

**OBJECTIONS RELATING TO**

**THE KENT COUNTY COUNCIL (A28 STURRY LINK ROAD)  
(COMPULSORY PURCHASE) ORDER 2023**

**&**

**THE KENT COUNTY COUNCIL (A28 STURRY LINK ROAD)  
(SIDE ROADS) ORDER 2023**

**STATEMENT OF EVIDENCE**

**SUBMITTED FOR THE PUBLIC INQUIRY**

**SCHEDULED FOR 1 OCTOBER 2024**

## INTRODUCTION

This document is submitted as a Statement Of Evidence for the Public Inquiry regarding the Orders:

- The Kent County Council (A28 Sturry Link Road) (Compulsory Purchase) Order 2023
- The Kent County Council (A28 Sturry Link Road) (Side Roads) Order 2023

We are owner/occupier of Perryfield Farm; a residential property comprising farmhouse, outbuildings and land with various uses. It is predominantly the main property impacted by the proposed Sturry Link Road scheme.

Naturally, our preference is not to suffer the adverse consequences that the Sturry Link Road scheme imposes on us. However, throughout a long process stretching to ten years, we have regularly compromised for the public good.

To emphasise, we do not oppose the scheme outright. However, despite the overwhelming resources available to Kent County Council (KCC), we pursue reasonable outcomes in accordance with compulsory purchase principles:

- Land should be compulsorily acquired solely for the declared scheme
- Viable alternative options should be chosen whenever possible
- The land taken and rights imposed should be such as to minimise the impact

The grounds for our objections fall within the bounds stipulated in official publications.

Our objections are presented under section headings that correspond with relevant Plots as specified by KCC. The approach road embankment is briefly touched on because of its significance to our outlook, privacy and security.

The information used is that available at the time of producing this document. It is mostly what can be generally found on the website that KCC directs to: [www.kent.gov.uk/sturrylink](http://www.kent.gov.uk/sturrylink). We also await relevant responses from KCC.

Viewing drawings online when possible is recommended. Besides them being in colour, it is easier to enlarge them and more accurately focus on details.

## **PLOT 4 – UNNECESSARILY IMPOSED ON OUR FRONTAGE**

The imposition of Plot 4 on the frontage of our land is not vitally necessary. From the CPO Order Map in Fig. B, Fig. C is an enlargement showing Plot 4.

In the Statement Of Case, a fairly vague and misleading explanation is given for KCC wanting Plot 4, quote “wooded strip across the frontage of Perryfield Farm required for construction of a drainage outfall. We have specifically requested but have not been given details about this stated “drainage outfall”.

It is certainly possible to implement the roundabout and to make all necessary drainage connections to the Sturry Dyke (ditch) without any of our frontage. Such layouts had been long discussed before Plot 4 was suddenly introduced. The layout in the Overall Scheme Plan Drawing No. 4300392-000-63, see Fig. A, along with other drawings, affirms it is not necessary for KCC to acquire Plot 4.

Also refer to the more up-to-date and currently submitted Side Roads Order Drawing No. 008469-PCL-LSI-ZZ-DR-CH-0001, Fig. E. Fig. F is an enlarged part. It further affirms that Plot 4 is not vitally needed to implement the roundabout.

Surface water drainage and overflow from rare occasions of extreme weather may be piped from the Attenuation Basins located to the west of our boundary. It is baffling to route this pipework from being off our land, needlessly on to our frontage, along the proposed Plot 4, to then discharge it in the Sturry Dyke. Surely the more appropriate, practical and cost effective alternative option is to route the pipework directly to the Sturry Dyke without crossing on to our land.

We recognise that there will be various works occurring along our frontage. The existing driveway and steps are to be replaced with a ramp arrangement. Also our understanding is that KCC will be responsible for various works along the Sturry Dyke ditch, inevitably incurred through their acquisition of Plot 3. However, all envisaged work can be done with ‘temporary’ access agreements. Hence ‘permanent’ acquisition or rights over Plot 4 is certainly not imperative.

It is crucial that we remain exclusive owners of the full width of our frontage, particularly in view of our long term plans for landscaping, noise and security. Currently, the ditch and level of the frontage land form a clear demarcation. Various security issues would arise if others have access to the Plot 4 land.

We strongly plead for all of KCC’S Plot 4 proposals to be rejected outright.

## **PLOT 11 – THE PROPOSED LAND TAKE IS EXCESSIVE**

The Statement Of Case gives Plot 11 as being required for the “approach road to the viaduct, and for the viaduct”. We do not oppose these objectives, but they are achievable without the excessive land take and/or rights proposed. The CPO Order Schedule states an intended land take of “900 square metres”.

The approach road and viaduct are not superimposed with the land Plots on the CPO Order Map, i.e. ‘Plan Ref: SLR\_CPO\_15’, see Fig. B. They are roughly shown on the SRO Order Map, i.e. drawing ‘Side Roads Order Plan’, see Fig. E.

Plot 11 is shown as one area on the CPO Map, see Fig. B and D, but should be treated as several distinct areas: where the approach road goes over our land; where the viaduct pass over our land; where the embankment covers our land.

The focus in this section will be on the proposed land take in the region where the approach road merges with the southern end of the viaduct.

KCC has already expended on a viaduct design which is representative and will be used to explain viaduct related issues. The current drawing on the website is Drawing No. 4300392/1700/ID/01, see Fig. G. Fig. H, I and J show parts of it.

KCC specifically declare in the 'Statement Of Case', Section 8.3 on Page 24, quote "The County Council has no requirement to own land under the viaduct". However this declaration is clearly contradicted by KCC's attempted acquisition using Plot 11 with its excessively large area covering all land under the viaduct.

KCC now aim to acquire land under the viaduct extending 4.5 metres from the viaduct's abutment (i.e. 4.5 metres from the A-A line in Fig. H). The area of the foundations is given as a main reason for acquiring more land than needed. Fig. I indicates that less than a metre, not 4.5 metres, could realistically suffice.

We object to KCC's proposal that would leave us with just a 3.5 metres strip of land bordering the river. Besides the small size, the use of this piece of land would be severely limited by proposed restrictions that KCC have mooted.

We respectfully request that, first, KCC re-submit updated drawings for Plot 11. It is needed, in any case, due to KCC's change from aiming to acquire all land to now wanting just some of our land under the viaduct. The drawings should distinctly show relevant features such as roadway, walkway, embankment, etc.

## **PLOT 12 – RESTRICTING OUR PADDOCK AND RIVERSIDE LAND**

See Fig. B and D for the Plot 12 area. Quoting from the Statement Of Case, KCC require “rights over amenity land at rear land holding of Perryfield Farm for construction of the viaduct”. We do not oppose construction of the viaduct, but object to the permanent and restrictive rights that KCC demand thereafter.

