



The Planning Inspectorate

Application by Highways England

M25 Junction 10 / A3 Wisley Interchange Improvement project

The Examining Authority's first written questions and requests for information (ExQ1)

Issued on 20 November 2019

The following table sets out the Examining Authority's (ExA's) written questions and requests for information - ExQ1. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 15 October 2019. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies. Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with a 1 (indicating that it is from ExQ1) and then has an issue number and a question number. For example, the first question on air quality and human health is identified as Q1.3.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team, please contact:

M25junction10@planninginspectorate.gov.uk and include 'M25Junction/ExQ1' in the subject line of your email.

Responses are due by Deadline 2: 18 December 2019

Abbreviations Used

AEOI	Adverse Effects on Integrity
ALC	Agricultural Land Classification
Art	Article
BoR	Book of Reference
CA	Compulsory Acquisition
CEMP	Construction Environmental Management Plan
CPRE	Campaign to Protect Rural England
CRoW	Countryside and Rights of Way
dDCO	Draft Development Consent Order
EA	Environment Agency
EBC	Elmbridge Borough Council
EM	Explanatory Memorandum
ES	Environmental Statement
ExA	Examining Authority
GBC	Guildford Borough Council
HE	Highways England
HistE	Historic England
HRA	Habitats Regulations Assessment
LAs	Local Authorities in whose areas the Proposed Development is located, ie Elmbridge Borough Council, Guildford Borough Council and Surrey County Council
LIR(s)	Local Impact Report(s)
NE	Natural England
NFU	National Farmers Union
NMU	Non-Motorised Users
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OLEMS	Outline Landscape and Ecological Management Strategy
OTMP	Outline Traffic Management Plan
PA2008	Planning Act 2008
Proposed Development	The NSIPs comprising the M25 junction 10/A3 Wisley interchange Scheme (TR010030)

PRoW	Public Right of Way
R	Requirement
RHS	Royal Horticultural Society
RR(s)	Relevant Representation(s)
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SCC	Surrey County Council
SoCG(s)	Statement(s) of Common Ground
SPA	Special Protection Area
SPA MMP	Special Protection Area Management and Monitoring Plan
TA	The Applicant's submitted Transport Assessment
TP	Temporary Possession
WPIL	Wisley Property Investments Limited

Question to:		Question:
1.	General	
1.1.1	Applicant	Some, but not all Environmental Statement (ES) topic chapters, confirm that the basis of the assessment has either been the Proposed Development description contained at Chapter 2 or the Scheme Layout Plans. Please confirm that all ES topic chapters have based their assessment on the submitted Scheme Layout Plans, Works Plans and Engineering Drawings and Sections.
1.1.2	Applicant	Please also confirm whether the submission of Revision 1 of the Scheme Layout Plans and the Works Plans would give rise to any revisions to the assessment of effects presented in the Environmental Statement
1.1.3	Applicant	<p>a) Section 4.9 of Chapter 4 of the ES [APP-049] provides an overarching methodology for the assessment of effects. Please confirm which of the significance categories shown in Table 4.2 of ES Chapter 4 are deemed to be 'significant' for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>b) Within the ES some residual effects are referred to as being 'not expected to be significant with appropriate mitigation measures in place' (for ease of reference see Register of Environmental Actions and Commitments (REAC) [APP-135]). Please be more explicit as to whether appropriate mitigation could be provided to avoid significant adverse effects from arising.</p>
1.1.4	Applicant	Please provide a copy of the Scheme Layout Plans annotated with works numbers to enable cross referencing to the draft DCO.
1.1.5	Applicant	Paragraph 1.2.6 of the Introduction to the Scheme Layout Plans [APP-012] and Note 5 on the Scheme Layout Plans states that the information shown on the plans is commensurate with the preliminary design status of the project, and

Question to:		Question:
		that detailed design would follow consent for the Proposed Development. Please confirm what assumptions have been made in respect of the design of the mitigation measures in assessing the residual effects of the Proposed Development.
1.1.6	Applicant	The REAC [APP-135] and Outline CEMP [APP-134] both refer to a number of management and other plans which are to be prepared. Please present a 'roadmap' which demonstrates the hierarchy of these plans, how they will operate together and the mechanism/s for their review, finalisation, implementation and monitoring.
1.1.7	Applicant	Please provide an updated copy of the REAC [APP-135] with the dDCO referencing expanded to show the relevant Requirement which will secure each mitigation measure.
1.1.8	Applicant	Please confirm that while the submitted application includes two NSIPs if the Secretary of State was to grant the DCO then the consented development would be implemented as a single project.
1.1.9	Applicant	Please provide a 'Key Legend' for the whole of the suite of Engineering drawings that comprise examination document [APP-014].
1.1.10	Applicant	With respect to cross referring the proposed carriageway surfacing to be undertaken, as stated in various of the Works Numbers listed in Schedule 1 of the dDCO [APP-018], with the notations for the numbered works on Sheets 1 to 31 of the Works Plans [APP-007] it is difficult to determine the geographical extent of the carriageway surfacing works. The applicant is therefore requested to submit drawings showing the geographical extent of the carriageway surfacing works in a more explicit drawn form. This would also assist in

