

THE DEVON COUNTY COUNCIL
A380 SOUTH DEVON LINK ROAD (KINGSKERSWELL BYPASS)
COMPULSORY PURCHASE ORDER 2008
AND
THE DEVON COUNTY COUNCIL A380 SOUTH DEVON LINK ROAD
(KINGSKERSWELL BYPASS) SUPPLEMENTARY COMPULSORY PURCHASE ORDER
2009

The Highways Act 1980
and the Acquisition of Land Act 1981

1. Notice is hereby given that the Secretary of State for Transport, in exercise of her powers under the above Acts, on 1 December 2011 confirmed with modifications The Devon County Council A380 South Devon Link Road (Kingskerswell Bypass) Compulsory Purchase Order 2008 and The Devon County Council A380 South Devon Link Road (Kingskerswell Bypass) Supplementary Compulsory Purchase Order 2009 submitted by Devon County Council.
2. The orders as confirmed provide for the purchase for the purposes of:-
 - (a) the construction and improvement of a highway between A380 Penn Inn Roundabout and the A380 Hamelin Way in the Parish of Newton Abbot, the Parish of Kingskerswell and the Parish of Abbotskerswell, all in the District of Teignbridge and in the County of Devon, and in the ward of Shiphay with the Willows in the Unitary Authority of Torbay;
 - (b) the construction of highways to connect to the aforementioned highway with the existing road system at Aller in the Parish of Kingskerswell in the District of Teignbridge in the County of Devon;
 - (c) the construction of other highways and improvement of existing highways in the vicinity of the route of the above mentioned highway in pursuance of the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (Side Roads) Order 2008 and the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (No. 2 Side Roads) Order 2009;
 - (d) the provision of new means of access to premises in pursuance of the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (Side Roads) Order 2008 and the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (No 2. Side Roads) Order 2009;
 - (e) the diversion of watercourses and the carrying out of other works on watercourses in connection with the construction and improvement of highways and the provision of new means of access to premises aforesaid;
 - (f) the use of land in connection with the construction or improvement of a highway or with the carrying out of works authorised under the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (Side Roads) Order 2008 and the Devon County Council (A380 South Devon Link Road (Kingskerswell Bypass) Classified Road) (No. 2 Side Roads) Order 2009;
 - (g) mitigating the adverse effect which the existence or use of the highway proposed to be constructed or improved will have on the surroundings thereof; and
 - (h) giving in exchange for certain land at Kingskerswell Down Common required in connection with the construction and improvement of the highway referred to at (a)

above of the land and the new rights described in the Schedule hereto.

3. A copy of the orders as confirmed by the Secretary of State for Transport and of the maps referred to therein have been deposited at:-
Main Reception, County Hall, Topsham Road, Exeter EX2 4QD.
Devon County Council Area South Highway Management Offices, Devon House, Brunel Road, Newton Abbot TQ12 4PB
Torbay Council at Town Hall, Castle Circus, Torquay, TQ1 3DS
and may be seen at all reasonable hours.

It may also be viewed online at <http://southdevonlinkroad.co.uk/>

4. The order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the orders may, by application to the High Court, within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the orders is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the orders.

THE SCHEDULE

LAND AND THE NEW RIGHTS COMPRISED IN THE ORDERS AS CONFIRMED

In the Parish of Newton Abbot in the District of Teignbridge

Part of Ben Stedham's Wood to the north east of St Marychurch Road opposite Aller Brake Road.
Part of Penn Inn Plantation to the south west of St Marychurch Road and north east of Aller Brake Road.

Part of the grounds of the Church of Jesus Christ of Latter-day Saints to the south east of Penn Inn Roundabout. Part of the front gardens of properties known as Wywurree and Penn House. The right to construct and maintain a retaining wall in grounds of the Church of Jesus Christ of Latter-day Saints. The right to construct and maintain a retaining wall in the front gardens of properties known as Wywurree and Penn House.

