Authorities to confirm the A6MARR will not be called in for Planning Public Inquiry
3. LOCAL AND REGIONAL POLICY DOCUMENTS	
3001	SMBC Local Development Framework Core Strategy 2011
3002	SMBC Economic Development Strategy 2012-2017
3003	Stockport Partnership Stockport Strategy 2020 - May 2009
3004	Stockport Unitary Development Plan Review (May 2006) policies which still apply from 1 April 2011
3005	Cheshire East Borough Council Local Plan Draft Macclesfield Town Strategy 2012
3006	Cheshire East Borough Council Local Plan Draft Handforth Town Strategy August 2012
3007	Cheshire East Borough Council Local Transport Plan Final Strategy (2011-2026)
3008	MCC Local Development Framework Core Strategy 2012
3009	Greater Manchester Local Transport Plan 3 - 2011
3010	North West of England Plan Regional Spatial Strategy to 2021
3011	Macclesfield Local Plan
3012	Cheshire East Local Plan Strategy - Submission Version
3013	Cheshire East Local Plan Policies Map
3014	Cheshire East Local Plan Infrastructure Delivery Plan
3015	Cheshire East Local Plan Submission Sites Justification Paper
3016	Cheshire East Local Plan Draft Poynton Town Centre Strategy
3017	The Metropolitan Borough Council of Stockport Sustainable Community Strategy
3018	Wythenshawe Regeneration Framework
3019	Greater Manchester Final Local Transport Plan 2006/07 - 2010/11
3021	Cheshire and Warrington Matters 2014
3022	Stronger together Greater Manchester Strategy 2013
3023	Greater Manchester City Deal March 2012
	<u>Additional Documents</u>
3301	Greater Manchester Air Quality Action Plan

4. NATIONAL POLICY AND GUIDANCE DOCUMENTS	
4001	National Planning Policy Framework (Department for Communities and Local Government, March 2012)
4002	Transport analysis guidance: WebTAG, last updated January 2014
4003	Design Manual for Roads and Bridges (DMRB)
4004	Human Rights Act 1998
4005	Department of Transport Circular 1/97
4006	Department of Transport Local Authority Circular 2/97
4007	Office of the Deputy Prime Minister Circular 06/2004 Compulsory Purchase and the Crichel Down Rules
4008	Highways Act 1980
4009	The Acquisition of Land Act 1981
4010	Traffic Signs (Amendment) Regulations and General Directions 2011
4011	The Hedgerow Regulations (1997)
4012	The Land Compensation Act 1973 (relevant sections)
4013	Countryside and Rights of Way Act 2000
4014	Wildlife and Countryside Act 1981 as amended
4015	Guidance on Multi Modal Studies (GOMMS)
4016	A new deal for Trunk Roads in England 1998
4017	White Paper -A New Deal for Transport; Better for Everyone
4018	Town and Country Planning (EIA) Regulations 2011
4019	UK Government Comprehensive Spending Review 2010
4020	National Infrastructure Plan November 2011 & 2013
4021	Action for Roads: A network for the 21st century July 2013
4022	Investing in Britain's Future June 2013
4023	A fresh start for the strategic road network November 2011
	Additional Documents
4401	Memorandum TR138D: Notes on the Preparation of Land Plans and Reference Schedules
4402	The Flood and Water Management Act 2010
4403	European Parliament (2008) Council Directive 2008/50/EC on Ambient Air Quality and Cleaner Air for Europe.
4404	Her Majesty's Stationary Office (2010) Statutory Instrument 2010, No. 1001, Air Quality Standards Regulations 2010 London: HMSO.
4405	Department for Environment, Food and Rural Affairs (Defra) (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland, London: HMSO.
4406	Her Majesty's Stationary Office (2000) Statutory Instrument 2000 No. 928, The Air Quality (England) Regulations 2000 London: HMSO.
4407	HMSO (2002) Statutory Instrument 2002 No. 3043, The Air Quality (England) (Amendment) Regulations 2002, London: HMSO.
4408	Department for Communities and Local Government (DCLG) (2012) "National Planning Policy Framework"
4409	Department for Communities and Local Government (DCLG) (2013) Draft National Policy Statement for National Networks (NPS NN) - Annex A
4410	[not used]
4411	HMSO (1990) "The Environmental Protection Act", London: HMSO.