Notably, KCC describe Plot 12 as being “amenity land”, as also used for Plot 11. This description is not used for similar adjacent land such as Plots 6, 7, 8, 9, 10. Attention is drawn to the “amenity land” term because there are different interpretations and implications attached to it. For instance, the land does not accord with interpretations of being unused or available for public use”.

Plot 12 enables part of an established paddock. It is historically affirmed by the existing stable and associated outbuildings. We object to conceding any rights over Plot 12 that can effectively restrict its possible uses now or in the future.

It is important to recognise the potential impact on the paddock that can result from land lost through both Plot 12 and Plot 11. The CPO Order Schedule gives Plot 12 as 317 square metres and Plot 11 as 900 square metres, a total of 1217. This amount of land loss would effectively reduce the paddock to being useless, making it smaller than what is required for a horse. This highlights one reason for our need to ensure minimal land take and restrictions with Plots 12 and 11.

Plot 12 also enables our access to the river. Our riverside land is important, particularly for memorial reasons, so it is disconcerting for it to be impacted. Note, when coupled with the proposed acquisition of Plot 11, there would be effective restrictions imposed on us using our full stretch of riverside land.

It is appropriate to expose that permanent rights over Plot 12 is not essential. Refer to the representative viaduct Drawing No. 4300392/1700/ID/01, Fig. G. The initial construction may require lengthy steel girders to span the 42 metre distances between supporting piers. However, after construction, there will be little need for moving or storing large parts, hence no vital need to use Plot 12. Also, with Plot 8 agreed, it would always be available for use in place of Plot 12.

Subject to the legal details being appropriately addressed, we are prepared to reach an agreement that enables constructing the approach road and viaduct. However, we object to unnecessary permanent rights over Plot 12 that may directly or indirectly be restrictive in the short or long term.

## **PLOT 14 – KCC DOES NOT NEED LAND (RIVER) UNDER VIADUCT**

Refer to Fig. B and D. We own the land bordering this stretch of the river. Hence, by default, it makes us the owner of the river up to the half width point, regardless of whether the title is specifically registered. We trust there will not be a contentious rush to a 'land grab', or literally a 'river grab'.

Initially, KCC attempted 'acquisition' of Plot 14 for construction of the viaduct.

Subsequently the requirement has been re-designated to "permanent rights", implicitly for inspecting the viaduct's underside. As quoted below for Plot 15, inspections will be done by lowering a gantry from the road above the viaduct. This can be done from the west side of the road, with the gantry over Plot 13. Consequently there is no vital need for permanent use or rights with Plot 14.

Subject to the legal details being appropriately addressed, we are prepared to reach an agreement that enables constructing the approach road and viaduct. However, we object to unnecessary "permanent rights" over Plot 14 that may directly or indirectly be restrictive in the short or long term.

## **PLOT 15 – EFFECTIVELY RESTRICTING OUR USE OF THE RIVER**

Refer to Fig. B and D. We own the land bordering this stretch of the river. Hence, by default, it makes us the owner of the river up to the half width point, regardless of whether the title is specifically registered. We trust there will not be a contentious rush to a 'land grab', or literally 'river grab'.

KCC claim to need "rights of access" over Plot 15 to construct the viaduct.

KCC specifically state requiring "permanent rights" over the Plot 15 river area, quote, "to lower a gantry from the Link Road to inspect the underside of the viaduct deck". Obviously, a gantry can be similarly lowered from the west side of the Link Road, over the Plot 13 river area. Hence, with rights over Plot 13, there is no vital need for KCC to agitate for "permanent rights" over Plot 15.

Subject to the legal details being appropriately addressed, we are prepared to reach an agreement that enables constructing the approach road and viaduct. However, we object to unnecessary "permanent rights" over Plot 15 that may directly or indirectly be restrictive in the short or long term.

## EMBANKMENT RELATED SECURITY AND LAND TAKE

It is relevant to highlight why the embankment is of significant concern to us. Our west side boundary has been a scenic rural view with only horses nearby. In contrast, the Link Road exposes us to close traffic and people from an extra 2,000 properties; probably rising to 16,000 with future proposals and locations. This drastic change justifies our concerns regarding our privacy and security.

We acknowledge the prime function and need for the embankment. However, some simple improvements in the implementation of the embankment and the side road area can significantly improve our outlook and security.

Long requested update of landscape plans in our region of the Sturry Link Road has not been provided. Available Drawing No. 4300392-000-74, Fig. K, is used. There is meant to be hedging along the top of the embankment serving as a barrier. However, first, it would take several years to grow. Then, inevitably, undesirable gaps in the hedging would allow unwanted passage through.

Hence the embankment is also meant to have an intrinsically steep slope that is hard to traverse. Refer to the original 1:1 ratio slope in Fig. K. Such steepness is regularly seen; for instance, with ongoing local A249/M2 construction work.

KCC has contentiously changed to a less steep embankment slope, 2.5:1 ratio. One reason given is a steep slope prohibited growing trees on it, but examples can be seen all over to refute this fallacy. Another reason given is that a steep embankment slope is not possible due to being on a flood plain. Note the soil and structure of the embankment is independent and can be suitably chosen. If anything, a steep embankment slope would generally facilitate drainage.

One adverse consequence of a 2.5:1 ratio slope is that the embankment then extends out more, see Fig. J, resulting in more land being taken unnecessarily. This specifically impacts us with regards to the proposed Plot 11 area.

Also, referring to Fig. J reveals how undesirable persons can easily stroll down the embankment. It facilitates unacceptable activities underneath the viaduct. It also facilitates easy access to all of our land, outbuildings and house. Notably the wood fencing KCC suggests can be easily knocked through and breached.

Evidently, the embankment crucially impacts our outlook, security and safety. We ask it is taken into account with what is granted for compulsory purchase.

## SUMMARY

After a long period in limbo stretching to 10 years, during which much needed improvement plans for our home have been put on hold, we acknowledge that the Sturry Link Road is proceeding in the overriding interest of the public good.

We do not object to the scheme outright. However, reverently, we seek reasonable outcomes in accordance with compulsory purchase principles.

With regard to each relevant Plot as specified by KCC, our current responses are summarised below.

**Plot 4** – We strongly object to this unnecessary imposition on our frontage. There are alternatives that are better technically, aesthetically, and cost wise. We plead for complete rejection of any acquisition or ‘permanent rights’.

**Plot 11** – First, this excessively large area (900 square metres) needs re-defining to better show relevant features. We object to KCC’s proposed acquisition of excessively more than the footprint of the viaduct’s abutment. Also we reject KCC’s suggestion for us to have just a small strip of land bordering the river.

**Plot 12** – Subject to appropriate legal details, during the construction phase we are prepared to allow use of our land to implement the road and viaduct. However we object to subsequent ‘permanent rights’ since Plot 8 can be used.

