

## Highways & Transportation

Invicta House  
County Hall  
Maidstone  
Kent  
ME14 1XX

By Signed for Post

Phone:   
Ask for:   
Email:   
Project email:  
[sturrylinkroad@kent.gov.uk](mailto:sturrylinkroad@kent.gov.uk)

5 September 2024

Dear 

### **RE: A28 Sturry Link Road – CPO and SRO**

I refer to our meeting on 9 August. I am sorry for the delay in replying, caused by holiday leave, but we have met with our consultant's and I can now respond on what I believe are the three key issues we discussed.

#### **Plot 4**

The drainage connection from the basins will be made directly into the culvert that we need to construct 'under the roundabout' in the way you indicated and so happened to be the intention anyway. The need for rights over Plot 4 was largely driven by pedestrian safety because of the level difference between the footway and ditch, and hence the reason for placing that section of ditch into culvert as well.

We have looked at the design and by slightly amending the curvature of the Sturry Road exit/approach to the roundabout I can confirm that, subject to the further comments below, we can avoid the need for Plot 4 and will ask the Secretary of State to delete it from the CPO Map and Schedule.

This is on the understanding that the ditch will need to be cleared when we build the road and on future occasions as needed to make sure that surface water flows properly along the Sturry Dyke. This is no different than the current situation.

As part of our internal discussions and with your wish for no interference with the frontage of your property, it occurs to us that to avoid any disturbance at all that we should leave your existing access in place, as well as providing the new access off the roundabout. That would give you flexibility in accessing your property and so you could decide for example to enter the property from the existing access (left in)

but to exit from the new access onto the roundabout. That would also allow you to continue to put the waste bins out without the previous suggestion we made of converting the existing pedestrian access steps into a ramp.

We also offered to plant a hedge across your frontage, but on the basis of no longer needing rights and avoiding any disturbance to your frontage, I would suggest that the hedging offer also falls away.

### **Security**

We have had a long internal discussion about this and fully appreciate that we are introducing a new road along the side of your property and your concern about fence maintenance.

Although the drainage basins will only have a simple post and wire fence around it, the presence of the lagoons does represent a barrier between the road and your property. The road and embankment from the basins to the viaduct will, if accepted, be more open to start with until the new hedge along the top of the slope and the planting on the slope becomes established. The road and embankment will formally all be public highway and it is impractical to have a fence over this section that would effectively be a barrier on the public highway. Our conclusion remains that property security can only be achieved in the normal way by fencing along your existing side and acquired land boundary. Your concern about having a maintenance liability is understood. All I would say is that the choice of fence is yours within reason and materials and construction will be to British Standards. It will last many years and I still think that something like chain link on concrete posts will be the most durable and requiring minimal maintenance unlike possibly close boarded fencing. When compensation is discussed for the acquisition of the land and permanent rights those negotiations will also take account of the disturbance aspects of the scheme and can acknowledge the maintenance liability. As I mentioned in my previous letter, I definitely recommend that you instruct an agent experienced in these matters to act for you.

### **Land under the Viaduct**

While we have spoken of the abutment needing to be 8m back from the river bank, it is likely that it will now be about 10m back. This is because the contractor is reviewing the design and to satisfy the planning condition where it crosses the two arms of the river it is likely that one pier will need to be omitted and the width of the reduced spans increased accordingly. The proposal would also have some additional environmental benefits by having a reduced footprint within the floodplain and taking construction works further away from the sensitive river banks and potential beaver and water vole burrows and otter holts.

You asked for a cross section plan of the viaduct showing the height to the underside of the viaduct and the foundations of the viaduct. You also queried the need and extent of land for which the Council required title. While we accept that our need for bridge inspections and bearings maintenance will be infrequent, we have consulted internally with our structures asset team and they do require us as a minimum to take title to the land occupied by the foundations that extend 2m in front of the abutment.

We can offer two options as follows:

**Drawing No's 008469-PCL-LLO-ZZ-SK-CH- 006 and 007.**

As discussed with you before, this would involve the Council taking title to a strip 4.5m from the abutment that would include the abutment foundation, but also include room for working space and a vehicle during viaduct inspections and maintenance. The 4.5m strip would be fenced and although not shown a gate would be required to allow pedestrian and vehicular access to the area. Permanent rights would be taken over the remaining 5.5m to the river bank. These rights would be access for viaduct inspection and maintenance and also to have the chambers, pipes and tail walls for the two surface water drainage outfalls. I would stress that these are permanent rights required by the Council at all times although, other than for an emergency response, advance notification could be given for planned work and inspections.

**Drawing No's 008469-PCL-LLO-ZZ-SK-CH- 008 and 009.**

On this scenario, which seeks to address your concerns, the area under the viaduct would remain fully open. The fence would be returned to join the corner of the abutment. The Council would take title to the 2m strip in front of the abutment occupied by the foundations and the boundary would be marked by marker posts

Permanent rights would be taken over the remaining 8m to the river bank and as above, these rights would be access for viaduct inspection and maintenance and also to have the chambers, pipes and tail walls for the two surface water drainage outfalls.

With either option, the west side of the space under the viaduct on your boundary would be fenced and the access route over Plot 6 and Plot 9 - would be gated and padlocked to provide security.

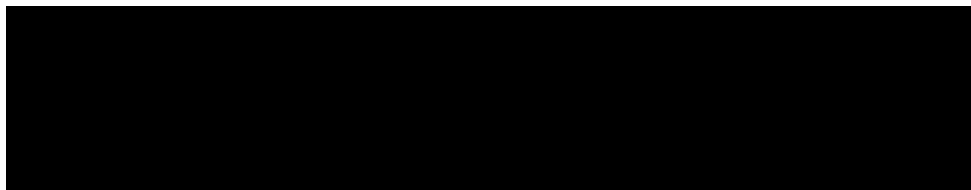
**Plot 14 and Plot 15**

As discussed, we do not require rights to the river or river bed, but just access above the river for both plots for construction and then permanent rights over Plot 14 to inspect the underside of the viaduct. As a consequence, we will also propose the modification of Plot 14 and Plot 15 to the acquisition of air rights.

When you have had the chance to consider this, I look forward to hearing from you.

As you are aware the public inquiry is rapidly approaching and it would be good to try and reach agreement or at least identify common ground and narrow down the extent of your objections to assist the Inspector.

Yours sincerely



Projects Manager - Major Capital Programme