4412	HMSO (1995) "The Environment Act", London: HMSO.
4413	Greater Manchester Air Quality Action Plan
4414	The Department for Transport (1992 as amended 2013) Design Manual for Roads and Bridges Volume 11: Environmental Assessment
4415	HA207/07 DMRB Volume 11 Section 3 Part 1.
4416	Highways Agency (2012) IAN 170/12 Rev 3 Updated air quality advice on the assessment of future NOx and NO ₂ projections for users of DMRB Volume 11, Section 3, Part 1 "Air Quality"
4417	Highways Agency (2013) IAN 174/13 Updated air quality advice on the application of the test for evaluating significant effects; for users of DMRB Volume 11, Section 3, Part 1 "Air Quality"
4418	Highways Agency (2013) IAN 175/13 Risk assessment of compliance with EU Directive on ambient Air quality; for users of DMRB Volume 11, Section 3, Part 1 "Air Quality"
4419	Department for Environment Food and Rural Affairs (Defra) (2009) Local Air Quality Management Technical Guidance Document LAQM.TG (09), London: Defra.
4420	Guidance on the Assessment of the Impacts of Construction on Air Quality and Determination of their Significance - Institute of Air Quality Management (IAQM), 2012
4421	Note on projecting NO ₂ Concentrations, Bureau Veritas. April 2012
4422	[not used]
4423	"Environmental Protection UK (EPUK) (2010) Development Control: Planning for Air Quality 2010 Update"
4424	Britain's Supreme Court that said the Government had failed to comply with the EU directive
4425	New Roads and Street Works Act 1991
4426	Monitoring and Evaluation Framework for Local Authority Major Schemes, DfT, September 2012
4427	Natural England Guidance for land managers
4428	Council Directive 92/43/EEC
4429	SI 2010/490
4430	SI 1994/2716
4431	SI 2007/1843
4432	SI 2012/1927
4433	Natural England Guidance "GCN mitigation guidelines"
4434	Natural England Guidance "WML-G11 (0209) Master Plan Guidance - GCNs"
4435	[not used]
4436	Langton T E S, Beckett C L and Foster J P. (2001) GCN Conservation Handbook. Froglife, Halesworth.
4437	Natural England Guidance how to get a licence
5. BACKGROUND DOCUMENTS AND REPORTS	
5001	SEMMMS Location Plan
5002	SEMMMS Final Report 2001
5003	Department for Transport Letter of Programme Entry October 2013
5004	Major Scheme Business Case and Appendices November 2012
5005	Phase 1 Consultation Report March 2013
5006	Phase 2 Consultation Report September 2013

5007	DF5 Junctions Options Report Phase November 2012
5008	Queensgate Primary School Information for Headteacher July 2013
5009	Response to PAULA Phase 2 Consultation Submission
5010	Ground Transport Strategy- Manchester Airport
5011	Stage 1 Road Safety Audit and Project Team Response
5012	The Eddington Transport Study Report 2006
5013	Phase 1 and 2 Consultation Leaflets
5014	West Coast Mainline Option Comparison - (over vs under) June 2012
5015	West Coast Mainline Comparison - Environment Appraisal October 2012
5016	Network Rail Hazel Grove and Buxton Line - Justification of Rail over Road Bridge June 2012
5017	Consultation draft of A6 Corridor Study 2013
5018	Press Release: Minister Announces Strategy to Cut Congestion in South East Manchester March 2002
5019	SEMMMS final report 2001
5020	SEMMMS QBC Programme Report
5021	GMPTe SEMMMS QBC Programme Report
5022	Chapter 8 SEMMMS, 2001,
5023	South East Manchester Multi-Modal Strategy Progress Report 2006/7-2007/8
5024	GMLTP Annual Progress Report 2004, pg 41 – 44, 2004,
5025	GMLTP 2005 Annual Progress Report Pgs 44 -46, 2005,
5026	2nd Local Transport Plan Progress Report,
5027	LTP2 Technical Appendix South East Manchester Multi Modal Study
5028	Implementation Plan 3 SEMMMS Implementation Plan, 2006
5029	SEMMMS Implementation Plan 2004
5030	Progress report SEMMMS Chapter 3, 2003,
5031	A6MARR Communications Strategy
5032	Earnback Model, SEMMMS and Metrolink Trafford Park Extension 26 July 2013
5033	Integration of Metrolink Airport extension and SEMMMS Road Scheme 27 May 2011
5034	Greater Manchester Transport Fund Update 25 June 2010
5035	Greater Manchester Transport Fund Update 27 January 2012
5036	Greater Manchester Transport Fund & Capital Programme Monitoring Update 26 October 2012
5037	Tribunals and Inquiries, England and Wales. The Compulsory Purchase (Inquiries Procedure) Rules 2007
5038	CEEQUAL Award Letter January 2014
5039	Government announcement of Enterprise Zones February 2014
5040	UK Government Budget March 2011
5041	UK Government Identification of first 4 new generation enterprise zone locations
	<u>Additional Documents</u>
5501 to 5502	[not used]
5503	Phase 1 Consultation Comments Log
5504	Phase 2 Consultation Comments Log

