

CASE : Application by Highways England for an Order Granting
Planning consent for the proposed junction 10a, M20 Motorway

Final representations following on from my presentation
to the Compulsory Purchase Hearing held on the morning
of Thursday 18th May 2017

on behalf of

Mrs Emma Jones, Mrs Joanne Covell-Burger and Ms Katherine Covell
(as beneficiaries of the Estate of Marianne Clunies-Ross dec'd)

and

Mrs Carol House, Mark Aspinall and Jeremy Smith

by

David H Lowe

During the course of the Compulsory Purchase Hearing held on the morning of Thursday 18th May the representatives of Highways England disclosed the following information

1. That the surface water outfall pipe I had focussed on and which they had previously given me to understand would be serving the Stour Park Development is in fact part of the highway's surface water drainage system.
2. That negotiations with Friends Life, the Stour Park Developers, relating to various land related issues were at an advanced stage and that one of the rights to be incorporated will be the grant of an easement allowing Friend's Life to construct a surface water outfall connection to Aylesford Stream solely to serve the Stour Park Development.

They tabled a plan showing the route of this second outfall which showed that the drainage pipe will also cross the land (Plot 3/2/b) that is being compulsorily acquired from my clients.

As a result I maintain that all my arguments and suggestions remain relevant although they should be treated as applying to the actual outfall pipe intended to serve the South Park Development rather than the one originally referred to.

Rather than extend this submission unnecessarily by repeating what I said at the Hearing may I suggest that, excluding the opening two paragraphs, the main part of my presentation remains in place for your consideration.

To this end I am attaching a copy of the text of my presentation to the Hearing.

Finally I wish to make it clear that if the transfer documentation does not contain a restrictive covenant blocking the construction of the outfall pipe that is intended to serve the Stour Park Development then my clients wish to formally object to the Compulsory Purchase Order on the grounds that the Acquiring Authority are intending to use those powers for something that is different from the purpose for which those powers are to be granted