

Appendix A Environ Design letter of support

Simon Jones

Corporate Director of Growth, Environment and Transport
Kent County Council
Invicta House
Maidstone
Kent
ME141XX

CC Lee Burchill and Richard Shelton

29th August 2024

Dear Simon

Land at Sturry

I am writing to update on the current planning and delivery position on the land at Sturry.

Environ Design (Sturry) Limited are the promoters of the land at Sturry and have been working with the landowners to deliver the scheme and the relief road since around 2010.

In 2021 we achieved planning consent for the housing development in outline and the relief road in detail (so that it is ready for immediate delivery) under application reference CA/20/02826. This consent delivers the relief road through the Sturry land and makes contributions to KCC to deliver the viaduct section of the link road through a S106 agreement.

This approval gave us the consents needed to deliver the scheme, however we were delayed with the emerging guidance from Natural England on Nutrient Neutrality which then evolved a number of times adjusting guidance each time. We have been working since our consent to achieve an acceptable nutrient solution.

As of February 2024 Canterbury City Council adopted a new Appropriate Assessment for the Sturry site that was approved through consultation with Natural England and supports the approach to Nutrient Neutrality that we have adopted.

We submitted the first reserved planning matters to Canterbury City Council in February 2024 which are now approved, extending the life of our planning consent by two years. Continuing with reserved matters on the critical path we are currently reviewing the road pre commencement conditions to ensure they are applied for in well advance of the road.

To facilitate the delivery of the whole scheme, on 10th May 2024 we secured the permit from the Environment Agency for the discharge from the proposed Water Recycling Centre (Package Treatment Plant) completing a two year application process.

Following the recent resolution of the nutrient neutrality issue we have been able to start refreshed negotiations on commercial terms over the delivery of the scheme with developers including Hyde Housing. We are actively working with all parties to secure delivery. Hyde have confirmed they are sending you under separate cover confirmation of their preparedness to deliver to the scheme looking to be on site next year and setting out the intended allocation of c£30m of Hyde's Strategic Partnership funding agreement with Homes England to deliver affordable housing.

The Road connection between the new viaduct being constructed by KCC and the A291 Sturry Hill is due to be completed under the terms of the planning consent by the 161st residential unit, Hyde have previously confirmed they would aim and better this longstop.

I trust this brings you up to speed with our current position, if I can provide any further information please do let me know.

Kind regards

James Brett BSc (Hons) MRICS

Director

Environ Design (Sturry) Limited

Appendix B Hyde Housing letter of support



30 August 2024

Simon Jones
Corporate Director of Growth,
Environment and Transport
Kent County Council
Invicta House
Maidstone
Kent
ME141XX

Dear Simon

STURRY RELIEF ROAD & BRIDGE

I am writing on behalf of The Hyde Group to update on the progress of our interest in the delivery of the Sturry development and relief road.

Since 2016 we have provided support the Promoter Environ Design Sturry (Ltd) in achieving planning consent for the relief road and the associated housing development.

Since consent in 2021 the site has been delayed by the requirements of nutrient neutrality. This issue has been very recently resolved and we are now able to have discussions with the Promoter and Landowners over commercial terms to purchase the land, I can confirm those discussions are under way.

We have ca. £30m earmarked for this scheme from Hyde's Strategic Partnership funding agreement with Homes England and propose to deliver affordable housing on this site using these funds.

Once we have secured the site, we would look to commence the building of the road whilst the reserved matters for the housing is being sought. This is a standard approach for us where there is a 'Hybrid Consent' and the road has been approved 'in detail'. We need to deliver the development portion of the Sturry Relief Road early in the process as it is required to provide access to the various phases of the development. We are aware of the S106 commitments to complete the Road connection between the new KCC constructed viaduct and the A291 Sturry Hill by the 161st dwelling. Given the early start we would be making we would hope to improve on this timescale.

30 Park Street, London SE1 9EQ
0800 3 282 282

customerservices@hyde-housing.co.uk
www.hyde-housing.co.uk

In summary I can confirm we are currently engaged in commercial negotiations over the delivery of the scheme, for which we have funding in place for and hope to start delivery next year.

I trust that this is useful.

Yours Sincerely



Mike Finch

REGIONAL DEVELOPMENT DIRECTOR

T: +44 (0) 1732 526847

M: +44 (0) 7920 063869

E: mike.finch@hyde-housing.co.uk

The Hyde Group • Unit A • Royal Oak House • 1 Doust Way • Rochester • ME1 1FF
www.hyde-housing.co.uk

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CC Lee Burchill and Richard Shelton

Appendix C Letter from KCC to SELEP confirming scheme funding



Strategic & Corporate Services
Finance and Procurement

Sessions House
County Road
Maidstone
Kent
ME141XQ
Phone: 03000 414141

Direct Dial: 03000 416854
Ask for: Andy Wood
Email: andy.wood@kent.gov.uk
Date: 4th January 2016

Cities and Local Growth Unit
1st Floor, Fry Building
2 Marsham Street
London
SW1P 4DP

Dear Sirs

RE: Local Growth Fund – Funding Commitment, Procurement and Assurance Systems

As Section 151 Officer for Kent County Council, I declare that Kent County Council has allocated sufficient budget to deliver the schemes listed below on the basis of its proposed funding contribution and has the necessary governance/assurance arrangements in place. A procurement strategy that is legally compliant and is likely to achieve the best value for money outcome has also been identified.

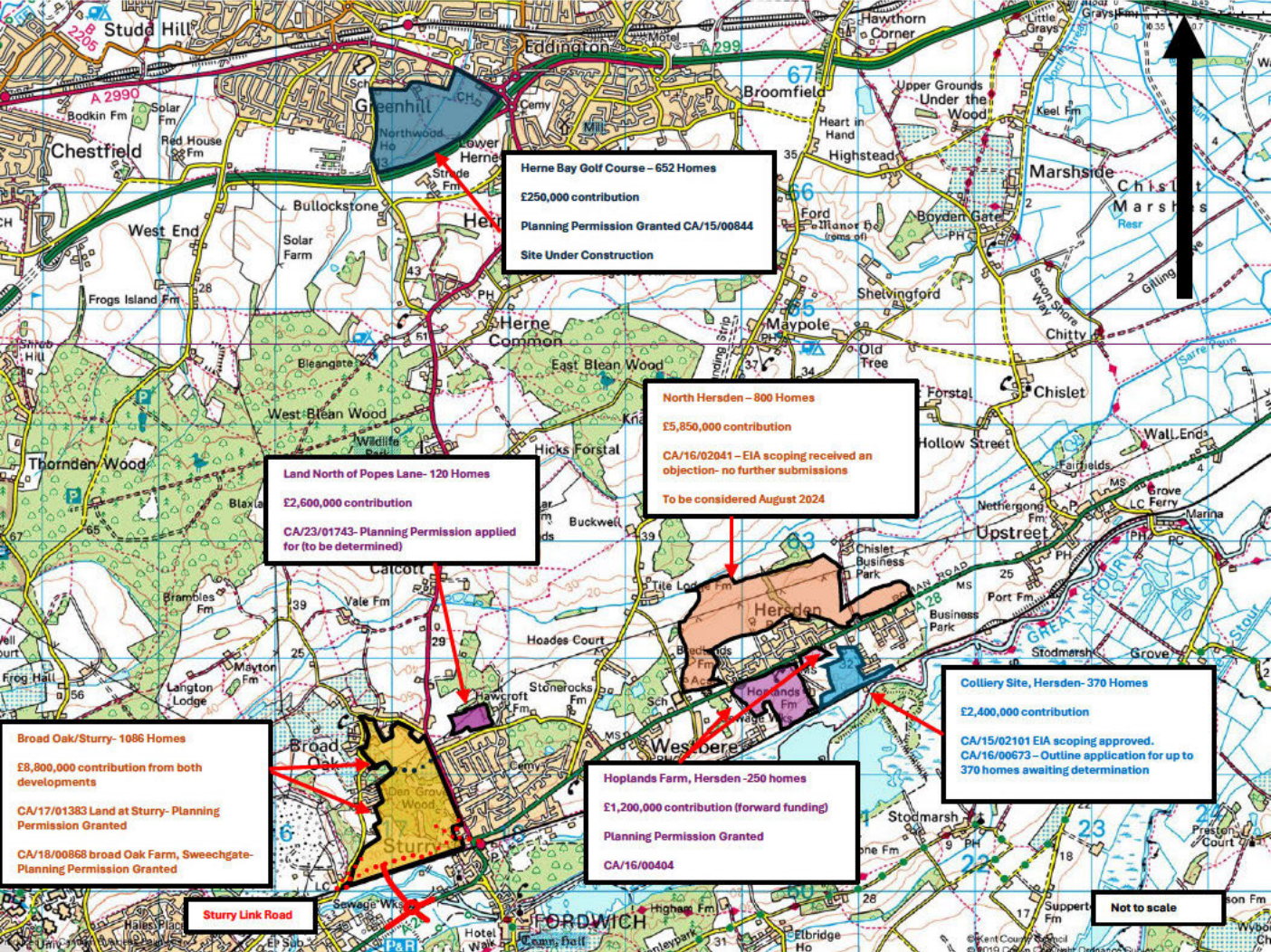
- A28 Chart Rd
- Rathmore Rd Link
- Sturry link Rd
- Maidstone ITP

I trust the above provides sufficient information.