5505	COPECAT Review
5506	[not used]
5507	Balfour Beatty Consultant Contractor Report November 2011
5508 to 5510	[not used]
5511	A6MARR – 3D Visualisation
5512	[not used]
5513	Alternative A6 Junction Online - 1007/3D/DF7/A6-MA/GA/316
5514	A6 Junction Avoiding Ancient Woodland – 1007/2D/TR1/A6-MA/GA/161A
5515	Ringway Road Highway Improvement Works and Airport City – 1007/3D/DF5/A6-MA/GA/510A TO 511A
5516	Earthworks Cuttings, Embankments and Bunds - 1007/3D/DF7/A6- MA/GA/338-339
5517	Carillion Morgan Sindall - Overall Plan – MS2498-TW-T001 REV 2
5518	General Arrangement and CPO Extents – 1007/3D/DF7/A6-MA/GA/CPO/317 to 325
5519	Summary of Proposed Drainage Networks – 60212470-HIG-0535-P03
5520	A6MARR Project Team Response to NWTAR Phase 2 Consultation Submission
5521	The A6 Trunk Road (Derby to Stockport) (Detrunking) Order 2002
5522	Departures Report A6MARR-0-W01-500-RE-001
5523	Transport Business Cases - DfT, 2013
5524	TfGM HFAS Report 1731
5525	Highways Agency TR111 Form
5526	Great Crested Newt Survey Report –Pursuant to the Discharge of Planning conditions 15 (SMBC) and 14 (MCC)
5527	Letter from Natural England (Anthony Bremner) to CEC (Peter Hooley) [29 November 2013] Planning consultation: SEMMMS Construction of the A6 to Manchester Airport Relief Road.
5528	GCN masterplan, Mouchel
5529	GCN licence application, table E3.
5530	Natural England, Favourable Conservation Status (FCS) Test response, to Styal Golf Course EPSL and A6MARR Masterplan. 22 March 2014.
5531	Minutes of a meeting between ecologists from the Stockport and Manchester local authorities, and Carillion Morgan Sindall, held on 26 August 2014.
5532	Aecom (2014) Great Crested Newt Survey Protocols – Whole Scheme.
5533	A6MARR GCN Impact Maps
5534	Metapopulation post activity management drawings August 2014
5535	Metapopulation habitat creation drawings August 2014
5536	GCN Population Dynamics Drawings August 2014
5537	Alternative Macclesfield Road Junction
6. COUNCIL COMMITTEE ITEMS	
6001	SMBC Environment and Scrutiny Committee June 2012
6002	SMBC Executive Meeting June 2012
6003	SMBC Environment and Scrutiny Committee July 2012
6004	SMBC Report to Executive Meeting August 2012
6005	SMBC Report to Executive Meeting February 2013
6006	SMBC Environment and Scrutiny Committee January 2013