**Plot 14** – Our intention is to remain the owner of this stretch of river and land. Subject to appropriate legal details, during the construction phase we are prepared to allow use of the river to implement the viaduct and approach road. We object to subsequent ‘permanent rights’ since a gantry can be used.

**Plot 15** – Our intention is to remain the owner of this stretch of river and land. Subject to appropriate legal details, during the construction phase we are prepared to allow use of the river to implement the viaduct and approach road. We object to subsequent ‘permanent rights’ since Plot 13 can be used.

**Embankment** – We respectfully request that thorough consideration is given to how a steep embankment slope can simply improve our security and safety. The embankment slope, as with all the Plots, can be effectively influenced by specifying the location and amount of land granted for compulsory purchase.



### Figure A Sturry Link Road Overall Scheme Plan

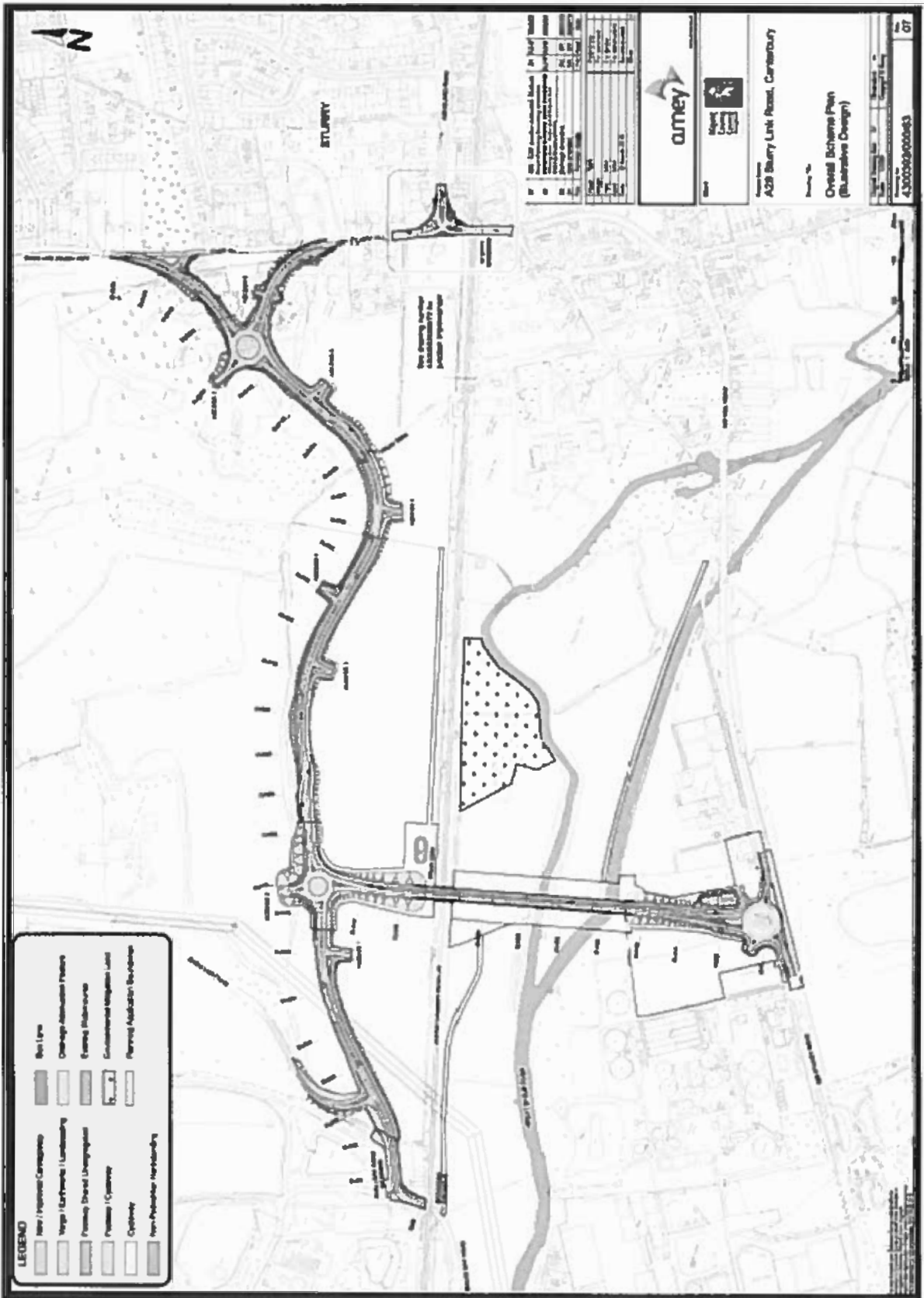
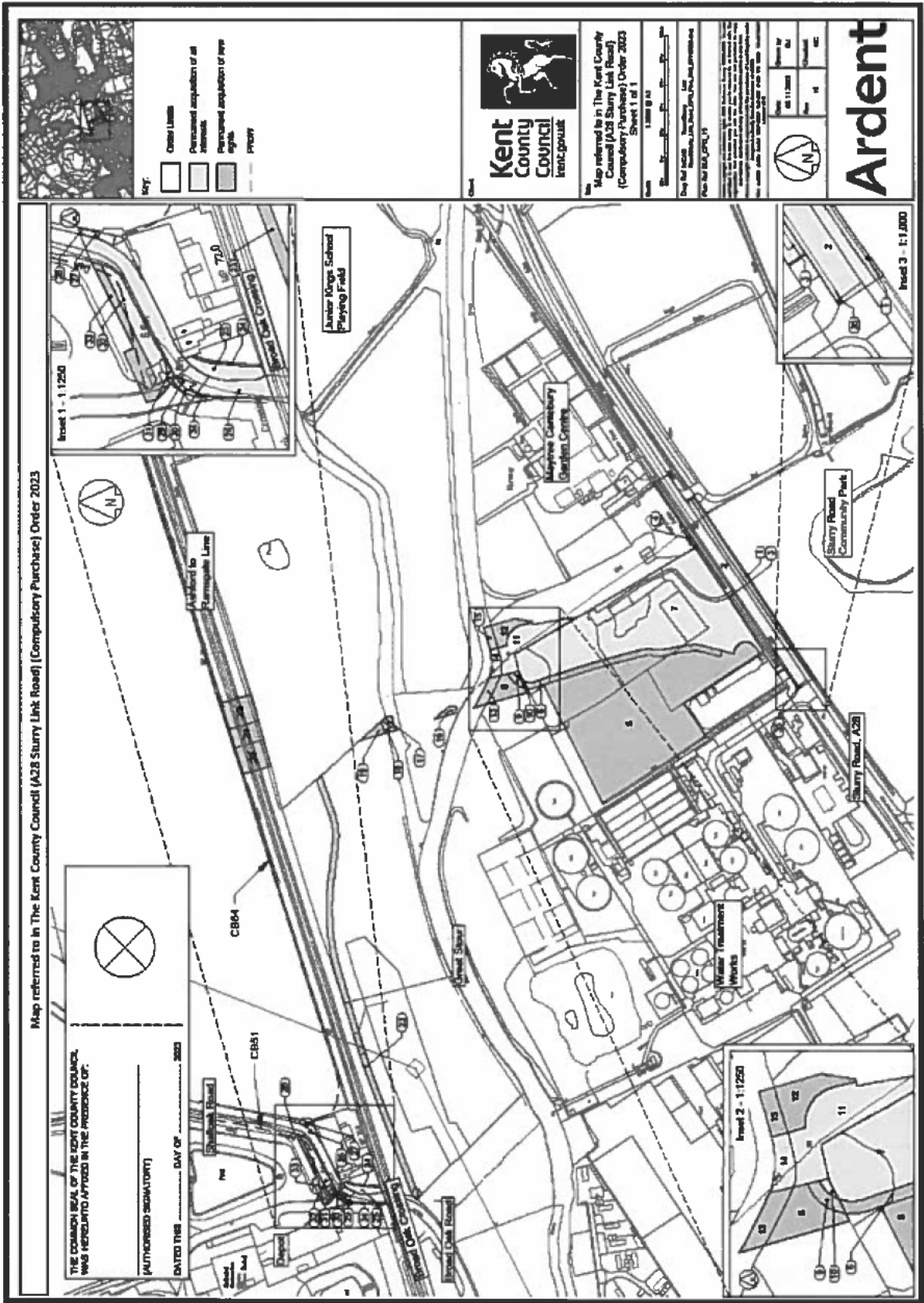