Planted grassed verge between Torquay Road and Addison Road. Partly wooded grass bank to the east of Sainsbury's Store. Part of Sainsbury's Store car park and car park access road. Part of footway, exit road and access road to service yard of Sainsbury's Store. Partly wooded grass bank to the south of Sainsbury's Store. The right to construct a new culvert in Sainsbury's Store and petrol filling station entrance, exit and car park. The right to construct and maintain a retaining wall in Sainsbury's Store car park, service yard and partly wooded grass bank. The right of access in Sainsbury's Store service yard and staff car park for the construction of drainage.

The right to construct and maintain a retaining wall in Network Rail land to the east of the track bed of the London to Penzance railway line and west of Torquay Road. The right to construct and maintain a drainage system in Network Rail land to the east of the track bed of the London to Penzance railway line and west of Torquay Road. Part of Network Rail land to the east of the track bed of the London to Penzance railway line and north of the existing Aller Brook culvert. The right to construct and maintain a culvert in Network Rail land being part of the London to Penzance railway line north of the existing Aller Brook culvert. Part of Network Rail land to the west of the track bed of the London to Penzance railway line and north of the existing Aller Brook culvert. Part of Network Rail land to the west of the track bed of the London to Penzance railway line and south of Keyberry Mill. Pasture land to the west of the London to Penzance railway line and south of Keyberry Mill. Pasture land to the south west of the London to Penzance railway line and north east of CLS Laundry. The right to construct and maintain drainage pipes and chambers in pasture land to the south west of the London to Penzance railway line and south of the existing Aller Brook culvert. Pasture land to the west of the London to Penzance railway line farm access bridge and

east of Aller Brook. Embankment to farm access bridge across the London to Penzance railway line to the west of the railway line. The right to demolish farm access bridge in Network Rail land to the west of the A380 Torquay Road. The right of access in pasture land to the south west of the railway line and east of CLS Laundry for the construction and maintenance of a flood bank, culvert and to plant and maintain landscape areas. The right of access on existing track to the east of Kingskerswell Road and to the south east of CLS Laundry for the construction and maintenance of a flood bank, culvert and to plant and maintain landscape areas. The right of access in part of grounds of CLS Laundry to the east of Kingskerswell Road and to the north east of CLS Laundry for the construction and maintenance of a flood bank, culvert and to plant and maintain landscape areas.

Part of rear gardens of 19 St Luke's Road, 17 St Luke's Road, 15 St Luke's Road, 13 St Luke's Road, 11 St Luke's Road, 9 St Luke's Road, 7 St Luke's Road, 5 St Luke's Road, 3 St Luke's Road, 1 St Luke's Road, 2 Aller Park Road, 4 Aller Park Road, 6 Aller Park Road, 8 Aller Park Road, 10 Aller Park Road, 12 Aller Park Road, 32 Aller Park Road, 34 Aller Park Road, 36 Aller Park Road, 38 Aller Park Road, 40 Aller Park Road, 42 Aller Park Road and 44 Aller Park Road. Part of front gardens of 1 Aller Brake Road and 2 Aller Brake Road. The right to construct and maintain a retaining wall in the front garden of 2 Aller Brake Road. The right to construct and maintain a retaining wall in the rear gardens of 2 Aller Park Road, 4 Aller Park Road, 6 Aller Park Road, 8 Aller Park Road, 10 Aller Park Road, 12 Aller Park Road, 14 Aller Park Road, 16 Aller Park Road, 18 Aller Park Road, 20 Aller Park Road, 22 Aller Park Road, 24 Aller Park Road, 26 Aller Park Road, 28 Aller Park Road, 30 Aller Park Road, 32 Aller Park Road, 34 Aller Park Road, 36 Aller Park Road, 38 Aller Park Road, 40 Aller Park Road, 42 Aller Park Road and 44 Aller Park Road.