Question to:		Question:
		differentiating the parts of the Scheme that it is proposed would be surfaced with or without low noise road surfacing materials.
1.1.11	Applicant	To differentiate Works 25 and 25(a) and 28 and 28(a) referred to in Schedule 1 of the dDCO [APP-018] more clearly and for reasons of drafting consistency used elsewhere in Schedule 1 Works Nos 25 and 28 should be redrafted so that they are written as a multi-part set of works.
1.1.12	Applicant	The ES in various chapters, refers to the monitoring of certain design elements being undertaken, for example at paragraph 13.13.4 of Chapter 13 [APP-058]. Please explain what is meant by this and if it concerns monitoring of the effectiveness of the Scheme's operational design and the undertaking of remedial works, how that would be secured under the Requirements of the dDCO.
1.1.13	Applicant	The ES states that assessments described in Chapter 13 are based on study areas established using 'professional judgement, knowledge and best practice'. The Applicant is requested to explain the reasons in support of the defined study areas listed in Table 13.2 and how these relate to the expected zone of influence of the Proposed Development.
1.1.14	Applicant	Please provide a revised version of Figure 13.1 which shows the object ID for each of the residential properties, local businesses and community assets. This will help clarify the identification and exact location of the features listed in Tables 1.1 – 1.3 of [APP-124].
1.1.15	Applicant	Chapter 13 of the ES [APP-058] provides limited information as to the age of the baseline data used to inform the assessment. Therefore, please confirm the

Question to:		Question:
		<p>age of the following items of data and why they are considered to be representative of the existing situation:</p> <ul style="list-style-type: none"> • list of residential dwellings (Appendix 13.1 of the ES)[APP-124]; • list of community assets and PRoW (paragraph 13.7.5 of the ES and Table 13.22)[APP-058]; • list of local businesses and organisations (paragraph 13.7.21 of the ES); • list of affected agricultural holdings (Table 13.30 of the ES); and • list of land allocated for development or covered by an existing planning permission (Table 13.21 of the ES)
1.1.16	Applicant	The criteria used to establish the magnitude of impacts for the amenity value of private residential properties, land take from community assets, local economy and employment, agricultural soils and non-motorised users are not based on published guidance. Consequently, please explain how these criteria have been derived and what supporting evidence has been used to establish them.
1.1.17	Applicant	Table 13.3 of Chapter 13 of the ES [APP-058] presents four categories of receptor sensitivity. However, the 'significance of effects matrix' presents five categories of sensitivity (Table 13.5 [APP-058]. Please explain the discrepancy, and address whether this affects any of the findings presented in this chapter of the ES.
1.1.18	Applicant	Paragraph 13.6.2 of the ES [APP-058] states that some details in the Outline Environmental Management Plan, Transport Assessment and the operation of the Proposed Development may be unknown or subject to change which may

Question to:		Question:
		result in differing magnitude or significance of effects other than those that are assessed in the ES. Could the Applicant explain to what extent, if this is the case, the ExA can place firm reliance on the conclusions reached in the ES.
2.	Principle and nature of the development, including need and alternatives	
1.2.1	Applicant	RRs from some IPs, for example the Gardens Trust and Painshill Park Trust [RR-014 and RR-021 respectively] have referred to a retained or replacement access at the western end of the park that was provided in earlier iterations of the project design but have been omitted from the scheme that has been submitted. Please justify this approach including why the access route has not been extended to the Painshill Park entrance, and explain how an acceptable level of access would be provided for both emergency and land management purposes.
1.2.2	Surrey Fire and Rescue Service via Surrey County Council (SCC)	<p>a) Please advise what is the current primary access route that would be used by the Fire and Rescue Service in the event of there being a fire at the Grade II* Listed Gothic Tower within Painshill Park that required attendance by a fire appliance or appliances?</p> <p>b) Please advise whether the stopping up of the private access to Painshill Park shown at point E on sheet 6 of 31 of the Streets, Rights of Way and Access Plans [App-008] would or would not mean that there would be an adequate route available for fire appliances needing to attend an incident at the Gothic Tower?</p>
1.2.3	Applicant	In light of the RR from Extra MSA Cobham Limited [RR-013], please clarify the situation regarding the relocation or replacement of the 1.5 mile advanced direction sign for Cobham Services, and clarify what works will take place in proximity of Cobham Services.