Yours Sincerely,

Andy Wood
Corporate Director for Finance and Procurement

Appendix D Plan of Sturry Link Road and associated developments



Herne Bay Golf Course – 652 Homes
£250,000 contribution
Planning Permission Granted CA/15/00844
Site Under Construction

North Hersden – 800 Homes
£5,850,000 contribution
CA/16/02041 – EIA scoping received an objection- no further submissions
To be considered August 2024

Land North of Popes Lane- 120 Homes
£2,600,000 contribution
CA/23/01743- Planning Permission applied for (to be determined)

Colliery Site, Hersden- 370 Homes
£2,400,000 contribution
CA/15/02101 EIA scoping approved.
CA/16/00673 – Outline application for up to 370 homes awaiting determination

Broad Oak/Sturry- 1086 Homes
£8,800,000 contribution from both locations
CA/17/01383 Land at Sturry- Planning Permission Granted
CA/18/00868 broad Oak Farm, Sweechgate- Planning Permission Granted

Hoplands Farm, Hersden- 250 homes
£1,200,000 contribution (forward funding)
Planning Permission Granted
CA/16/00404

Sturry Link Road

Not to scale

Appendix E Draft revised CPO Plan

Map referred to in The Kent County Council (A28 Sturry Link Road) (Compulsory Purchase) Order 2023

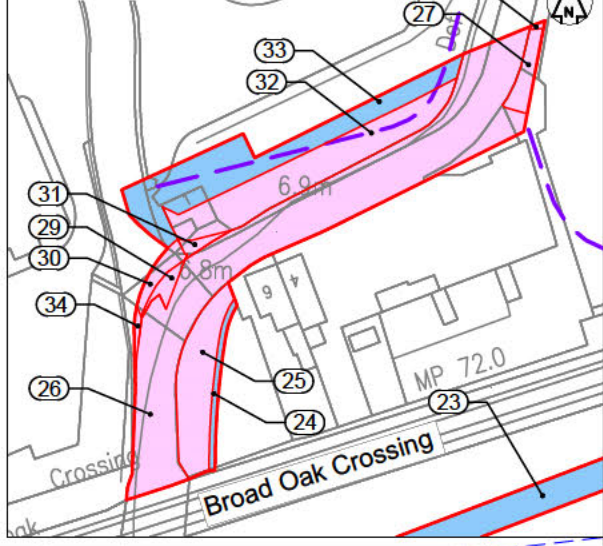
THE COMMON SEAL OF THE KENT COUNTY COUNCIL
WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

(AUTHORISED SIGNATORY)

DATED THIS DAY OF 2024



Inset 1 - 1:1250



Key:

- Order Limits
- Permanent acquisition of all interests
- Permanent acquisition of new rights
- PRoW

Client:

Kent County Council
kent.gov.uk



Title:
Map referred to in The Kent County Council (A28 Sturry Link Road) (Compulsory Purchase) Order 2023
Sheet 1 of 1

Scale: 1:2500 @ A3
20m 0m 20m 40m 60m 80m 100m

Dwg Ref: N:\CAD Team\Sturry Link Road\Sturry_Link_Road_CPO_Plan_R16_21022024.dwg

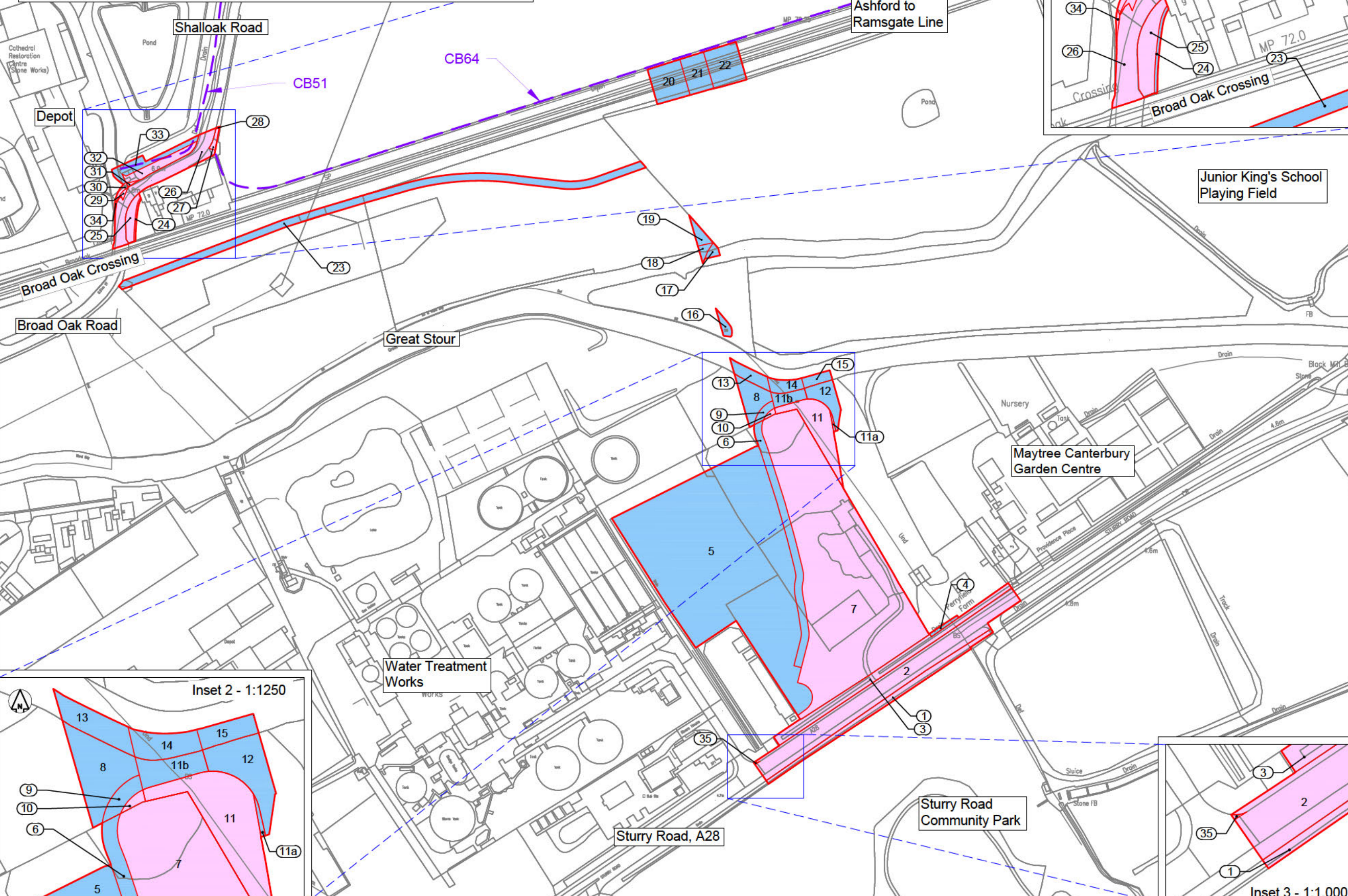
Plan Ref: SLR_CPO_Map_Modified_Submission