Figure B  
CPO (Compulsory Purchase Order) Map



**Figure C**  
**CPO (Compulsory Purchase Order) Map Showing Relevant Plot 4**

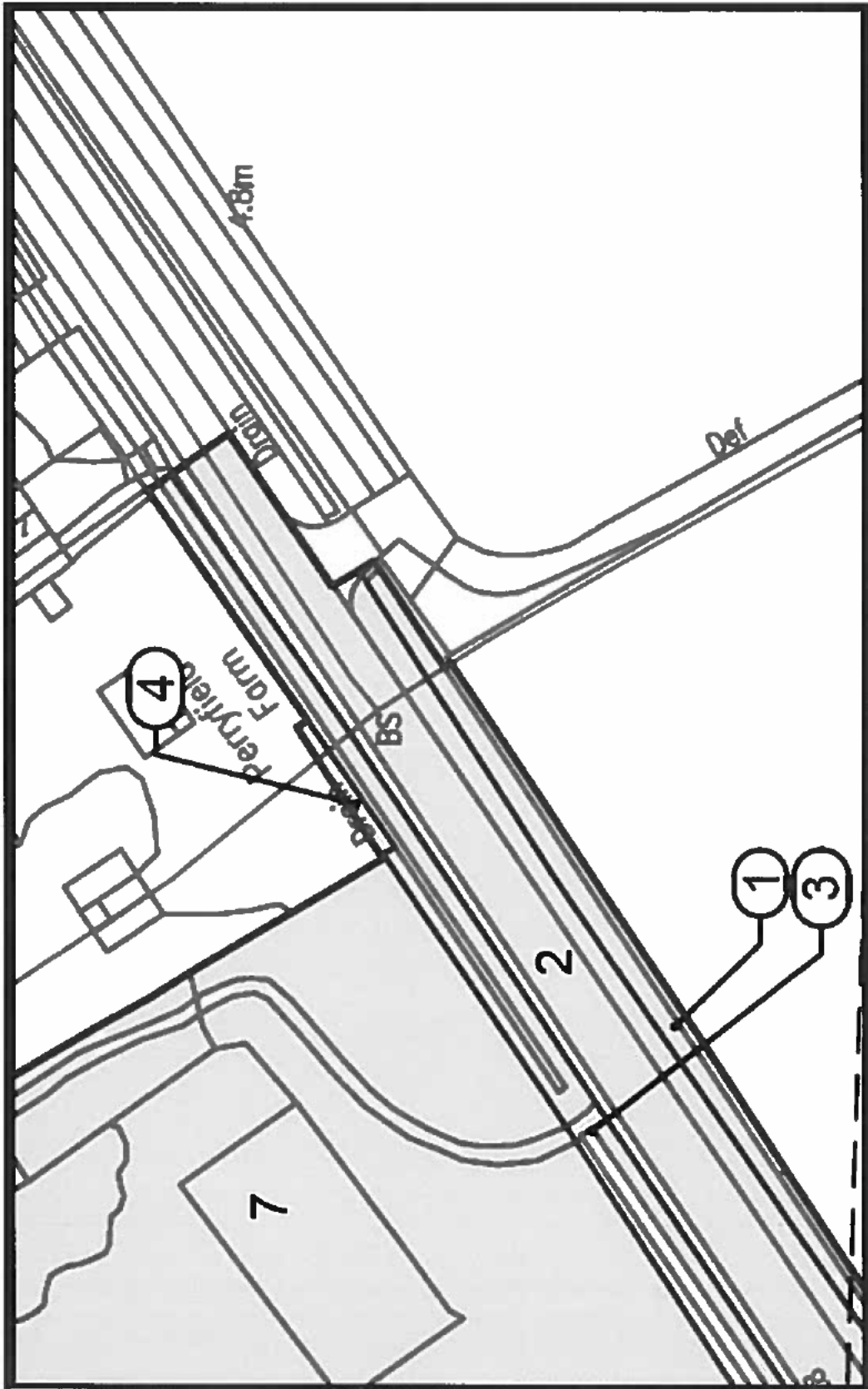