Question to:		Question:
1.2.4	Royal Horticultural Society (RHS)	Please provide a copy of your March 2018 technical submission that you refer to in paragraph 10 of your RR [RR-024].
3.	Air quality and human health	
1.3.1	Applicant	The applicant is requested to provide a copy of Highways England Air Quality Strategy (2017) [cited in APP-050]
1.3.2	Applicant, Elmbridge Borough Council (EBC) and Guildford Borough Council (GBC)	For the purposes of assessing the operational effects of the Proposed Development on air quality is the baseline monitoring data that has been relied on the most up to date that could be used?
1.3.3	Applicant and GBC	In view of concern raised by SCC in its RR [RR-004] about the predictions for re-routed traffic passing through Ripley (paragraph 2.2.2), is the estimate for traffic travelling through Ripley of sufficient accuracy to enable the air quality effects for this settlement to have been adequately assessed in Chapter 5 of the ES [APP-050]?
1.3.4	Applicant	What effect would the provision of south facing slips at the Oakham Park junction have on the projected air quality for the area?
1.3.5	Applicant	With respect to the construction effects due to dust it is stated at paragraph 5.10.1 of Chapter 5 of the ES [APP-050] that with the use of 'standard and appropriate mitigation' there is 'unlikely to be a significant effect due to the construction of the scheme'. Please be more explicit as to whether or not adequate mitigation could be provided to avoid a significant construction effect arising from the generation of dust.

Question to:		Question:
		Please provide details of what mitigation measures have been assumed to reach this conclusion and how these measures will be secured (eg through the CEMP).
1.3.6	Applicant	The ExA recognises that with respect to the operational effect on air quality that the Applicant has no direct control over the volume of traffic using either the strategic or local road networks. However, is the Applicant able to provide a greater degree of comfort than the scheme is `... not expected to have a significant effect on human health receptors' [paragraph 5.10.2 of APP-050]?
4.	Biodiversity and Habitats Regulations Assessment	
1.4.1	Applicant	Can you please clarify what data on non-native invasive species was used to inform the assessment under the Habitats Regulations?
1.4.2	Applicant and Natural England (NE)	Please can you provide the ExA with an update on the discussion around the inclusion of the Heathrow Expansion in the scope of the in-combination assessment? Are both of you in agreement with the scope?
1.4.3	Local Authorities (LAs), ie EBC and GBC and SCC	Are you aware of any other plans or developments that should be taken into account in the in-combination assessment?
1.4.4	Applicant	In regard to the assessment of the effects of recreational disturbance in the Habitats Regulations Assessment: Stage 2 Statement to inform appropriate assessment [APP-043], please explain how the conclusions of the assessment of recreational disturbance would be affected if the Cockcrow bridge was not built with the green margin as described. Having regard to your letter of 4 November 2019 [AS-023], please provide comment on how wider approach ramps necessary to the proposed change of

Question to:		Question:
		the 'green element' of the replacement Cockrow bridge would affect the assessment of effects on Thames Basin Heaths SPA.
1.4.5	Applicant	In the Habitats Regulations Assessment: Stage 2 Statement to inform appropriate assessment [APP-043], it is noted that Nitrogen deposition rates during operation are predicted to be below the current baseline levels. This is attributed to technological improvements in vehicle emissions. Can you explain the certainty behind these assumptions applied to the air quality assessment and how precaution has been applied in this regard?
1.4.6	Applicant	Requirement 8 of the dDCO [APP-018] states that compensatory habitat creation measures must be begun prior to the authorised development in the SPA, but does not require them to be completed or to reach any particular stage of completion. R8 does not explain what activities would be counted as 'begun'. It is understood that the ratio of 3:1 SPA enhancement measures are proposed to account for the time period that will elapse before the compensation measures reach their full potential. Can the Applicant explain what proposed programming of the compensation and enhancement works has been relied upon in the assessment?
1.4.7	Applicant	In regard to the compensatory measures proposed, how are the specifics of the programming, for example milestones of completion to be reached in advance of construction of the Proposed Development, to be secured? How will the progress against the programme be monitored and measured and is there any plan for remedial action.
1.4.8	Applicant	Given that the specifications of dDCO R8 are included within the SPA Management and Monitoring Plan (MMP), [APP-105], including timescales, responsibilities, and funding, the ExA considers that this document and its final mechanism of delivery must be specifically stated in the dDCO. Can you revise