6007	SMBC Report to Executive Meeting April 2013
6008	SMBC Report to Executive Meeting Phase 2 Consultation October 2013
6009	SMBC Report to Executive Meeting Planning Application and Associated CPO and Public Rights of Way Changes October 2013
6010	SMBC Report to Executive Meeting Appointment of a Contractor for the A6MARR October 2013
6011	SMBC Report to Executive Meeting Future Protection of the SEMMMS Relief Road Alignment October 2013
6012	Cheshire East Borough Council Cabinet Meeting June 2012
6013	Cheshire East Borough Council Cabinet Meeting October 2013
6014	MCC Executive Meeting July 2012
6015	MCC Minutes of the meeting July 2012
6016	MCC Executive Meeting May 2013
6017	MCC Executive Minutes of the Meeting May 2013
	<u>Additional Documents</u>
6601	MCC Planning and Highways Committee February 2014
6602	MCC Planning and Highways Committee Minutes February 2014

APPENDIX 3 – INQUIRY DOCUMENTS (including documents submitted during the Inquiry)

INSPECTOR’S DOCUMENTS

- INSP/01 Pre Inquiry Note, dated 5 August 2014
INSP/02 Inspector’s questions of clarification, dated 26 September 2014

PROOFS OF EVIDENCE SUBMITTED BY THE ACQUIRING AUTHORITY

- MBS/1/1 Proof of Evidence – James McMahon (*Scheme Background*)
MBS/1/2 Appendices – James McMahon (*Scheme Background*)
MBS/1/3 Summary Proof – James McMahon (*Scheme Background*)
MBS/2/1 Proof of Evidence – Nazrul Huda (*Highway Engineering*)
MBS/2/2 Appendices – Nazrul Huda (*Highway Engineering*)
MBS/2/3 Summary Proof – Nazrul Huda (*Highway Engineering*)
MBS/3/1 Proof of Evidence – Nasar Malik (*Traffic and Economics*)
MBS/3/2 Appendices – Nasar Malik (*Traffic and Economics*)
MBS/3/2/A Traffic Monitoring Site Locations Plan (*Traffic and Economics*)
MBS/3/3 Summary Proof – Nasar Malik (*Traffic and Economics*)
MBS/4/1 Proof of Evidence – Paul Reid (*Environment*)
MBS/4/2 Appendices – Paul Reid (*Environment*)
MBS/4/3 Summary Proof – Paul Reid (*Environment*)
MBS/5/1 Proof of Evidence – Paul Colclough (*Air Quality*)
MBS/5/2 Appendices – Paul Colclough (*Air Quality*)
MBS/5/3 Summary Proof – Paul Colclough (*Air Quality*)
MBS/6/1 Proof of Evidence – Jamie Bardot (*GCN Aspect*)
MBS/6/2 Appendices – Jamie Bardot (*GCN Aspect*)(*Corrected plans submitted*)
MBS/6/3 Summary Proof – Jamie Bardot (*GCN Aspect*)
MBS/7/1 Proof of Evidence – Alan Houghton (*Planning*)
MBS/7/2 Appendices – Alan Houghton (*Planning*)
MBS/7/3 Summary Proof – Alan Houghton (*Planning*)

MBS/8/1	Proof of Evidence – Susan Mary Stevenson (<i>SEMMMS Implementation, Consultation, Walking and Cycling</i>)
MBS/8/2	Appendices – Susan Mary Stevenson (<i>SEMMMS Implementation, Consultation, Walking and Cycling</i>)
MBS/8/3	Summary Proof – Susan Mary Stevenson (<i>SEMMMS Implementation, Consultation, Walking and Cycling</i>)
MBS/9/1	Proof of Evidence – Nazrul Huda (<i>Section 19</i>)
MBS/9/2	Appendices – Nazrul Huda (<i>Section 19</i>)
MBS/9/3	Summary Proof – Nazrul Huda (<i>Section 19</i>)
MBS/10/1	Proof of Evidence – Henry Church (<i>Land Acquisitions</i>)
MBS/10/2	Appendices – Henry Church (<i>Land Acquisitions</i>)
MBS/10/3	Summary Proof – Henry Church (<i>Land Acquisitions</i>)
MBS/11/1	Proof of Evidence – James McMahon (<i>Composite Objections Rebuttal</i>)