Figure D

CPO (Compulsory Purchase Order) Map Showing Relevant Plots 11,12,14,15

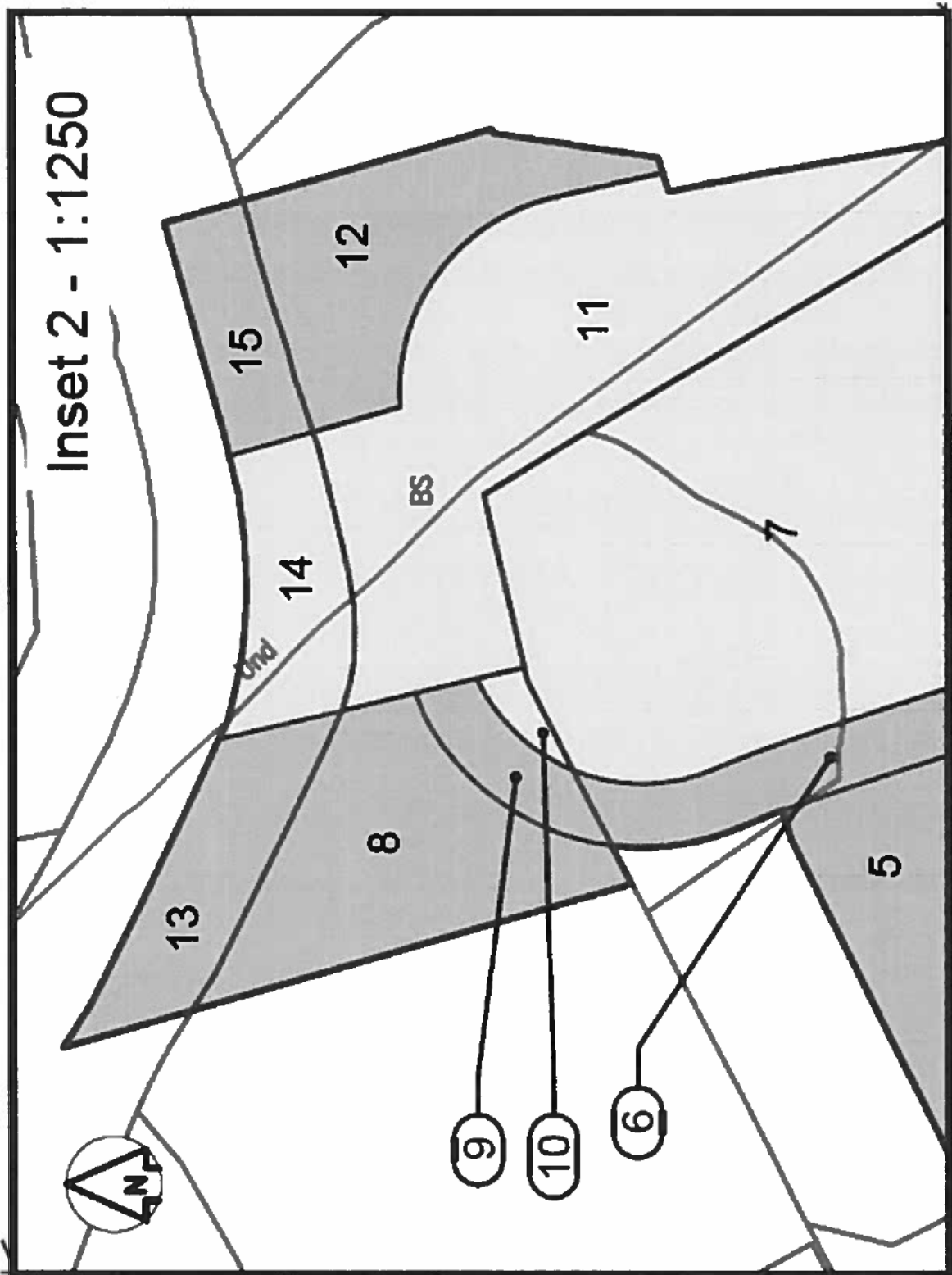


Figure E  
SRO (Side Roads Order) Map

