

From: [REDACTED]
To: [James Bunten](#); [A30 Chiverton to Carland Cross](#)
Subject: Deadline 9 Response from The Harvey Family
Date: 30 July 2019 14:32:22

Deadline 9 Response from The Harvey Family

8.28 RESPONSE TO FURTHER INFORMATION REQUESTED BY THE EXAMINING AUTHORITY ON

22 JULY 2019

2 Responses to the Examining Authority's Request for Further Information

4.3.1 e Pennycomequick

Dear Sir/Madam

The Applicant repeats the mantra that “... works on this stream are required as part the new scheme for Highways England to maintain the stream and the associated culverts and drainage outfalls”. They also claim that “This maintenance may require works that are not just related to access, but also include physical works to the stream, such as that which may be required to remove a blockage”.

The stream (Plot 8/2c) crossing our meadow takes surface water from the existing A30 and will not service the new A30 or its infrastructure:

- There will be no culverts or outfalls associated with the new A30 or the proposed attenuation pond draining into the stream on our land or above our land.
- The suggestion of clearing blockages is bogus; there has been no sudden blockage during the 37 years of our ownership, nor could there be given the size of the carrier pipes feeding the stream and the fall of the land. Doubtless there will be a gradual build-up of silt, hence our existing offer of a maintenance easement in connection with the existing A30.

We submit that the Applicant has not demonstrated that acquisition is necessary in any respect in order to construct and maintain the new A30. Since the stream is not necessary for, or incidental to the development, the requirements in s.122 of the Planning Act 2008 have not been met. We respectfully request that the Examining Authority disallow acquisition of either the freehold or permanent rights over plot 8/2c.

We accept that the stream must be maintained since the existing A30 drains into it and we have carried this out ourselves or have permitted access to allow more major works since our purchase in 1982. An easement was offered by us to Highways England to allow access for future maintenance in connection with the existing A30. Despite requests from our lawyers to progress this, the matter has been delayed by Highways England’s lawyers. The Applicant should be encouraged to ‘energise’ their legal department.

Yours faithfully

The Harvey Family