

From: [REDACTED]
To: [A585 Windy Harbour to Skippool](#)
Subject: Re: A585 Borrow Pits (20 acres) and Road Land (10 acres) West of Lodge Lane Bridge Singleton (Margaret Smith) ref WHSK-AFP170 / AFP325
Date: 11 July 2019 22:26:25

[REDACTED]

Sent from my iPad

On 11 Jul 2019, at 22:04, EDWARD CLARKE [REDACTED] wrote:

Att Max Wiltshire examining inspector (apologies if some of the contents of this email are not for planning consideration but we beleive they are applicable in principle to the compulsory purchase of the land and compensation payable)

Having the authority of the above landowner also as a family member and director of the land tenants i would re iterate my concern as noted at the meeting re the correct potential out of sequencing nature of the meeting as titled .

Having attended the compulsarry purchase hearing on 3rd July (CAH1) also having spoken at the hearing i would like to confirm our thoughts re the full purpose of the meeting by its title before affected landowners offers had been formally fully agreed .

As previously noted the discussions are at an advanced stage re the proposed 10 acre road land aquasition that forms a diagonal strip through our 30 acre arable field . This leaves 8 and 12 acres either side currently defined as "temporary" Borrow Pits . The formal values have not to date been agreed for the borrow pits land rental .

Regarding the proposed 20 acre "borrow pit" land which i understand from the meeting and submitted planning paperwork despite being designated "borrow pits" this land will be returned without exception to its original owners in full and as soon as practically possible after the road construction . We assume the land could be temporarily acquired for up to five years duration .

We also acknowledge schedule 2 article 29 ? that on road completion the land will be reinstated to a condition agreed with the land owner . Compensation would also be payable for any terminal detriment against its original usage / condition / value . We understand that its a planning pre requisit for the road scheme that any "land not used for road build route reinstatement" document will be fully agreed and must be place before any works commence . This document has yet to be issued .

The 'borrow pits' land have been currently valued in our opinion well below good commercial agricultural land expected return values at just basic land rental values . This also in terms of the borrow pit title equates to approximately 1Pence sterling per anum per tone of material removed . I estimate from the planning before and after section documentation drawings that the proposed material removal from the borrow pits is in excess of

400,000 m³ making the current basic rental offer somewhat derisory . We own the land and understand mineral rights for the land and looking at the borehole material analysis documentation submitted with the planning documentation we believe a reasonable amount of material could have the potential of being classed "quarried" material .

Within the UK "borrow pits" rules and section 17 we object to the fact that quality materials may be present and removed being replaced in part or in full with less quality materials without fair and reasonable rent compensation to the owner .

Question

1 can we sell the material to the contractor or will section 17 remove this option .

2 can we within section 17 apply for a license and or planning to remove the material , as most but not all objections would similarly apply to Highways England's proposals or under this same section do we have to accept / forced to accept the current derisory offer .

3 can any accepted offer of compensation be re visited within the usual six year acquisition period if the removed materials are found to be quarry quality materials , at the meeting it was stated that the acquisition date is the valuation date ?

4 re the safeguarded route / landowners plans for family and the future generation livelihoods . The land is currently farmed by a third generation farming family with proposals for the fourth generation to soon continue . The road proposal will potentially-

A remove the landowners rights (restricted safeguarded route planning restrictions) to apply to build a farm house / develop the land at the already established smallholding

B remove half the current smallholding full acreage thus potentially removing the current smallholding status(insufficient land to sustain a farming income) when applying for a dwelling under domestic / agricultural dwelling status .

Edward Clarke