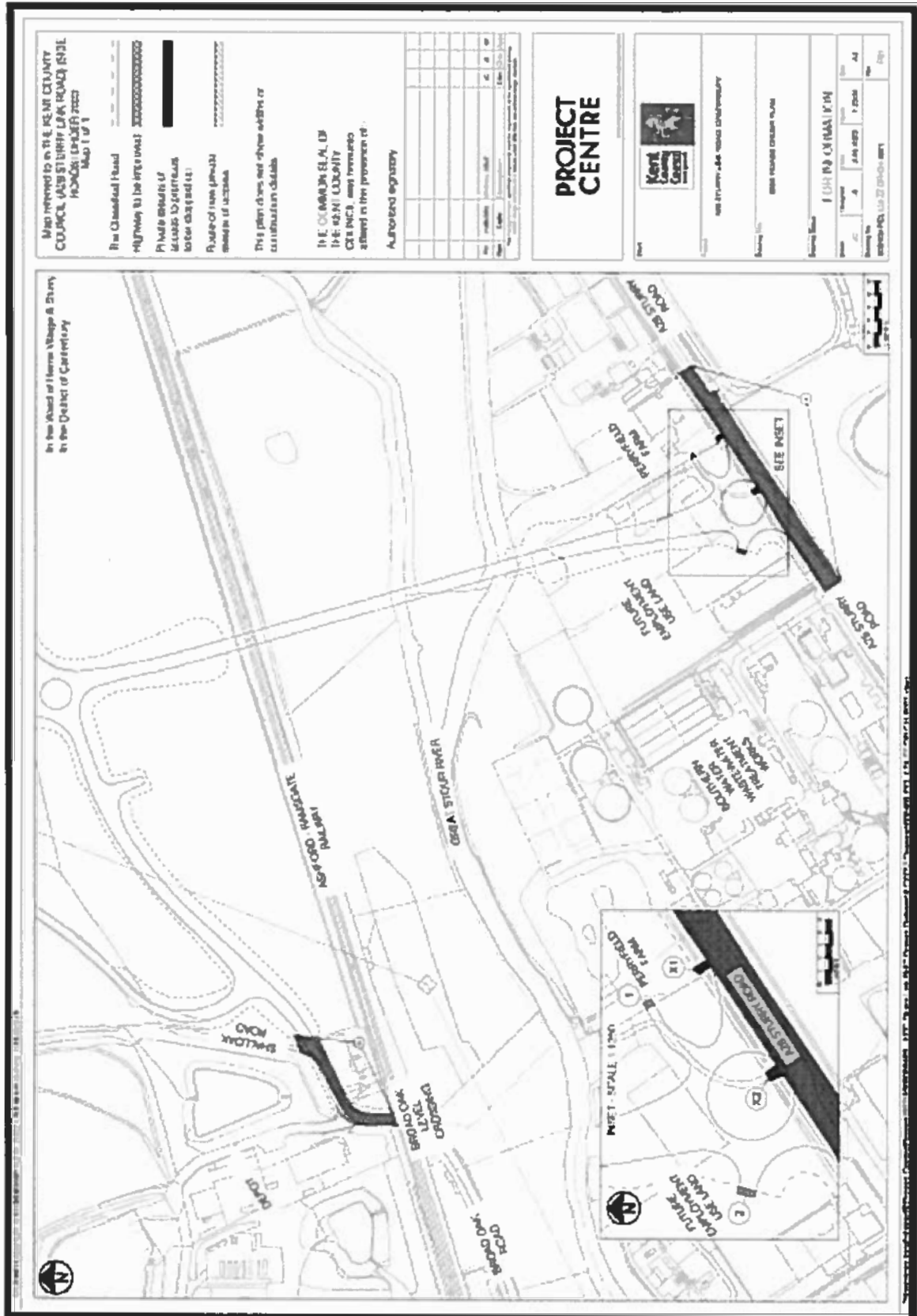


Figure F

Part Of SRO Map - Affirming The Roundabout Fits Without Our Frontage Land

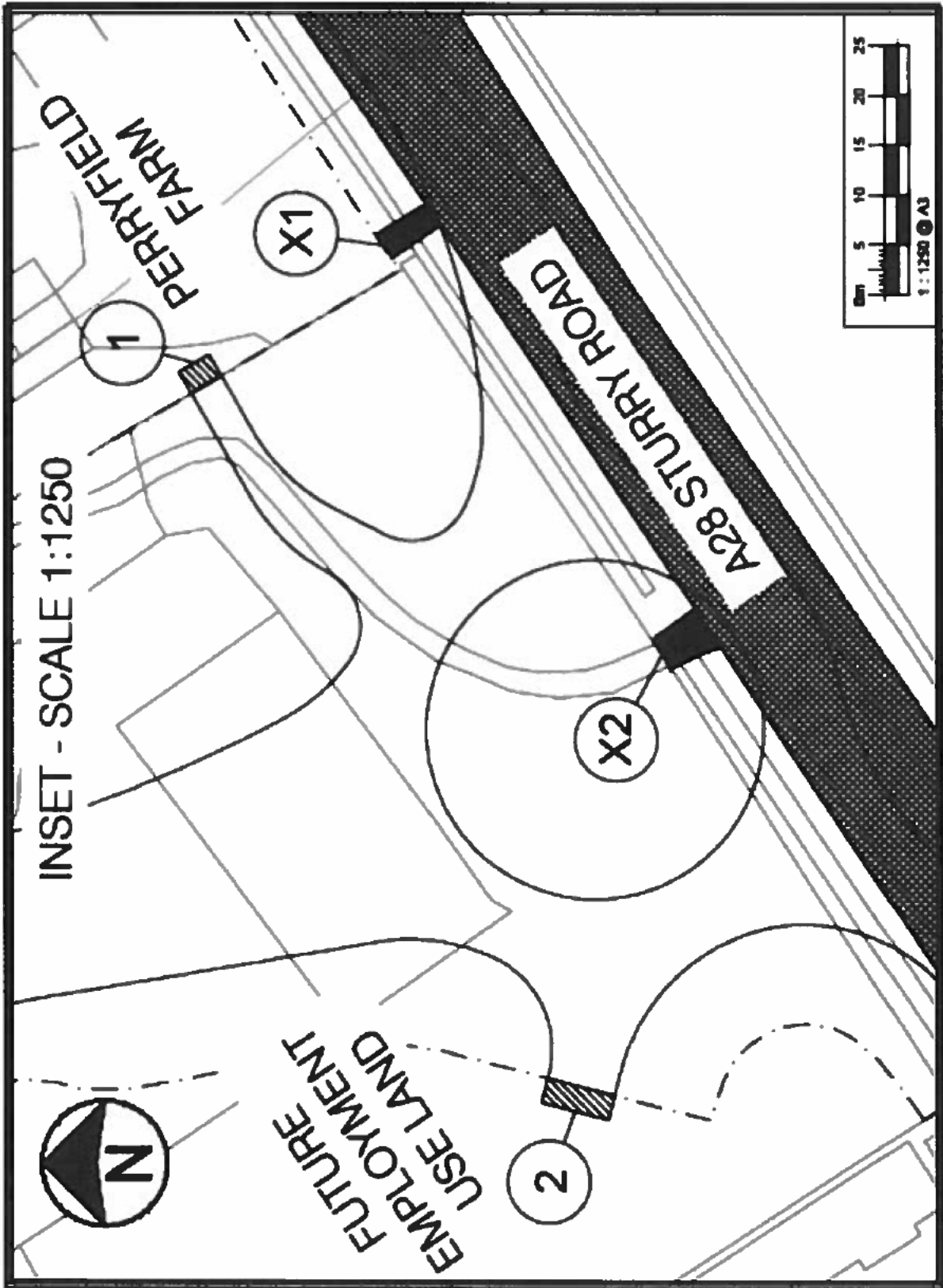


