



MDSC/JAR

06 December 2016

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Dear Sir/Madam

Richborough Connection – Response for Deadline 9 – Your Ref: EN020017

Planning Act 2008 (as amended)

Infrastructure Planning (Examination Procedure) Rules 2010

1.0 Pylons PC7 – PC10 Revised Drawings

Item 8 in the letter dated 29th November 2016, asked Interested Parties to respond on the drawings submitted by the Applicant for Deadline 8, showing the sag levels and positioning for pylons PC7 –PC10.

We have throughout the process reiterated, that where possible pylons should be located as close to the boundary as possible. With this in mind we would suggest that Drawing: PDD – 21497 – 2 – OHL – 0432 provides the best possible solution from a practical farming perspective.

On the land owned and occupied by Mr Mansfield this is however insignificant, compared with the issue of sag/clearance over poly tunnels. The restrictions contained within the voluntary agreements and Part 1 of the Book of Reference (Document 3.3) will prevent the erection of poly tunnels. This is supported by guidance issued by the Health and Safety Executive.

2.0 Restrictions

Further to the representation made by the National Farmers Union and Richborough Agents for Deadline 8 it has become apparent that the restrictions contained within the Book of Reference (Document 3.3) and implemented by Section 21 (1) of the Development Consent Order have not been amended by the Applicant and remain wholly unacceptable.

REP2-047 (item 1.1) outlines the fact that the Applicant must only acquire rights which are necessary and proportionate. The restriction contained within the Book of Reference Class 1 (e) restricts the growing of any plant (which would include agricultural and horticultural crops) within the Land.

This restriction is not necessary and is deemed disproportionate; therefore the applicant does not fulfil the criteria as set out in Section 122 of the Planning Act 2008 and should not be granted consent to compulsorily acquire rights over land.

Yours faithfully



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