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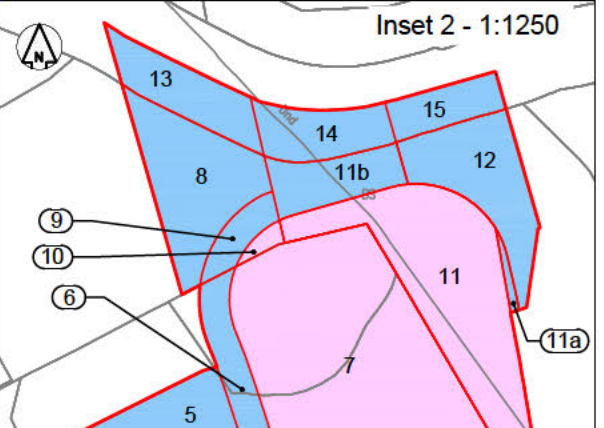


Date:	07.08.2024	Drawn by:	GJ
Rev:	16	Checked:	KC

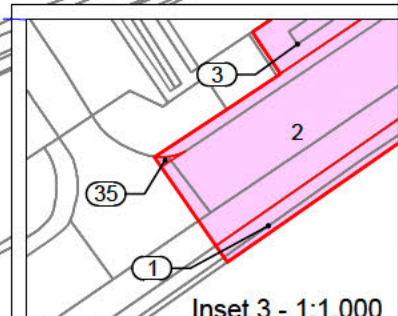
Ardent



Inset 2 - 1:1250



Inset 3 - 1:1,000



Appendix F Draft revised CPO Schedule

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

HIGHWAYS ACT 1980 AND THE ACQUISITION OF LAND ACT 1981

Kent County Council (in this Order called the “acquiring authority”) hereby makes the following Order:

1. Subject to the provisions of this Order, the acquiring authority is under sections 239, 240, and 250 of the Highways Act 1980 hereby authorised to purchase compulsorily the land and new rights described in paragraph 2 for the purposes of:
 - (a) the construction of a highway from a point on the A28 Sturry Road approximately 100 metres northeast of the access to Water Treatment Works in a northwards direction to a point on the northern boundary of the Ashford to Ramsgate railway line, approximately 395 metres east of Broad Oak railway level crossing, to create a junction and a single carriageway supported on an embankment and a viaduct, with a bus lane, foot/cycleways and surface water drainage;
 - (b) the improvement of A28 Sturry Road in the vicinity of the junction with the new highway described in 1(a);
 - (c) the improvement of Shalloak Road from Broad Oak railway level crossing for a distance of approximately 110 metres in a northwards and eastwards direction;
 - (d) use by the Highway Authority in connection with the construction and improvement of the highways aforesaid;
 - (f) access by the Highway Authority over land to the east of Broad Oak Road to construct, inspect and maintain the works.
- 2.(1) The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated in red and shown coloured pink on the map prepared in duplicate, sealed with the common seal of the acquiring authority and marked Map referred to in The Kent County Council (A28 Sturry Link Road) (Compulsory Purchase) Order 2023 (the “Order Map”).
- (2) The new rights to be purchased compulsorily over land under this order are described in the Schedule and the land is delineated in red and shown coloured blue on the said Order Map.
3. One duplicate of the Order Map is deposited at the offices of the acquiring authority Council Offices, Sessions House, County Hall, Maidstone, ME14 1XQ and the other at the offices of Canterbury City Council, Military Road, Canterbury CT1 1YW. A copy has also been deposited at the offices of Sturry Parish Council, 38 High Street, Sturry CT2 0BD and may be viewed online at www.kent.gov.uk/sturrylink
4. Parts II and III of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this order subject to the modification that references in the said Parts of the said Schedule to the undertaking shall be construed as references to any building or work constructed or to be constructed on that part of the land authorised to be purchased or, as the case may be, on the land over which new rights are authorised to be acquired.

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

SCHEDULE 1

LAND TO BE PURCHASED AND NEW RIGHTS

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
1	All interests in 619 square metres of drain, trees and shrubbery; north of Sturry Road Community Park and south of Sturry Road, A28, Canterbury, Kent. Unregistered	Unregistered/Unknown Canterbury City Council Council Offices Military Road Canterbury CT1 1YW ██████████ Hawcroft Farm Hawe Lane Sturry Canterbury CT2 0LP	-	-	Unknown
2	All interests in 2592 square metres of public highway and verge (Sturry Road, A28); except those owned by acquiring authority. Unregistered	Unregistered/Unknown Kent County Council Invicta House County Hall Maidstone ME14 1XX (as highway authority)	-	-	Kent County Council Invicta House County Hall Maidstone ME14 1XX (as highway authority)
3	All interests in 934 square metres of accessway, drain, trees and shrubbery; north of Sturry Road, A28 and south-east of Wastewater Treatment Works, Canterbury, Kent.	Unregistered/Unknown ██████████ 7 Valley Forge Close Tonbridge TN10 4EU	-	-	Unknown

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

GENERAL ENTRIES REGISTER

Name and Address	Capacity	Qualification
Vodafone Limited Vodafone House The Connection Newbury RG14 2FN (Co. Reg. 01471587)	As licensed telecommunications operator	In respect of underground telecommunications cables and associated apparatus
South East Water Limited Rocfort Road Snodland ME6 5AH (Co. Reg. 02679874)	As statutory water undertaker	In respect of 3 inch, 6 inch and 12 inch cast iron distribution mains

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

GENERAL ENTRIES REGISTER

Name and Address	Capacity	Qualification
British Telecommunications Public Limited Company 1 Braham Street London E1 8EE (Co. Reg. 01800000)	As licensed telecommunications operator	In respect of overhead and underground telecommunications cables and associated apparatus
BT Group plc 1 Braham Street London E1 8EE (Co. Reg. 04190816)	As licensed telecommunications operator	In respect of overhead and underground telecommunications cables and associated apparatus
Openreach Limited Kelvin House 123 Judd Street London WC1H 9NP (Co. Reg. 10690039)	As licensed telecommunications operator	In respect of overhead and underground telecommunications cables and associated apparatus
Network Rail Limited Waterloo General Office London SE1 8SW (Co. Reg. 04402220)	As statutory railway undertaker	In respect of Canterbury to Ramsgate Railway Line and Broad Oak Level Crossing
Southern Water Limited Southern House Yeoman Road Worthing BN13 3NX (Co. Reg. 02366620)	As statutory water undertaker	In respect of 150mm foul gravity sewer and associated apparatus

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

GENERAL ENTRIES REGISTER

Name and Address	Capacity	Qualification
National Grid Electricity Transmission plc Grand Buildings 1 - 3 Strand London WC2N 5EH (Co. Reg. 02366977)	As statutory electricity distribution undertaker	In respect of 400kV overhead electricity cables and associated apparatus
Southern Gas Networks plc St Lawrence House Station Approach Horley RH6 9HJ (Co. Reg. 05167021)	As statutory gas distribution and transmission undertaker	In respect of low pressure and medium pressure gas mains and associated apparatus
UK Power Networks (Operations) Limited Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 03870728)	As statutory electricity undertaker	In respect of buried low voltage, 11kV, 33kV and 132kV electricity cables, and associated apparatus
South Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 3043097)	As statutory electricity undertaker	In respect of buried low voltage, 11kV, 33kV and 132kV electricity cables, and associated apparatus
Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 02366906)	As statutory electricity undertaker	In respect of buried low voltage, 11kV, 33kV and 132kV electricity cables, and associated apparatus

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

TABLE 2

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
34 (cont'd)			Church of Christ Canterbury (address as at Plot 29) Robert Brett & Sons Limited (address as at Plot 30) (Co. Reg. 00227266) [REDACTED] (address as at Plot 30)	transfer dated 1 January 1995 on title K770211 Rights relating to passage and maintenance of utilities and rights of access contained in a transfer dated 1 January 1995 on title K770211 Rights relating to passage of utilities and rights of support contained in a transfer dated 15 April 2005 on title K770211
35	-	-	-	-