REBUTTAL PROOFS SUBMITTED BY THE ACQUIRING AUTHORITY

MBS/REB/1/1	Rebuttal Proof to Harrison Developments
MBS/REB/1/2	Rebuttal Appendices to Harrison Developments
MBS/REB/2/1	Rebuttal Proof to The Trustees of Simpson
MBS/REB/2/2	Rebuttal Appendices to The Trustees of Simpson
MBS/REB/4/1	Rebuttal Proof to Helen Harrison
MBS/REB/4/2	Rebuttal Appendices to Helen Harrison
MBS/REB/8/1	Rebuttal Proof to Mrs Janet Shirt
MBS/REB/11/1	Rebuttal Proof to Mr & Mrs Gilchrist
MBS/REB/11/2	Rebuttal Appendices to Mr & Mrs Gilchrist
MBS/REB/11/3	Further Rebuttal to Mr & Mrs Gilchrist
MBS/REB/11/4	Further Appendices to Rebuttal to Mr & Mrs Gilchrist
MBS/REB/13/1	Rebuttal Proof to Mr & Mrs Deen
MBS/REB/13/2	Rebuttal Appendices to Mr & Mrs Deen
MBS/REB/14/1	Rebuttal Proof to Mr Barson and Ms Whittingham
MBS/REB/14/2	Rebuttal Appendices to Mr Barson and Ms Whittingham
MBS/REB/20/1	Rebuttal Proof to Mrs Mills
MBS/REB/21/1	Rebuttal Proof to Mrs Hazel Mort
MBS/REB/22/1	Rebuttal Proof to Mr Kingsley
MBS/REB/22/2	Rebuttal Appendices to Mr Kingsley
MBS/REB/23/1	Rebuttal Proof to Messrs Hall
MBS/REB/25/1	Rebuttal Proof to Mr D M Westbrook
MBS/REB/25/2	Rebuttal Appendices to Mr D M Westbrook
MBS/REB/30/1	Rebuttal Proof to Mr & Mrs Lawson
MBS/REB/30/2	Rebuttal Appendices to Mr & Mrs Lawson
MBS/REB/32/1	Rebuttal Proof to Mr & Mrs Freedman
MBS/REB/32/2	Rebuttal Appendices to Mr & Mrs Freedman
MBS/REB/35/1	Rebuttal Proof to Mrs Rowland
MBS/REB/35/2	Rebuttal Appendices to Mrs Rowland
MBS/REB/36/1	Rebuttal Proof to Mr Jones
MBS/REB/36/2	Rebuttal Appendices to Mr Jones
MBS/REB/37/1	Rebuttal Proof to The Fielding Family
MBS/REB/37/2	Rebuttal Appendices to The Fielding Family
MBS/REB/38/1	Rebuttal Proof to Mr Shenton
MBS/REB/38/2	Rebuttal Appendices to Mr Shenton
MBS/REB/43/1	Rebuttal Proof to Mr & Mrs Hankinson

MBS/REB/43/2	Rebuttal Appendices to Mr & Mrs Hankinson
MBS/REB/44/1	Rebuttal Proof to W Nixon & Sons Ltd
MBS/REB/44/2	Further Rebuttal Proof to W Nixon & Sons Ltd
MBS/REB/45/1	Rebuttal Proof to Messrs Dumville
MBS/REB/45/2	Further Rebuttal Proof to Messrs Dumville
MBS/REB/45/2/A	Appendices to further Rebuttal Proof to Messrs Dumville
MBS/REB/46/1	Rebuttal Proof to Ms Waddicor
MBS/REB/49/1	Rebuttal Proof to Mrs Shelia Oliver
MBS/REB/49/2	Rebuttal Appendices to Mrs Sheila Oliver
MBS/REB/50/1	Rebuttal Proof to Mr Steve Houston
MBS/REB/50/2	Rebuttal Proof to Mr Steve Houston – Air Quality Review
MBS/REB/50/3	Rebuttal Proof to Mr Steve Houston – Air Quality on A555
MBS/REB/50/4	Further Rebuttal to Mr Steve Houston/PAULA
MBS/REB/51/1	Rebuttal Proof to Mr Greg Willman
MBS/REB/51/2	Rebuttal Appendices to Mr Greg Willman
MBS/REB/54/1	Rebuttal Proof to The Woodland Trust
MBS/REB/55/1	Rebuttal Proof to Mr Paul Galligan
MBS/REB/56/1	Rebuttal Proof to Mr Peter Simon
MBS/REB/57/1	Rebuttal Proof to Mrs Joanna Hulme
MBS/REB/58/1	Rebuttal Proof to Mr Chris Eldridge/ FoE
MBS/REB/60/1	Rebuttal Proof to Dr Sarah Riley
MBS/REB/60/2	Further Rebuttal Proof to Dr Sarah Riley