Figure G  
Viaduct - Representative Diagrams

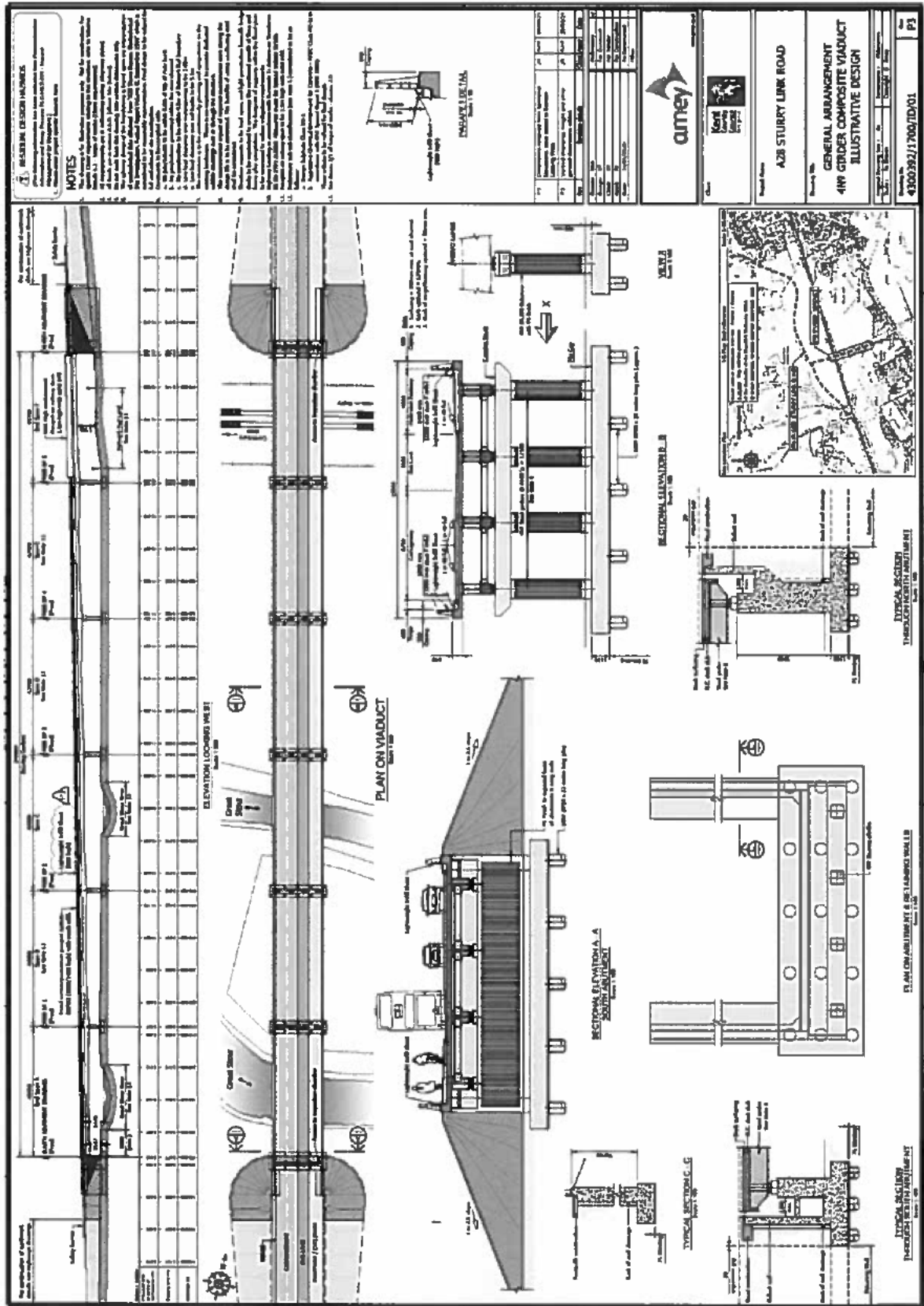
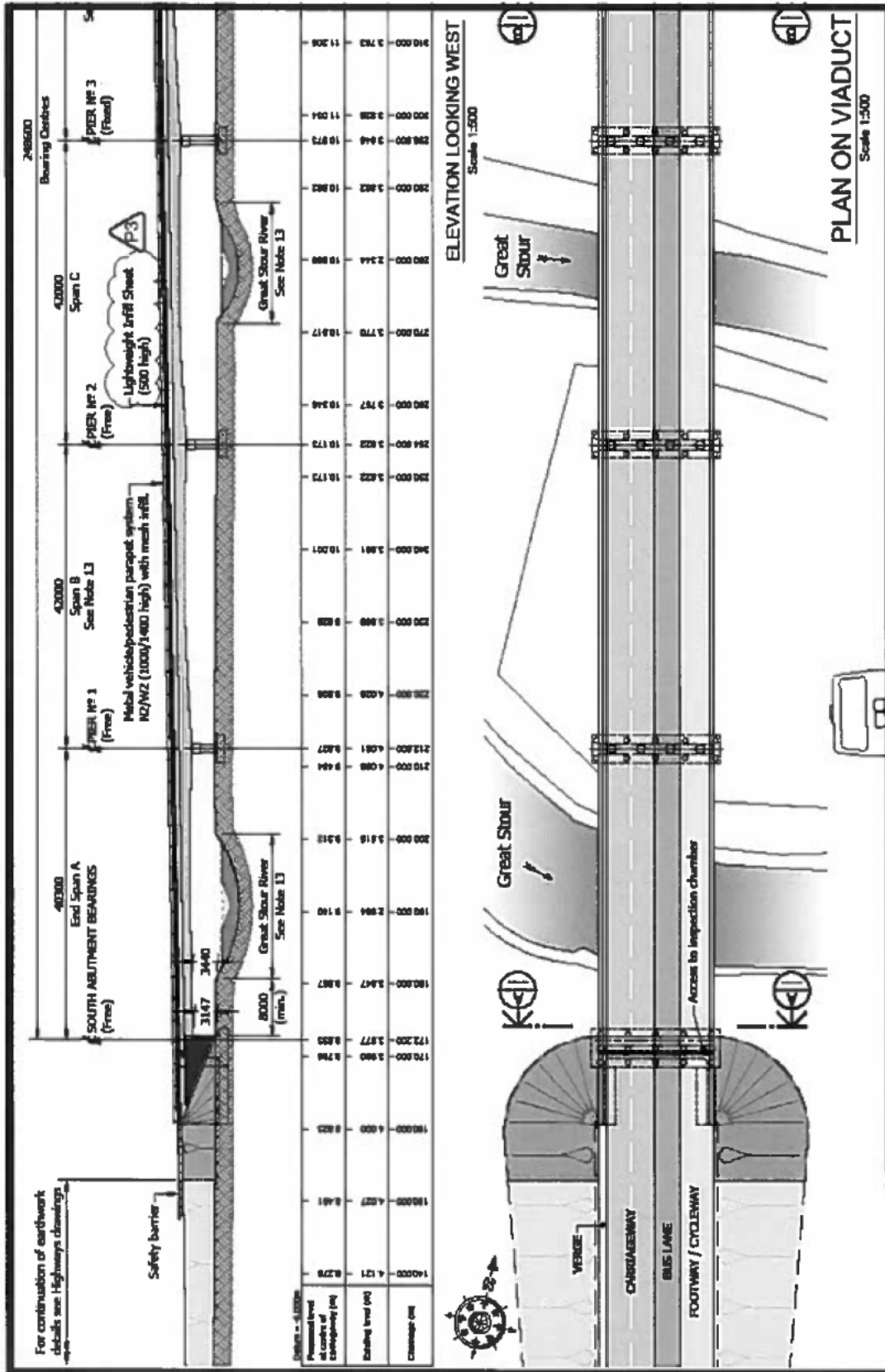
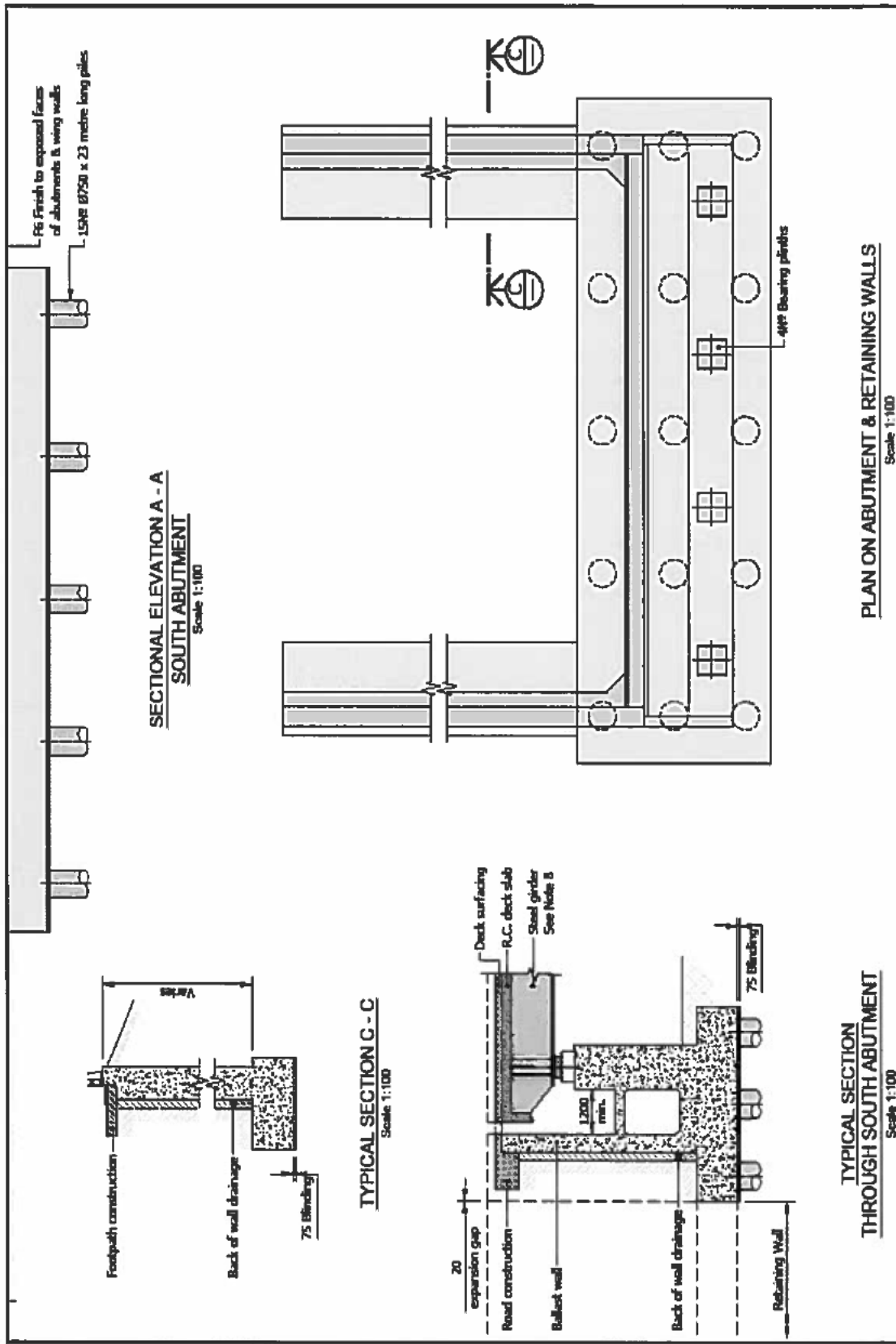