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
33 (cont'd)			<p>Church of Christ Canterbury (address as at Plot 29)</p> <p>██████████ (address as at Plot 30)</p> <p>Motorline Holdings Limited (address as at Plot 30) (Co. Reg. 05478773)</p> <p>Robert Brett & Sons Limited (address as at Plot 30) (Co. Reg. 00227266)</p>	<p>Rights of access appurtenant to land west of Shalloak Road</p> <p>Rights of access appurtenant to Motorline House</p> <p>Rights of access appurtenant to land at Folly Farm</p>
34			<p>Valencia Waste Kent Limited (address as at Plot 31) (Co. Reg. 2751074)</p> <p>Eastern Power Networks plc (address as at Plot 30) (Co. Reg. 02366906)</p> <p>The Dean and Chapter of the Cathedral and Metropolitan</p>	<p>Rights relating to passage and maintenance of utilities and rights of access contained in a transfer dated 1 January 1995 on title K770211;</p> <p>Rights relating to passage and maintenance of utilities and rights of access contained in a transfer dated 5 June 2000 on title K770211;</p> <p>Rights relating to passage and maintenance of utilities and rights of access and support contained in a transfer dated 15 April 2005 on title K770211</p> <p>Rights relating to electricity lines contained in a deed dated 30 June 2004 on title K770211</p> <p>Rights relating to passage and maintenance of utilities and rights of access contained in a</p>

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
31 (cont'd)			Robert Brett & Sons Limited (address as at Plot 30) (Co. Reg. 00227266)	Rights of access appurtenant to land at Folly Farm
32	-	-	South Eastern Power Networks plc (address as at Plot 29) (Co. Reg. 3043097) Eastern Power Networks plc (address as at Plot 30) (Co. Reg. 02366906) The Dean and Chapter of the Cathedral and Metropolitan Church of Christ Canterbury (address as at Plot 29)	Rights relating to electricity lines contained in a deed dated 19 October 2018 on title K446594 Rights relating to electricity lines contained in a deed dated 30 June 2004 on title K812276 and K446594 Rights of way and drainage contained in a transfer dated 18 September 2013 on title K446594
33	-	-	South Eastern Power Networks plc (address as at Plot 29) (Co. Reg. 3043097) GGT Estates Limited (address as at Plot 30) (Co. Reg. 5315653) Eastern Power Networks plc (address as at Plot 30) (Co. Reg. 02366906) The Dean and Chapter of the Cathedral and Metropolitan	Rights relating to electricity lines contained in a deed dated 19 October 2018 on title K812276 and K446594 Rights relating to passage and maintenance of utilities and rights of access contained in a transfer dated 5 June 2000 on title K812276 Rights relating to electricity lines contained in a deed dated 30 June 2004 on title K812276 and K446594 Rights of way and drainage contained in a transfer dated 18 September 2013 on title K812276


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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
31	-	-	<p>South Eastern Power Networks plc (address as at Plot 29) (Co. Reg. 3043097)</p> <p>GGT Estates Limited (address as at Plot 30) (Co. Reg. 5315653)</p> <p>Valencia Waste Kent Limited Oil Depot 242 London Road Stretton On Dunsmore Rugby CV23 9JA (Co. Reg. 2751074)</p> <p>Eastern Power Networks plc (address as at Plot 30) (Co. Reg. 02366906)</p> <p>The Dean and Chapter of the Cathedral and Metropolitan Church of Christ Canterbury (address as at Plot 29)</p> <p>██████████ (address as at Plot 30)</p> <p>Motorline Holdings Limited (address as at Plot 30) (Co. Reg. 05478773)</p>	<p>Rights of access with or without vehicles, contractors' plant, apparatus and equipment</p> <p>Rights of access appurtenant to Motorline House</p> <p>Rights of access appurtenant to Shelford Landfill</p> <p>Rights of access with or without vehicles, contractors' plant, apparatus and equipment</p> <p>Rights of access appurtenant to Cathedral Restoration Centre</p> <p>Rights of access appurtenant to land west of Shalloak Road</p> <p>Rights of access appurtenant to Motorline House</p>

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
30 (cont'd)			<p>Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 02366906)</p> <p>The Dean and Chapter of the Cathedral and Metropolitan Church of Christ Canterbury (address as at Plot 29)</p> <p> 1 Greenhill Bridge Road Herne Bay CT6 8NY</p> <p>Motorline Holdings Limited C/O Marshall Volkswagen Milton Keynes Greyfriars Court Milton Keynes MK10 0BN (Co. Reg. 05478773)</p> <p>Robert Brett & Sons Limited Robert Brett House Ashford Road Chartham Canterbury CT4 7PP (Co. Reg. 00227266)</p>	<p>Rights relating to electricity lines contained in a deed dated 30 June 2004 on title K812276.</p> <p>Rights of way and drainage contained in a transfer dated 18 September 2013 on title K812276 and K855156.</p> <p>Rights of access appurtenant to land west of Shalloak Road</p> <p>Rights of access appurtenant to Motorline House</p> <p>Rights of access appurtenant to land at Folly Farm</p>

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
28	-	-	-	-
29	-	-	<p>South Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 3043097)</p> <p>The Dean and Chapter of the Cathedral and Metropolitan Church of Christ Canterbury Cathedral House 11 The Precincts Canterbury CT1 2EH</p>	<p>Rights relating to electricity lines contained in a deed dated 19 October 2018 on title K855156</p> <p>Rights of way and drainage contained in a transfer dated 18 September 2013 on title K855156</p>
30	-	-	<p>South Eastern Power Networks plc (address as at Plot 29) (Co. Reg. 3043097)</p> <p>GGT Estates Limited Unit T 10 Stone Way Lakesview International Business Park Hersden Canterbury CT3 4GP (Co. Reg. 5315653)</p>	<p>Rights relating to electricity lines contained in a deed dated 19 October 2018 on title K855156 and K812276</p> <p>Rights relating to passage and maintenance of utilities contained in a transfer dated 5 June 2000 on title K812276</p>

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
19 (cont'd)			Grand Buildings 1-3 Strand London WC2N 5EH (Co. Reg. 02366977)	Rights relating to electricity lines as contained in a deed dated 19 June 2019 on title K105298
20	-	-	-	-
21	-	-	-	-
22	-	-	-	-
23	-	-	National Grid Electricity Transmission plc (address as at Plot 19) (Co. Reg. 2366977)	Rights relating to electricity lines as contained in a deed dated 19 June 2019 on title K105298
24	-	-	-	-
25	-	-	-	-
26	-	-	-	-
27	-	-	-	-

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
9	-	-	-	-
10	-	-	-	-
11	-	-	-	-
12	-	-	-	-
13	-	-	-	-
14	-	-	-	-
15	-	-	-	-
16	-	-	-	-
17	-	-	-	-
18	-	-	-	-
19	-	-	National Grid Electricity Transmission plc	

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

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	-	-	-	-
2	-	-	-	-
3	-	-	<p>██████████ 7 Valley Forge Close Cornwallis Avenue Tonbridge TN10 4EU</p> <p>████████████████████ Perryfield Farm Sturry Road Canterbury CT2 0AA</p>	<p>Rights of access appurtenant to land south of river (Great Stour) and east of Wastewater Treatment Works</p> <p>Rights of access appurtenant to Perryfield Farm</p>
4	-	-	-	-
5	-	-	-	-
6	-	-	-	-
7	-	-	-	-
8	-	-	-	-

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

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
35	<p>All interests in 2 square metres of public highway and verge (Sturry Road, A28); except those owned by acquiring authority.</p> <p>Unregistered; K910733 - Caution</p>	<p>Unregistered/Unknown</p> <p>Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 02366906) (in respect of a caution against first registration)</p> <p>Kent County Council Invicta House County Hall Maidstone ME14 1XX (as highway authority)</p>	-	-	<p>Kent County Council Invicta House County Hall Maidstone ME14 1XX (as highway authority)</p>