DOCUMENTS SUBMITTED BY THE ACQUIRING AUTHORITY

MBS/12	Letter of Compliance
MBS/13	Opening Statement of the Acquiring Authority
MBS/14	Plan of Junctions mentioned in Mr McMahon's proof
MBS/15	Glossary Sheet to answer the Inspector's question
MBS/16A	Text for the Stage 1 Road Safety Audit
MBS/16B	Plan to accompany the Stage 1 Road Safety Audit
MBS/17	SMBC Decision Notice – Full Planning Permission No DC055736 relating to Realignment/replacement of oil pipeline
MBS/18	CEC Decision Notice – Full Planning Permission No 14/3001N relating to Realignment/replacement of oil pipeline
MBS/19	Addendum to MBS/11/1 (Composite Objection Rebuttal) dealing with the objection from Mrs Angela Rowland (OBJ/35)
MBS/20	GPSS Location Plan Extract Pipeline – Dated 10 June 2014
MBS/21	A6 to Manchester Airport (DWG A6MARR-2-W-202-DR-004)
MBS/22	Oil Pipeline Diversion Plan (RCS06250PA001)
MBS/23	Email from Bramhall Golf Club, Moorend Golf Course and Mr Paul Galligan regarding GCN dated 30 September 2014
MBS/24	Addendum sheet in respect of Proof of Evidence from Henry Church
MBS/25	Copy of the Lease for Mrs Harrison
MBS/26	Letter from the HA showing Plots of Land SMBC will purchase
MBS/27	AECOM/Grontmij Departure Report
MBS/28	Swept Path Analysis to Mr Seed
MBS/29	Copies of Letters notifying of SRO Modifications
MBS/30	Copies of Letters notifying of CPO Modifications
MBS/31	Letter to SMBC from Derbyshire County Council regarding Mitigation matters, dated 2 October 2014

MBS/32	Plan indicating Kingsley & HA Land Ownership
MBS/33	Plan showing Mrs Mills' alternative PMA and Long Section
MBS/34	Tripartite Delivery Agreement relating to the delivery of the proposed scheme of mitigation and complementary measures
MBS/35	Photo submitted by Mr Huda – Woodford Road
MBS/36	Green Belt Guidance Update
MBS/37	Clay Lane Signal Control Junction Option – Email and Safety Report
MBS/38	Site Visit Agenda /Timetable and Map
MBS/39	Letters to confirm Newt Mitigation Measures
MBS/40	Cheshire East – Review of Highway Departure
MBS/41	Plan showing – Kingsley Land Owned at Clay Lane
MBS/42	Plan showing – Kingsley Land Owned at Woodford Road
MBS/43	Closing Statement of the Acquiring Authority, bundle of 7 supporting legal authorities (labelled (i) to (vii))