Footpath between Nos. 40 and 42 Aller Park Road. The right to construct and maintain retaining walls on footpath between Nos. 40 and 42 Aller Park Road. Part of woodland and access track in Royal Aller Vale Quarry to the east of Torquay Road. The right to construct and maintain a retaining wall in woodland in Royal Aller Vale Quarry.

Embankment to farm access bridge across the London to Penzance railway line to the west of Torquay Road. Part of Network Rail land between Torquay Road and the London to Penzance railway line, north of Aller Cottages. The right to construct and maintain retaining walls in Network Rail land west of Torquay Road and to the north of Aller Cottages. House and garden of 1 Aller Cottages to the west of Torquay Road. Properties known as Nos. 2 to 6 Aller Cottages to the west of Torquay Road.

In the Parish of Abbotskerswell in the District of Teignbridge

Part of Network Rail land being part of the London to Penzance railway line to the north east of Langford Bridge. The right to construct and maintain a culvert in Network Rail land being part of the London to Penzance railway line to the north east of Langford Bridge. Pasture land to the north east of Langford Bridge and south west of Aller Brook. The right to construct and maintain Aller Brook diversion channel in pasture land to the north east of Langford Bridge and south west of Aller Brook. The right of access in pasture land to the north east of Langford Bridge and south west of Aller Brook for the construction and maintenance of a culvert and drainage channel. Pasture land to the north east of Langford Bridge and east of Kingskerswell Road.

In the Parish of Kingskerswell in the District of Teignbridge

Part of Network Rail land to the east of the track bed of the London to Penzance railway line to the north east of Langford Bridge. The right to construct and maintain a culvert in Network Rail land being part of the London to Penzance railway line to the north east of Langford Bridge. Pasture land being part of Manor Farm to the west of Torquay Road, south of Aller Cottages and east of the Exeter to Torquay railway line. Part of field to property known as the Barn Owl and pasture land to the south west of Torquay Road and south east of Aller Road. Half width of lay-by and entrance to café and Zig Zag Quarry to north east of Torquay Road. The right to cleanse, widen, deepen and maintain a ditch in pasture land being part of Manor Farm to the north west of Aller Road and north of Aller Orchard. Part of garden and orchard of the property known as Aller Orchard, Aller Road. The right to construct and maintain a culvert in the garden and orchard of the property known as Aller Orchard, Aller Road.

Part of Network Rail land being part of the Exeter to Torquay railway line to the west and south of Aller Cottages and north of Aller Bridge. The right to construct and maintain a tunnel in Network Rail land being part of the Exeter to Torquay railway line to the west and south of Aller Cottages and north of Aller Bridge. Network Rail land being part of the Exeter to Torquay railway line to the north of Aller Bridge. The right to construct and maintain a bridge in Network Rail land being part of the Exeter to Torquay railway line to the north of Aller Bridge. The right to construct and maintain a culvert in Network Rail land being part of the Exeter to Torquay railway line to the north of Aller Bridge.

Pasture land being part of Manor Farm to the west of the Exeter to Torquay railway line, north of Aller Road and north east of Kingskerswell Road. Kingskerswell Road to the south east of Langford Bridge. Aller Road and south western embankment of Aller Bridge between Aller Bridge and Aller Cross. Pasture land to the south and east of Aller Cross and east of Old Newton Road and half width of Old Newton Road. Property and grounds known as Hazelbank, Old Newton Road to the south west of Aller Cross and half widths of Kingskerswell Road and Old Newton Road. Pasture land to the south of Kingskerswell Road and west of Old Newton Road and half width of Kingskerswell Road. Pasture land to the south of Kingskerswell Road and west of property known as Elmsleigh and half width of Kingskerswell Road. Property and gardens known as Elmsleigh, Old Newton Road to the south west of Aller Cross and half width of Old Newton Road. The house, outbuildings and part of the grounds of Elmcroft Nursery and half width of Old Newton Road. Part of garden to the house known as Trees and half width of Old Newton Road.