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

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
32 (cont'd)	Crossing and south-east of Depot, Canterbury, Kent. K446594 - Absolute Freehold	Unknown (in respect of mines and minerals)			
33	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 297 square metres of private road (unnamed) and verge, abandoned residential property, public footpath (Footpath No. CB51), trees and shrubbery; north of Broad Oak Crossing and south-east of Depot, Canterbury, Kent; except those owned by acquiring authority. K812276 - Absolute Freehold K446594 - Absolute Freehold	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074) (excluding mines and minerals) Unknown (in respect of mines and minerals)	-	-	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074) Kent County Council (address as at Plot 2) (in respect of public footpath)
34	All interests in 7 square metres of private road (unnamed) and verge; north of Broad Oak Crossing and south of Depot, Canterbury, Kent. K770211 - Absolute Freehold	GGT Estates Limited Unit T 10 Stone Way Lakesview International Business Park Hersden Canterbury CT3 4GP (Co. Reg. 5315653) Unknown (in respect of mines and minerals)	Motorline Holdings Limited C/O Marshall Volkswagen Milton Keynes Greyfriars Court Milton Keynes MK10 0BN (Co. Reg. 05478773)	-	-

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

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
29 (cont'd)	K855156 - Absolute Freehold	CV23 9JA (Co. Reg. 2751074) Kent County Council (address as at Plot 2) (as highway authority) Unknown (in respect of mines and minerals)			
30	All interests in 29 square metres of private road (unnamed) and verge and shrubbery; north of Broad Oak Crossing and south of Depot, Canterbury, Kent. K855156 - Absolute Freehold; K812276 - Absolute Freehold	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074) (excluding mines and minerals) Unknown (in respect of mines and minerals)	-	-	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074)
31	All interests in 12 square metres of private road (unnamed), verge and shrubbery; north of Broad Oak Crossing and south-east of Depot, Broad Oak, Canterbury, Kent. Unregistered	Unregistered/Unknown	-	-	Unknown
32	All interests in 268 square metres of abandoned residential property, public footpath (Footpath No. CB51), trees and shrubbery; north of Broad Oak	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074) (excluding mines and minerals)	-	-	Valencia Waste Kent Limited (address as at Plot 29) (Co. Reg. 2751074)

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

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
26 (cont'd)	Unregistered				
27	All interests in 39 square metres of public highway and verge (Shalloak Road), shrubbery, Shalloak Road, Broad Oak, Canterbury, Kent; except those owned by acquiring authority. Unregistered; TT103201 – Caution	Unregistered/Unknown National Grid Electricity Transmission plc Grand Buildings 1 - 3 Strand London WC2N 5EH (Co. Reg. 02366977) (in respect of a caution against first registration) Kent County Council (address as at Plot 2) (as highway authority)	-	-	Kent County Council (address as at Plot 2) (as highway authority)
28	All interests in 2 square metres of public highway and verge (Shalloak Road), shrubbery, Shalloak Road, Broad Oak, Canterbury, Kent; except those owned by acquiring authority. Unregistered	Kent County Council (address as at Plot 2) (as highway authority)	-	-	Kent County Council (address as at Plot 2) (as highway authority)
29	All interests in 18 square metres of public highway (Shalloak Road), Broad Oak, Canterbury, Kent; except those owned by acquiring authority.	Valencia Waste Kent Limited Oil Depot 242 London Road Stretton On Dunsmore Rugby	-		Kent County Council (address as at Plot 2) (as highway authority)

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
23 (cont'd)	(Ashford to Ramsgate Line) and east of Broad Oak Crossing, Sturry, Canterbury, Kent. K105298 - Absolute Freehold; K138397 - Absolute Freehold	Unknown (in respect of mines and minerals)			
24	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 28 square metres of grassland, trees and shrubbery; north of Broad Oak Crossing and north-east of Broad Oak Road, Broad Oak, Canterbury, Kent. Unregistered	Unregistered/Unknown	-	-	Unknown
25	All interests in 161 square metres of grassland and shrubbery; north of Broad Oak Crossing and north-east of Broad Oak Road, Broad Oak, Canterbury, Kent. Unregistered	Unregistered/Unknown	-	-	Unknown
26	All interests in 815 square metres of public highway and verges (Shalloak Road and Broad Oak Road), trees and shrubbery, Broad Oak, Canterbury, Kent; except those owned by acquiring authority.	Kent County Council (address as at Plot 2) (as highway authority)	-	-	Kent County Council (address as at Plot 2) (as highway authority)

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

TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
	and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to construct, protect, maintain and inspect the works over 389 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent. Unregistered	Limited (address as at Plot 20) (Co. Reg. 02904587)			(address as at Plot 20) (Co. Reg. 02904587)
22	All rights necessary for the acquiring authority to use the land as a temporary access for construction of the works over 552 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent. Unregistered	Unregistered/Unknown Network Rail Infrastructure Limited (address as at Plot 20) (Co. Reg. 02904587)	-	-	Network Rail Infrastructure Limited (address as at Plot 20) (Co. Reg. 02904587)
23	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 1760 square metres of agricultural land, private track and overhead electricity cables; south of operational railway	South Eastern Power Networks plc (address as at Plot 19) (Co. Reg. 3043097) (excluding mines and minerals)	-	[REDACTED] (address as at Plot 19) [REDACTED] (address as at Plot 19)	[REDACTED] (address as at Plot 19) [REDACTED] (address as at Plot 19)

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TABLE 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
19	<p>All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 108 square metres of agricultural land and shrubbery; north-east of Wastewater Treatment Works and south of operational railway (Ashford to Ramsgate Line), Sturry, Canterbury, Kent.</p> <p>K138397 - Absolute Freehold</p>	<p>South Eastern Power Networks plc Newington House 237 Southwark Bridge Road London SE1 6NP (Co. Reg. 3043097) (excluding mines and minerals)</p> <p>Unknown (in respect of mines and minerals)</p>	-	<p>[REDACTED] 2 Hawcroft Cottage Hawe lane Sturry Canterbury CT2 0LP</p> <p>[REDACTED] Hawcroft Farm Hawe Lane Sturry Canterbury CT2 0LP</p>	<p>[REDACTED] 2 Hawcroft Cottage Hawe lane Sturry Canterbury CT2 0LP</p> <p>[REDACTED] Hawcroft Farm Hawe Lane Sturry Canterbury CT2 0LP</p>
20	<p>All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 520 square metres of operational railway (Ashford to Ramsgate Line), trees and shrubbery; north of river (Great Stour) and east of Broad Oak Road Crossing, Canterbury, Kent.</p> <p>Unregistered</p>	<p>Unregistered/Unknown</p> <p>Network Rail Infrastructure Limited Waterloo General Office London SE1 8SW (Co. Reg. 02904587)</p>	-	-	<p>Network Rail Infrastructure Limited Waterloo General Office London SE1 8SW (Co. Reg. 02904587)</p>
21	<p>All rights of flying freehold airspace above the underside of proposed bridge structure for construction of</p>	<p>Unregistered/Unknown</p> <p>Network Rail Infrastructure</p>	-	-	<p>Network Rail Infrastructure Limited</p>

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
16	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 79 square metres of shrubbery; north-east of Wastewater Treatment Works and west of Junior King's School Playing Field, Sturry, Canterbury, Kent. K953621 - Absolute Freehold	Environment Agency (address as at Plot 13)	-	-	Environment Agency (address as at Plot 13)
17	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 54 square metres of river (Great Stour) and bed thereof, river bank and shrubbery, Sturry, Canterbury, Kent. Unregistered	Unregistered/Unknown Environment Agency (address as at Plot 13) (in respect of subsoil)	-	-	Unknown Environment Agency (address as at Plot 13) (in respect of river management)
18	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 55 square metres of river (Great Stour) and bed thereof, river bank and shrubbery, Sturry, Canterbury, Kent. K953621 - Absolute Freehold	Environment Agency (address as at Plot 13)	-	-	Environment Agency (address as at Plot 13)