DOCUMENTS SUBMITTED BY STATUTORY OBJECTORS

OBJ/01/01	Proof of Evidence – Harrison Developments Holdings Limited
OBJ/01/02	Additional Statement from Mr J Houston on behalf of Harrison Developments Holdings Limited
OBJ/02/01	Proof of Evidence –The Trustees of Simpson & Livesey
OBJ/02/02	Closing Statement - The Trustees of Simpson
OBJ/04/01	Proof of Evidence – Mrs H Harrison – 1 Red Row
OBJ/04/02	Appendices – Mrs H Harrison –1 Red Row
OBJ/04/03	Photos submitted by Mrs H Harrison - 1 Red Row
OBJ/05/01	Proof of Evidence – Mrs H Harrison - Mill Farm Riding School
OBJ/05/02	Appendices – Mrs H Harrison – Mill Farm Riding School
OBJ/05/03	Photos submitted by Mrs H Harrison - Mill Farm Riding School
OBJ/06/01	Letter from The Peak Group
OBJ/08/01	Proof of Evidence – Mrs J Shirt
OBJ/08/02	Closing Statement – Mrs J Shirt
OBJ/09/01	Letter from Klondyke New Limited
OBJ/10/01	Letter from William Strike Limited
OBJ/11/01	Proof of Evidence – Mr & Mrs Tony Gilchrist
OBJ/11/02	Additional Statement from Mr & Mrs Gilchrist
OBJ/13/01	Proof of Evidence – Mr & Mrs Deen
OBJ/14/01	Proof of Evidence – Mr C R Barson & Ms J M Whittingham
OBJ/14/02	Proof of Evidence – Mr C R Barson
OBJ/14/03	Proof of Evidence – Ms J M Whittingham
OBJ/14/04	Appendices to Mr Barson's & Ms Whittingham's Proofs (Photos)
OBJ/20/01	Proof of Evidence – Mrs D Mills
OBJ/21/01	Proof of Evidence – Ms H Mort, Ms J Bourne, Ms J Zeiss and Ms A Lomas
OBJ/21/02	Closing Statement – Mrs H Mort and others
OBJ/22/01	Proof of Evidence – Mr M Kingsley
OBJ/22/02	Appendices – Mr M Kingsley (2 folders)
OBJ/22/03	Woodford Road – Skeleton Argument submitted by Mr Kingsley
OBJ/22/04	Opening Statement by Mr Kingsley
OBJ/22/05	Clay Lane – Skeleton Argument submitted by Mr Kingsley
OBJ/22/06	Section 16 Questionnaire dated 18 September 2014 - submitted by Mr Kingsley
OBJ/22/07	Letter to G Dalton dated 14 February 2012 - submitted by Mr Kingsley

OBJ/22/08 Upper Tribunal Case Note - Stynes-v-Western Power (East Midlands)
PLC dated 19 April 2013 – Submitted by Mr Kingsley

OBJ/22/09 Case Note – Chesterfield Properties Plc-v-Secretary of State for
Environment & Ors (1997)EWH –submitted by Mr Kingsley

OBJ/22/10 Case Note – Belgium-v-Commission (State aid) (2006) EUECJ C-
182/03 dated 22 June 2006 – Submitted by Mr Kingsley

OBJ/22/11 Email from Gary Hardy Jones Homes Northern Region to Mr Kingsley,
dated 13 October 2014, regarding Fencing at Hill Green Farm, Poynton
– submitted by Mr Kingsley

OBJ/22/12 Case Note – Regina-v-The Department of Education dated 20 August
1999, submitted by Mr Kingsley

OBJ/22/13 Case Note – Regina-v-North and East Devon Health Authority Ex Parte
Pamela Coughlan, dated 16 September 1999 – submitted by Mr
Kingsley

OBJ/22/14 Case Note – Lomax/Jones-v-Rochdale MBC, dated 10 May 2002 –
submitted by Mr Kingsley

OBJ/22/15 Dictionary definition of “negotiate” – submitted by Mr Kingsley

OBJ/22/16 Email dated 17 October 2014 - Points of Clarification from Mr Kingsley

OBJ/23/01 Proof of Evidence – Mr David Hall, Mr Roger Hall, Ms Susie Allen & Mr
Douglas Hall

OBJ/23/02 Closing Statement – Mr David Hall and others

OBJ/25/01 Proof of Evidence – Mr D M Westbrook

OBJ/25/02 Additional Statement from Mr Westbrook

OBJ/25/03 Additional Statement from Mr Westbrook (date 10 October 2014)