Arable land, part of access track to Yannon Lane landfill site and half width of Old Newton Road to the south of Elmcroft Nursery. Arable land to the west of Old Newton Road and to the west and south of the property known as Woodlands. Pasture land to the west of the property known as Woodlands. The right to construct and maintain badger fencing and to drill horizontal boreholes on arable land to the south of access track to Yannon Lane landfill site.

Pasture and arable land to the west of Old Newton Road and Foredown Lane and to the north of Maddacombe Road and northern half width of Maddacombe Road. Part of access track connecting Yannon Lane landfill site and Yannon Lane. Part of woodland to the north west of the property known as Kynance. The right of access on access track to Yannon Lane landfill site to plant and maintain landscape areas. Part of grounds of Foredown Farm house and pasture land in the grounds of Foredown Farm and northern half width of Maddacombe Road. The right of access on Yannon Lane to plant and maintain landscape areas. The right to construct and maintain badger fencing and to drill horizontal boreholes in pasture land to the west of Foredown Lane. The right to construct and maintain a supplementary water supply to the mill leat at St Mary's Church in pasture land to the west of Foredown Lane and on the western half width of Foredown Lane. The right of access on access track connecting Yannon Lane landfill site and Yannon Lane to plant and maintain landscape areas. The right to construct and maintain badger fencing in woodland to the north west of the property known as Kynance. The right of access on access track to the north of properties known as Kynance, High View, Woodfield and Three Corners to plant and maintain

landscape areas.

Southern half width of Maddacombe Road to the north of Kerswell Down Common Land. Part of Kerswell Down Common Land to the south of Maddacombe Road. Old stone quarry to the south of Kerswell Down Common Land. Part of garden of property known as Rock House to the south of Maddacombe Road and southern half width of Maddacombe Road. Pasture land and part of Churchway Lane to the south of Maddacombe Road. Part of orchard to the south west of property known as 5 Greenhill Road. Part of pasture land to the north west of Churchway Lane. Part of woodland to the north west of Churchway Lane. Pasture land, outbuilding and paddock to the south of Churchway Lane and to the south west of the property known as Spring Cottage.

The right to construct and maintain a drainage ditch on pasture land to the south of Churchway Lane and west of Greenhill Road. Pasture land to the west of Greenhill Road and half width of Greenhill Road. Part of grounds and entrance of United Reformed Church to the north west of Yon Street and half width of Yon Street. House and grounds of property known as The Cott, 8 Yon Street and north western half width of Yon Street. The right to construct and maintain new ditch and regrade and maintain existing ditch in pasture land to the south west of Greenhill Road. The right to construct and maintain a headwall in pasture land to the south west of Greenhill Road. The right to construct and maintain a retaining wall in pasture land to the south west of Greenhill Road and to the north west of Yon Street. The right to install and maintain ground anchors on the south western half width of Edginswell Lane adjoining 1 Huxnor Road. The right to install and maintain ground anchors in pasture land to the north west of Yon Street. The right to construct and maintain a retaining wall in pasture land to the north west of Yon Street. The right to install and maintain ground anchors in pasture land to the north west of Yon Street. The right to construct and maintain a retaining wall in the grounds of the United Reformed Church to the north west of Yon Street. The right to install and maintain ground anchors in the grounds of the United Reformed Church to the north west of Yon Street. Pasture land to the west of Huxnor Road and western half width of Huxnor Road adjoining 2 Huxnor Road.

Part of garden of 33 Yon Street and part of adjoining field and half width of Yon Street and Edginswell Lane. Pasture land to the south east of Yon Street and to the north east of Edginswell Lane. Eastern half width of Huxnor Road adjoining 3 Huxnor Road. The right to install and maintain ground anchors in the south western half width of Edginswell Lane adjoining 3 Huxnor Road. Eastern half width of Huxnor Road and western half width of Edginswell Lane adjoining properties numbered 1 and 3 Huxnor Road.