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
13	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 205 square metres of river (Great Stour), Sturry, Canterbury, Kent. Unregistered	Unregistered/Unknown Southern Water Services Limited (address as at Plot 8) (Co. Reg. 2366670) (in respect of subsoil)	-	-	Unknown Environment Agency Horizon House Deanery Road Bristol BS1 5AH (in respect of river management)
14	All rights of flying freehold airspace above the underside of proposed bridge structure for construction of and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to use the land as a temporary working area and protect, maintain and inspect the works over 179 square metres of river (Great Stour), Sturry, Canterbury, Kent. Unregistered	Unregistered/Unknown [REDACTED] (address as at Plot 3) (in respect of subsoil)	-	-	Unknown Environment Agency (address as at Plot 13) (in respect of river management)
15	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 124 square metres of river (Great Stour), Sturry, Canterbury, Kent. Unregistered	Unregistered/Unknown [REDACTED] (address as at Plot 3) (in respect of subsoil)	-	-	Unknown Environment Agency (address as at Plot 13) (in respect of river management)

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
11a (cont'd)					
11b	<p>All rights of flying freehold airspace above the underside of proposed bridge structure for construction of and operation of the works and all rights necessary for the acquiring authority below the proposed bridge structure to use the land as a temporary working area and protect, maintain and inspect the works, and the right to install, maintain and renew two surface water drainage outfalls over 170 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent.</p> <p>K784814 - Absolute Freehold</p>	<p>[REDACTED] (address as at Plot 3)</p>	-	-	<p>[REDACTED] (address as at Plot 3)</p>
12	<p>All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 317 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and north-west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent.</p> <p>K784814 - Absolute Freehold</p>	<p>[REDACTED] (address as at Plot 3)</p>	-	-	<p>[REDACTED] (address as at Plot 3)</p>

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
9 (cont'd)	Works and south of river (Great Stour), Sturry, Canterbury, Kent. K784573 - Absolute Freehold				
10	All interests in 23 square metres of grassland and shrubbery; north-east of Wastewater Treatment Works and south of river (Great Stour), Sturry, Canterbury, Kent. K784573 - Absolute Freehold	Southern Water Services Limited (address as at Plot 8) (Co. Reg. 2366670)	-	-	Southern Water Services Limited (address as at Plot 8) (Co. Reg. 2366670)
11	All interests in 715 square metres of grassland, trees and shrubbery (Perryfield Farm); south of river (Great Stour) and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent. K784814 - Absolute Freehold	[REDACTED] (address as at Plot 3)	-	-	[REDACTED] (address as at Plot 3)
11a	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 15 square metres of grassland (Perryfield Farm); south of river (Great Stour and west of Maytree Canterbury Garden Centre, Sturry, Canterbury, Kent. K784814 - Absolute Freehold	[REDACTED] (address as at Plot 3)	-	-	[REDACTED] (address as at Plot 3)

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
6 (cont'd)	and east of Wastewater Treatment Works, Canterbury, Kent. K153218 - Absolute Freehold				
7	All interests in 9202 square metres of grassland, farm building, private track, trees and shrubbery; north of Sturry Road, A28 and south of river (Great Stour), Canterbury, Kent. K153218 - Absolute Freehold	██████████ (address as at Plot 3)	-	-	██████████ (address as at Plot 3)
8	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works over 377 square metres of grassland, trees and shrubbery; north-east of Wastewater Treatment Works and south of river (Great Stour), Canterbury, Kent. K784573 - Absolute Freehold	Southern Water Services Limited Southern House Yeoman Road Worthing BN13 3NX (Co. Reg. 2366670)	-	-	Southern Water Services Limited Southern House Yeoman Road Worthing BN13 3NX (Co. Reg. 2366670)
9	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 79 square metres of grassland and shrubbery; north-east of Wastewater Treatment	Southern Water Services Limited (address as at Plot 8) (Co. Reg. 2366670)	-	-	Southern Water Services Limited (address as at Plot 8) (Co. Reg. 2366670)

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

TABLE 1

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
4 (cont'd)	temporary working area for construction of the works and a permanent right for the works including drainage and a permanent right of access to clear, maintain, improve, replace and inspect the works over 46 square metres of accessway and frontage (Perryfield Farm), grassland and trees; north of Sturry Road, A28 and south-west of Maytree Canterbury Garden Centre, Canterbury, Kent. K784814 - Absolute Freehold	(address as at Plot 3)			(address as at Plot 3)
5	All rights necessary for the acquiring authority to use the land as a temporary compound area for construction of the works over 10693 square metres of grassland, trees, hedges and shrubbery; south of river (Great Stour) and east of Wastewater Treatment Works, Canterbury, Kent. K153218 - Absolute Freehold	██████████ (address as at Plot 3)	-	-	██████████ (address as at Plot 3)
6	All rights necessary for the acquiring authority to use the land as a temporary working area for construction of the works and a permanent right of access to maintain and inspect the works over 815 square metres of grassland, trees and shrubbery; south of river (Great Stour)	██████████ (address as at Plot 3)	-	-	██████████ (address as at Plot 3)

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

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		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
3 (cont'd)	Unregistered	<p>[REDACTED]</p> <p>Perryfield Farm Sturry Road Canterbury CT2 0AA</p> <p>[REDACTED] on behalf of the trustees of [REDACTED]</p> <p>Ashcroft House Chillenden Canterbury CT3 1PS</p> <p>EBS Self-Administered Personal Pension Plan Trustees Limited Religare House 100 Cannon Street London EC4N 6EU (Co. Reg. 2853014)</p> <p>Southern Gas Networks plc St Lawrence House Station Approach Horley RH6 9HJ (Co. Reg. 05167021)</p>			
4	All rights necessary for the acquiring authority to use the land as a	[REDACTED] Horsham	-	-	[REDACTED]

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

Dated this day of November 2023

The **COMMON SEAL** of
KENT COUNTY COUCIL
was hereunto affixed in the presence of:

.....
Authorised Signatory

Appendix G Extract of [REDACTED] Objections and the Council's responses from the Statement of Case

construction period and so there is no risk of construction vehicles straying near to the pylon.

13.2.4 South East Power Networks have requested an amendment to the eastern end of the access route so that it more closely follows the field boundary. South East Power Networks were probably unaware that the alignment in the Order had been selected to avoid an area of environmental interest.

13.2.5 However, following the objection, further investigation has identified that an amendment is possible and the acceptability of that is being discussed with the company.

13.2.6 The amendment to the route is outside of the Link Road planning consent Red Line, but discussions with the planning authority have indicated that this could proceed as a non-material amendment or a separate planning application made for the new route of the temporary access track.

13.2.7 If the objection to the published route continues, but an amended access route is acceptable to South East Power Networks and their tenant, a formal agreement will be required to allow the objection to be withdrawn that would in turn allow the Council to request the Secretary of State to delete Plot 23 from the Order.

13.3 **██████████ of Perryfield Farm (“the Owners”)
Letter dated 18 December 2023**

13.3.1 The Owners letter of objection does not give specific detailed points of objection and they request the right to present a more detailed case if the Order is considered at public inquiry. On that basis, the Council will for now rely primarily on the text of the Statement of Reasons, which is replicated or developed in this Statement of Case, to respond to the two points relating to impact on their human rights, and scheme funding and certainty; with the two points relating to failure to follow expected procedures and excessive land take dealt with in the responses that follow.

13.3.2 The Council has been engaged with the Owners since 2018 and believe they have a reasonable understanding of their concerns. Without prejudice to their position, the Owners have indicated a desire to reach agreement, and the Council shares that objective.

13.3.3 A useful meeting was held with the Owners on 2 February 2024 at which their specific concerns were articulated. They relate in particular to the need for and extent of taking title and whether permanent rights be acquired instead.

- 13.3.4 The Council has considered all the points, reviewed the proposed land take in the Order, and responded to the Owners on 13 March 2024 as follows:

Land Plots

Plot 4 – frontage strip adjacent to A28 Sturry Road

- 13.3.5 The use of this plot is required to make the piped drainage connection from the lagoon to the Sturry Dyke. The existing driveway and its underlying pipe/culvert needs to be broken out and re-provided as a ditch. Both activities will require the existing ditch over this section to be cleared. There will be an ongoing need for maintenance access to the ditch and the piped connection.
- 13.3.6 The area is where the exit from the roundabout rejoins the existing Sturry Road and there is also a need to connect the shared footway/cycleway with the existing footway. The ditch is lower than the footway and some minor retaining works and protection may be required.
- 13.3.7 The Owners are concerned that if the Council take title this will lead to a staggered frontage to their title. However, in practical terms, it is the ditch whether it be the western Plot 4 section in the Council's title or the remaining eastern section in the Owners title that represents the frontage to the property. The frontage is currently open and if the Owners had a future desire to have a permanent boundary wall or fence it would inevitably be straight and run along the house side of the ditch.