Figure H  
Viaduct – Elevation Looking West & Plan On Viaduct

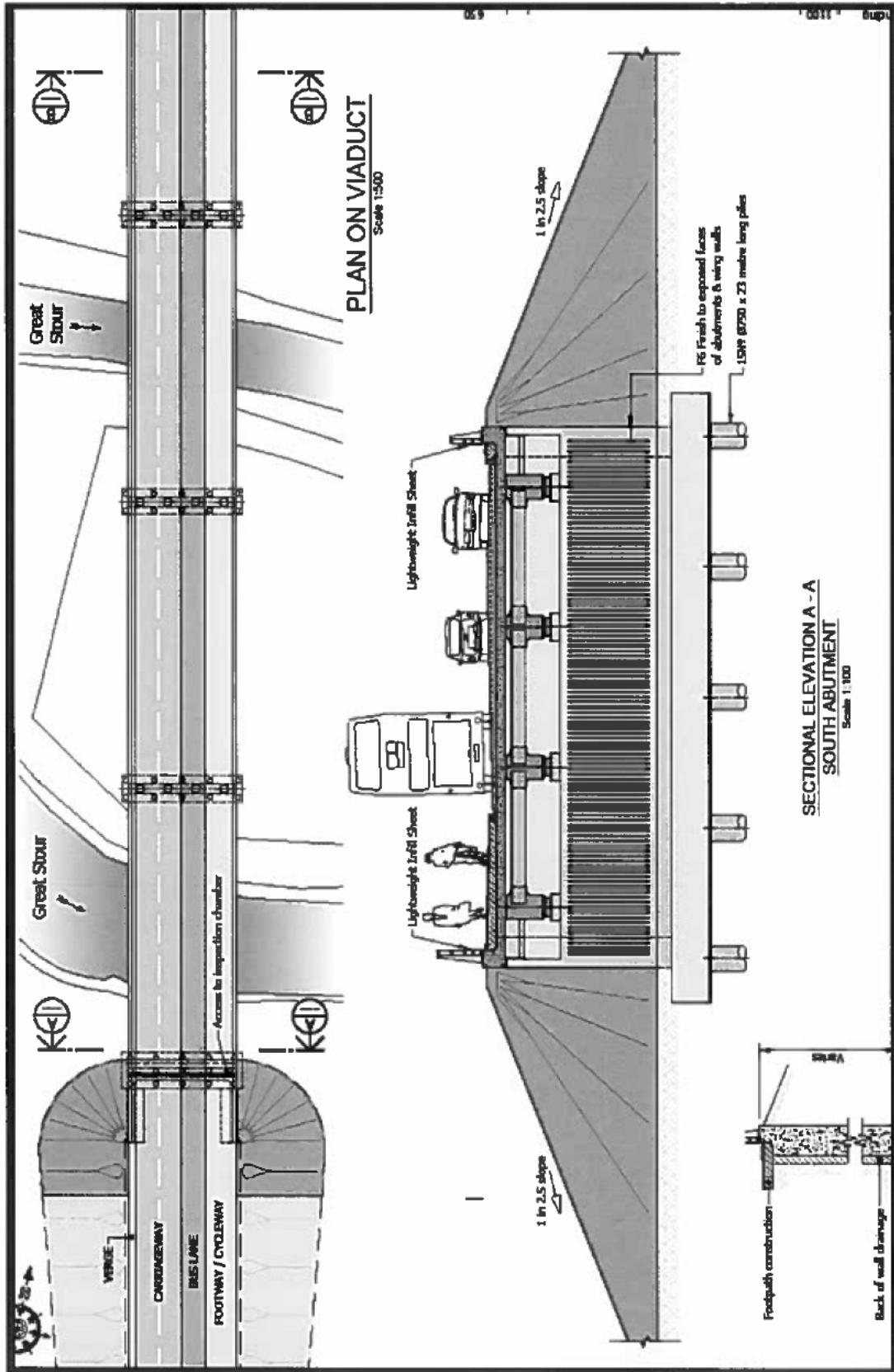




**Figure I**  
**Viaduct –Plan On Abutment & Retaining Walls (Foundation Area Assessment)**



**Figure J**  
**Viaduct – Sectional Elevation A-A Showing The Embankment Slope**



**Figure K**  
**Landscape Proposal (Awaiting Requested Update)**