OBJ/30/01 Proof of Evidence – Mr P & Mrs L Lawson

OBJ/30/02 Closing Statement – Mr & Mrs Lawson

OBJ/32/01 Proof of Evidence – Mr M & Mrs C Freedman

OBJ/32/02 Closing Statement – Mr & Mrs Freedman

OBJ/35/01 Proof of Evidence – Mrs A Rowland

OBJ/35/02 Closing Statement – Mrs Rowland

OBJ/36/01 Proof of Evidence – Mr D Jones & Mr R Jones

OBJ/36/02 Further documents from Mr Seed on behalf of Messrs Jones

OBJ/36/03 Closing Statement – Messrs Jones

OBJ/37/01 Proof of Evidence – The Fielding Family

OBJ/37/02 Closing Statement – The Fielding Family

OBJ/38/01 Proof of Evidence – Mr C Shenton

OBJ/38/02 Further documents from Mr Seed on behalf of Mr Shenton

OBJ/38/03 Closing Statement – Mr Shenton

OBJ/43/01 Written Statement – Mr & Mrs Hankinson

OBJ/43/02 Response to Rebuttal from DWF LLP – Regarding Mr & Mrs Hankinson

OBJ/44/01 Proof of Evidence – W Nixon and Sons Limited

OBJ/44/02 Appendices – W Nixon and Sons Limited

OBJ/44/03 Response to Rebuttal from W Nixon & Sons Limited

OBJ/45/01 Proof of Evidence – Messrs B and K Dumville

OBJ/45/02 Appendices – Messrs B and K Dumville

OBJ/45/03 Response to Rebuttal from Messrs Dumville

OBJ/53/01 Objection letter received from Mr & Mrs Wood

OBJ/55/01 Proof of Evidence – Mr P Galligan

DOCUMENTS SUBMITTED BY NON-STATUTORY OBJECTORS

OBJ/46/01	Proof of Evidence – Ms J Waddicor
OBJ/46/02	Response to Rebuttal from Ms J Waddicor
OBJ/49/01	Letter to PINS, dated 8 September – Ms S Oliver
OBJ/49/02	Proof of Evidence – Ms S Oliver
OBJ/50/01	Proof of Evidence – Mr S Houston /PAULA
OBJ/50/02	Air Quality Report from Mr S Houston/PAULA
OBJ/50/03	Response to Rebuttal from Mr S Houston/PAULA
OBJ/50/04	Opening Statement from Mr S Houston/PAULA
OBJ/50/05	Response to Rebuttal 2 from Mr S Houston/PAULA
OBJ/51/01	Proof of Evidence – Mr G Willman
OBJ/51/02	Updated Proof – Mr G Willman
OBJ/51/03	SEMMMS extracts and details of PARAMICS – Mr G Willman
OBJ/51/04	Response to Rebuttal from Mr G Willman
OBJ/54/01	Proof of Evidence – The Woodland Trust
OBJ/54/02	Appendices – The Woodland Trust
OBJ/56/01	Proof of Evidence – Mr P Simon
OBJ/57/01	Objection letter and attachments received from Mrs J Hulme
OBJ/58/01	Proof of Evidence – Mr Chris Eldridge – FoE
OBJ/58/02	Response to Rebuttal from Mr C Eldridge - FoE
OBJ/59/01	Objection letter received from Mr P Taylor
OBJ/60/01	Objection letter received from Dr S Riley
OBJ/60/02	Response to Rebuttal from Dr S Riley

ALTERNATIVE PROPOSALS SUBMITTED

ALT/01	Alternative proposal submitted by Mr D M Westbrook (OBJ/25)
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WITHDRAWAL LETTERS

WD/01	Withdrawal Letter from Network Rail (OBJ/07)
WD/02	Withdrawal Letter from The Owners of Norbury Hall (OBJ/19)
WD/03	Withdrawal Letter from Mrs Richardson (OBJ/41)
WD/04	Withdrawal Letter from Mr & Mrs Holmes (OBJ/27)
WD/05	Withdrawal Letter from Bramhall Golf Club (OBJ/24)
WD/06	Withdrawal Letter from United Utilities (OBJ/03)
WD/07	Withdrawal Letter from the Quiligotti Family (OBJ/26)
WD/08	Withdrawal Letter from TSB (OBJ/28)
WD/09	Withdrawal Letter from British Overseas Bank Nominees & WGTC Nominees (OBJ/40)
WD/10	Withdrawal Letter from Electricity North West Limited (OBJ/61)