Council's Offer

- 13.3.8 The Council has informed the Owners that it would be willing to make some minor design changes and also overcome the level aspects by slightly extending the pipe before it discharges into the ditch. On that basis, the Council would be willing to not acquire title and to redesignate Plot 4 as a permanent rights plot. Although the Council's need is primarily for the duration of the construction period, it will be necessary for the Council to retain a permanent right of access in case of any maintenance of the lagoon drain pipe connection is required.

Plot 11 – Eastern Boundary

- 13.3.9 The eastern boundary of Plot 11 follows the line of the embankment on the approach to the viaduct. It includes a narrow margin along the bottom of the embankment slope for construction of a filter drain to intercept run-off from the slope. The margin also provides walking

space for access for maintenance of the embankment slope, filter drain, and the landscape plating.

- 13.3.10 There is a step in the boundary of Plot 11 with it being closer to the embankment at the southern end and widening out on the northern section before the start of the viaduct. The Council's preferred choice would have been to have the wider access strip over the full length, but that would have marginally extended the boundary beyond the Link Road planning consent Red Line. The Council therefore accepted a narrower strip over the southern section that in turn led to a small step in the proposed acquisition boundary.

Council's Offer

- 13.3.11 The Council has informed the Owners that it would be willing to accept a narrow access strip over the full length of the embankment and reduce the extent of acquisition of title so that it allowed a smooth fence line to be provided along the acquisition side boundary.

Plot 11 – Land under the Viaduct

- 13.3.12 The distance between the river bank and the face of the abutment is 8 metres and this minimum distance is a requirement of the Link Road planning consent. The piled foundations for the abutment extend 4.5metres into this space and this is also the width that would be required for access to inspect and replace the viaduct bearings and the underside of the viaduct. The actual area of unfettered land from the river bank would therefore only be 3.5 metres although access to this area would also be required to inspect the remaining area of the underside of the viaduct. The minimum headroom between existing ground levels and the underside of the viaduct deck is likely to be about 2.5 metres.
- 13.3.13 It is the Council's view that little, if any, beneficial use can be made of the land under the viaduct.

Council's Offer

- 13.3.14 The Council has informed the Owners that it would be willing to reduce the acquisition of title so that it just includes the 4.5metre strip in front of the abutment required for the abutment foundations. The remaining 3.5 metres to the river bank could be redesignated as a permanent rights plot with access always being available to the Council.

Plot 14 – Half Width of River under the Viaduct

13.3.15 The justification for acquiring title was the same as for Plot 11 – land under the viaduct.

Council's Offer

13.3.16 However, on a similar basis to Plot 11, the Council would be willing to redesignate Plot 14 as the acquisition of permanent rights.

Plot 15

13.3.17 While primarily required to allow construction of the viaduct, a permanent right will need to be retained over this half width of the river so that it is available for the Council to lower a gantry from the Link Road to inspect the underside of the viaduct deck.

Offer Summary

- Plot 4 – change from acquisition of title to acquisition of permanent rights.
- Plot 11 – reduce the area of acquisition of title so that it would allow a smooth fence line along the acquisition side boundary.
- Reduce the extent of acquisition of title under the viaduct and retitled Plot 11A.
- The effects of the above would be to have a corresponding increase in the area of acquisition of permanent rights of Plot 12 and a new Plot 11B for acquisition of permanent rights to reflect the reduced area of acquisition of title under the viaduct.
- Plot 14 - change from the acquisition of title to the acquisition of permanent rights.
- Plot 15 – no change.

13.3.18 The overall boundary of the Order Map would remain unchanged and the reduction in the acquisition of title would be offset by a corresponding increase in the acquisition of permanent rights. The Council would recommend these changes to the Order to the Secretary of State for consideration.

13.3.19 The following paragraphs provide further information as to the Council's response to the Owners concerns:

The New Access from the Roundabout

13.3.20 The new access from the roundabout to the western boundary of the property will be public highway that also serves as maintenance access to the highway drainage lagoons and outfall pipes. The Owners are concerned about the risk of vehicles parking on the access and verge

with the possible intent of the occupants observing the side and rear of the property. Fencing either side of the access had been offered but the Owners were concerned about the 'intrusive prison' like appearance of the suggested fencing.

Council's Offer

- 13.3.21 The Council has offered to provide wooden marker posts at 3m interval or what is called 'knee' or 'diamond' wooden fencing along either side of the access. The vehicular access to the lagoon will be by a simple padlock twin gated barrier.

Width of New Access

- 13.3.22 The Owners were concerned that the width of the new access should be suitable for utility and emergency service vehicles.

Council's Offer

- 13.3.23 The Council has confirmed that the width of the access will be no less than 3.0 metres where it enters the property.

Pedestrian access

- 13.3.24 With the closure of the existing vehicular access that is piped or culverted over the Sturry Dyke and its removal and reinstatement as an open ditch, the Owners were concerned about losing the ease of access for putting out waste bins for collection. The separate pedestrian path has three steps and therefore is not a convenient alternative.
- 13.3.25 The Council is of the view that it is not practicable to remove part of the vehicular access and retain a narrow access where the existing driveway is to be stopped up and removed.

Council's Offer

- 13.3.26 The Council has offered to modify the existing pedestrian path and remove the steps and replace with a ramp with a slope no steeper than 1 in 10. The ramp would be constructed in concrete to match the existing construction and provided to the same width as the existing path.

Provision of New Access Timing

- 13.3.27 The Owners were concerned that there should be continuity of access between removal of the existing access and availability of the new access.

Council's Offer

- 13.3.28 The Council has confirmed that it will not remove the existing vehicular access until the new vehicular access and ramped pedestrian access is completed and available for use.

Embankment side slope

- 13.3.29 The 1 vertical in 2.5 horizontal side slope of the embankment is determined by geotechnical considerations of the existing ground that is also in the flood plain and at risk therefore of exposure to flooding. The side slope also facilitates landscape planting and its maintenance.

Council's Response

- 13.3.30 The Council considers that 1 vertical in 2.5 horizontal is the appropriate side slope and cannot be steepened.

Security

- 13.3.31 The Owners have recently argued for a steeper side slope on the basis of increasing security to their retained land.
- 13.3.32 The Council do not accept that concern as security to the retained land will primarily be achieved by fencing.

Council's Offer

- 13.3.33 The Council has offered to fence the whole of the western side boundary – existing boundary and new Plot 11 acquisition boundary - and has suggested 1.8 metres high close boarded or chain link fencing. Close boarded fencing would seem more appropriate near the house with chain link fencing by the rear paddock on the approach to the river.
- 13.3.34 The Council has confirmed that a hedge will be provided along the back of the Link Road footway along the top edge of the embankment between the northern extent of the lagoon and the start of the viaduct.

13.3.35 Landscaping

The Owners wish to be consulted about the scheme landscaping.

Council's Offer

- 13.3.36 The embankment slope between the Link Road and the property will be planted with native species. The Council has confirmed to the Owners that they will be consulted on the proposals and their views taken into account where possible, but on the understanding that the Link Road landscaping is a Reserved Planning matter (on which they will have an

opportunity to formally comment) and will be decided by the planning authority.

The Link Road Drainage Basins

13.3.37 Surface water from the viaduct roadway and from the embankment section and A28 roundabout cannot be discharged into the River Great Stour for environmental pollution reasons. Surface water will instead be collected in gullies and piped through petrol interceptors to new settlement and holding basins before a controlled moderated discharge is made into an existing ditch known as Sturry Dyke that runs along the north side of A28 Sturry Road.

13.3.38 The storage capacity of the lagoons is designed to accommodate the run -off from a 1 in 100 year storm and the attenuated discharge into Sturry Dyke is designed to reflect the practical capacity of the ditch and minimise the risk of over topping onto adjacent land including the Owners property.

Council's Response

13.3.39 The surface water lagoon location, extent, capacity, shape, and maintenance access requirements are dictated by the drainage requirements and the Council does not consider that these can be changed. The lagoon does not occupy any of the Owners land plots within the Order.