Garden and parking area of No. 47 Daccabridge Road to the south west of Kings Court. The right to construct and maintain a flood relief channel on vehicle access and parking area belonging to 47 Daccabridge Road. Part of access track being part of the property known as Overbridge House between 53 Daccabridge Road and half width Daccabridge Road. Daccabridge Road and verges fronting the property known as 53 Daccabridge Road. House, garage and grounds of property known as 53 Daccabridge Road. Part of alleyway forming part of the property known as Overbridge House between 53 Daccabridge Road and garage and half width of Daccabridge Road. Part of playground and path to the north east of the Exeter to Torquay railway line and south of Daccabridge. Part playing field to the north east of the Exeter to Torquay railway line and south of Daccabridge. The right of access on access road, car park and Kingskerswell playing field to construct and maintain a flood relief channel and a culvert. Partly wooded stream bank (Edginswell Stream) to the west of the Exeter to Torquay railway line.

Network Rail land being part of the Exeter to Torquay railway line to the east of the track bed and north west of Manor Drive. Network Rail land being part of the Exeter to Torquay railway line to the west of the track bed and north west of Manor Drive. The right to construct and maintain a culvert in Network Rail land being part of the Exeter to Torquay railway line to the north west of Manor Drive.

Pasture land to the east of Edginswell Lane and half width Edginswell Lane. The right to regrade

and maintain existing ditches in pasture land to the east of Edginswell Lane. The right of access in pasture land to the west of the Exeter to Torquay railway line for the construction and maintenance of an attenuation pond and a bypass channel for Edginswell Stream. The right to construct and maintain an attenuation pond in pasture land to the west of the Exeter to Torquay railway line. The right to lay and maintain drainage pipes in pasture land to the west of the Exeter to Torquay railway line. The right to construct and maintain a bypass channel for Edginswell Stream in pasture land to the west of the Exeter to Torquay railway line.

Pasture land adjoining the west of the Exeter to Torquay railway line to the west of Manor Drive. Network Rail land to the east of Edginswell Stream and to the west of the rail track of the Exeter to Torquay railway line. The right to modify an existing culvert under the rail tracks in Network Rail land to the west of Manor Gardens. The right to construct and maintain outfall pipe and headwall to existing Edginswell Stream in Network Rail land to the west of the rail track of the Exeter to Torquay railway line and on the west of Manor Gardens. Pasture land being part of the grounds of Cleveland House, 1 Edginswell Lane. Network Rail land being woodland to the west of the Exeter to Torquay railway line and east of Edginswell Stream. Pasture land to the west of the Exeter to Torquay railway line and to the north and east of Ganders Park. The right to regrade and maintain an existing ditch in pasture land to the west of the Exeter to Torquay railway line and to the east of Ganders Park.

In Shiphay with the Willows Ward Torbay Unitary Authority

Western embankment of Parson's Bridge footbridge across the Exeter to Torquay railway line to the north west of Kerswell Gardens Roundabout. Pasture land and part of footpath to Parson's Bridge to the west of the Exeter to Torquay railway line and north of Hamelin Way. The right to construct and maintain an attenuation pond to the west of the Exeter to Torquay railway line and to the east of Edginswell Lane. The right of access in pasture land to the east of Edginswell Lane for the construction and maintenance of an attenuation pond. Part of access track and pasture land to the south west of Edginswell Lane and north west of Hamelin Way. Land used as a timber yard to the south west of the Exeter to Torquay railway line and north west of Hamelin Way. The right to construct and maintain a bridge on Network Rail land being part of the Exeter to Torquay railway branch line to the north of Hamelin Way. Pasture land to the east of the A3022 and to south east of Kerswell Gardens Roundabout. Pasture land and wooded area on the south east of Hamelin Way and to the east of Edginswell Lane.

Dated 3 February 2012
(Ref. CTD/A18837)

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