13.3.40 Temporary Fencing

Council's Offer

13.3.41 The Council has advised the Owners that temporary 'Heras' fencing will be provided along the existing side boundary and the boundary of plots 4, 11 and 12 for the duration of the works or until any accommodation works fencing is provided.

Accommodation Works

13.3.42 The Owners have not so far been willing to enter into negotiations for the voluntary acquisition of the land and permanent rights in the Order and hence there has been no complementary discussion about accommodation works.

13.3.43 However, the Council has suggested possible accommodation works.

Council's Offer

- Fencing along the side boundary (existing and along the plot 11 land being acquired) – 1.8m close boarded or 1.8m chain link

fencing or a combination of both ie close boarded near the house and chain link near the river is suggested.

- Electric gates where the new access enters the property. The Council also stated that because of the Owners concerns about security and access to the property and for clarity of responsibility that the Owner arranged for the installation of the electric gates and power supply from the house, with the Council reimbursing the cost, subject to obtaining three quotations, and the Council agreeing the cost before an order was placed.
- Some additional tree planting to infill gaps in the existing screening. They could be planted in the first available season after the construction of the Link Road is confirmed to achieve some maturity before the Link Road opens.

13.3.44 At a further meeting on 19 April 2024, the Owners repeated their concerns about land take, landscaping, and embankment side slopes. There were what the Owners described as remaining 'lesser issues' and the Council asked the Owners to articulate these issues which they did in a letter dated 28 March 2024 prior to the meeting. After the meeting, the Council formally responded in a letter dated 2 May 2024, but other than two issues discussed below, these matters had all been discussed before and the Council's views are given above.

Property Frontage Treatment

13.3.45 The first additional issue was that the Owners referred to a long-standing wish to have a hedge planted along their frontage and that this was something previously requested by their agent at the time. In the response to the Link Road planning application in June 2019, the agent did refer to the need for '*a tall fence along the entire length of the boundary with a native hedge planted behind*'. The Council considers that all parties at the time regarded this as a reference to the western side boundary.

13.3.46 The Council considers that there is no scheme justification for a hedge because with the Relief Road in place, traffic flows along the existing A28 will reduce and the direction of headlights from traffic exiting the roundabout will be pointing away from the property.

Council's Offer

13.3.47 However, to overcome any past misunderstanding, the Council has confirmed that it would be willing to provide a hedge behind the ditch (Sturry Dyke) and within the curtilage of the property.

- 13.3.48 The Council has also stated that because of the Owners concerns about security and access to the property, it proposed that the Owner arranged for the hedge planting and any other off-site planting, with the Council reimbursing the cost, subject to obtaining three quotations, for the plants and 3 years aftercare, and the Council agreeing the cost before an order is placed.

Concern by Owner of Being Treated Differently

- 13.3.49 The Owners consider that they had been treated differently with regard to the land requirements for the south end of the viaduct compared to the north end of the viaduct.

Council's Response

- 13.3.50 The Council do not consider this to be the case as the area for the north end of the viaduct is not within the Order. The land need was part of a negotiated settlement within the Section 106 planning agreement with the Land at Sturry developer. The use of the area is also different in that there is greater headroom, a public right of way and a drainage pipe. A combination of title and rights are being taken which is the offer that the Council has made to the Owners.

Failure to Follow Expected Procedures

- 13.3.51 It is uncertain what the Owners mean by this aspect of their objection as it is not explained or particularised.

Council's Response

- 13.3.52 The Council reserves its position to respond further in evidence to any specific procedural matters raised by the Owners. The Council considers that it has correctly followed statutory processes, and that the Order has been made and progressed in accordance with Government Compulsory Purchase Order guidance.
- 13.3.53 The Link Road scheme has been developed in detail and undergone public consultation. The scheme has been subject to examination as part of receiving planning consent that also includes consultation. The scheme has been reported to the Council's elected members and appropriate authority obtained for key procedural steps such as the adoption of the preferred scheme, making the planning application and more recently authority to publish the Orders. The Orders have been published in accordance with relevant legislation and guidance. The Council has been engaged with the Owners since 2017.

Summary

- 13.3.54 The land acquisition and permanent rights required from the Owners land is at the northern end of their curtilage and represents a small proportion of their overall land holding.
- 13.3.55 The Council considers that the acquisition of land within the Order is the minimum required to deliver the scheme. The Council has also chosen to acquire permanent rights where possible rather than acquisition of title and has responded proactively to issues raised by the Owners. The Council proposes the amendments to the Order as set out above in order to minimise the impact of the Link Road on the Owners' property.
- 13.3.56 The Council has made various offers with regard to the new access details, the provision of a ramped pedestrian access and suggested accommodation works including fencing and electric gates, and off site planting.
- 13.3.57 The Council has agreed to consult the Owners and take their views into account, where possible, before finalising the Link Road landscaping details before submission to the planning authority for Reserved Matters consent.
- 13.3.58 The Council considers that it has made realistic efforts to address the Owners concerns.
- 13.3.59 The Council has made offers in respect of reducing the extent of acquisition of land and an equivalent increase in the acquisition of permanent rights , together with an offer of hedge planting along their existing A28 Sturry Road frontage.

14. PLANNING STATUS

Link Road – CA/21/01854 (KCC/CA/0136/2021)

- 14.1 The A28 Link Road scheme was submitted as a regulation 3 of the Town & Country Planning Act General Regulations 1992 planning application to the County Council's Planning Applications Group in April 2019. The application was supported by an Environmental Impact assessment.
- 14.2 The application was refused by the Planning Committee in March 2021 because they considered that the proposals did not make adequate provision for public transport infrastructure, failed to demonstrate that navigation on the River Great Stour would not be compromised, and that the proposals for the A28/A291 junction did not make adequate provision for local traffic movements.

Appendix H Letter from the Council to [REDACTED] 2-7-24



[REDACTED]
Perryfield Farm
Sturry Road
Canterbury
Kent
CT2 0AA

Highways & Transportation

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

By Hand

Phone: 07740 185252
Ask for: John Farmer
Email: john.farmer@kent.gov.uk
Project email:
sturrylinkroad@kent.gov.uk

2 July 2024

Dear [REDACTED]

RE: A28 Sturry Link Road – CPO and SRO

In my covering letter with the Statement of Case dated 27 June 2024, I said that I would write separately following your letter dated 5 June 2024.

I apologise if my 'two line' letter came across rather bluntly. My only concern, knowing the problems we have had with Royal Mail was that you might have replied and I had not received it and I just wanted to make you aware if that was the case.

Richard and I share your wish to reach agreement but I think that we are, to a large extent, in your hands as to when and how you wish to proceed.

From our perspective, we consider we have moved a long way to address many of your concerns as articulated in past letters and presented in the Statement of Case.

On the scheme landscaping, we have said that the detail is a reserved planning matter that will need to be approved prior to construction. We have offered to consult you at that time prior to finalising and submitting to the planning authority. Would it perhaps help if you suggested now what landscaping you would like to see and we could consider?

On the embankment side slopes, you say that it has never been 'rationally justified', but I believe we have explained several times and in detail the reasoning for the chosen side slopes.

On the plots aspects under the viaduct, we have said that we will reduce the extent of taking title by taking permanent rights over the area 3.5m back from the river bank.

In your letter, you said that you had not had sufficient time to obtain professional views and I wonder if you are now in receipt of those? You also said that there were other issues, but you did not explain what they were.

I think a further meeting has to be the way forward and, if you agree, perhaps you could offer me some suggested dates.

On a related subject, I am aware that we have not progressed discussions about the possible level of compensation and terms for the acquisition of the land and rights. Prior to you de-instructing [REDACTED], it was my understanding that you had agreed to such discussions starting and including an inspection of the property for valuation purposes. I think that it would be helpful to both of us to resurrect this aspect and I confirm that subject to prior approval, KCC will reimburse the reasonably incurred fees of any new agent you instruct and I would be grateful if you would consider this.

Yours sincerely

A handwritten signature in black ink that reads "John Farmer". The signature is written in a cursive, flowing style.

John Farmer
Projects Manager - Major Capital Programme