Question to:		Question:
		R8 to reflect this, setting out how the final version of the SPA MMP will be delivered.
1.4.9	Applicant, NE and Surrey Wildlife Trust (SWT)	Noting the information in the HRA Reports and the SPA MMP [APP-105] around existing management plans and Countryside Stewardship arrangements for land proposed as SPA compensation land, can the Applicant, NE, and SWT comment on whether the compensation measures and the enhancement measures can be considered to be in addition to the actions that are normal practice for the Thames Basin Heaths SPA.
1.4.10	Applicant	The text content of footnote c on both Screening Matrix 2 and 3 [APP-040] does not match the corresponding likely effect in the matrix. Footnote d for both these matrices is missing a reference to the detailed bat survey information. Can you please provide updated HRA screening matrices addressing these points, and provide both the screening and integrity matrices in a Microsoft Word format
1.4.11	Applicant and NE	Please can you provide an update regarding progress made to address issues raised in NE's RR [RR-020], including in relation to monitoring and management of enhancement measures, re-instatement of temporary land-take, and drainage design, and the level of agreement reached in this regard? Can NE explain the extent to which efforts in this regard affect the conclusions presented in the Applicant's HRA?
1.4.12	Applicant	Please can you confirm to what habitats, species and species groups paragraph 7.8.127 of ES Chapter 7 [APP-052] applies?
1.4.13	Applicant	Please explain what level of agreement has been reached with NE regarding the approach to the assessment of air quality impacts on habitats. In particular, can you explain if there is agreement with regard to the assumption in paragraph

Question to:		Question:
		7.9.27 of ES Chapter 7 [APP-052] that the assessment carried out for designated sites within 200m of the Affected Road Network (ARN) is representative and can be relied upon to understand the effects on other habitats which may be affected by the proposals.
1.4.14	Applicant	If the land take from designated sites and other habitats may be reduced at the detailed design stage, can you provide comment as to how that may affect the proposals for habitat creation and enhancement (ie do you envisage a corresponding flexibility around the habitat creation and enhancement works, in terms of extent, funding or other commitments)?
1.4.15	Applicant	Can you confirm what design parameters for the lighting proposed for the Proposed Development and the proposed environmental barrier fences (noise mitigation measures) have been used to inform the assessment of residual effects on ecological receptors.
1.4.16	Applicant	Please can you clarify what works to the culverts on the Stratford Brook are to be included in the dDCO, detailing the options being considered if necessary, and what works to the culverts have been applied to the assessment of effects on Stratford Brook.
1.4.17	Applicant and Environment Agency (EA)	Please provide an update on the progress of discussions with regards to the proposed detail of mitigation measures associated with effects on Stratford Brook and Bolder Mere.
1.4.18	Applicant	Please clarify how the details of the Precautionary Methods of Working (PMW) for protected species will be approved and secured? Similarly, Chapter 7 of the ES notes the use of an Arboricultural Method Statement to minimise risks to veteran trees. However, it is not clear how this will be approved and secured.

Question to:		Question:
		Can you please provide this information. What are the minimum measures necessary to achieve the mitigation relied upon in the ES?
1.4.19	Applicant	Please provide an explanation (with evidence) that addresses the additional mitigation commitments presented and relied upon in Section 7.10 of the ES [APP-052] and explain how such measures are secured with reference to relevant Requirements in the dDCO or any other legally binding mechanism.
1.4.20	Applicant	It is understood that the details of the bat replacement roost and badger artificial sett will be contained within the respective protected species licence applications to NE, and that precise locations may have been excluded from the Scheme Layout Plans due to sensitivities around this information. Nevertheless, the ExA must be satisfied that the works can be adequately accounted for within the DCO. Can you provide clarity on how these works are described in the draft DCO, and confirm that they are to be located within the Order Limits or land accessible to or within the control of the Applicant.
1.4.21	Applicant	Please clarify the plans for reinstatement of the construction compound at the site of the former San Domenico hotel, and in particular clarify whether this has any overlap or interaction with land to be used for the bat roost replacement and proposals for bat mitigation described in Section 7.10 of the ES [APP-052], with reference to areas of land to be temporarily acquired and permanently acquired.
1.4.22	Applicant	Please comment on the objections raised by the Woodland Trust in its RR [RR-031] due to the loss of ancient woodland and impacts on veteran trees.
1.4.23	Applicant	Please confirm that the protection proposed for veteran trees would comply with Natural England's standing advice regarding a buffer zone of 15 times the

Question to:		Question:
		diameter of the tree or 5 metres beyond the canopy, whichever is the greater distance.
1.4.24	Applicant and Natural England	Whilst you have both agreed that the areas of compensation land can be considered for recommendation to be classified as SPA please provide details of the process by which this would take place. Furthermore, what is the likelihood of this land not becoming SPA and if that were to be the case what implications would this have in terms of the 'compensation' element of the Habitats Regulations?
1.4.25	Applicant	You state that the SPA Management and Monitoring Plan, Appendix 7.19 [APP-105] is a 'working document'. Can you provide details of how this will be taken forward and how detailed proposals will be developed, implemented and monitored. This shall include any methodology you propose for dispute resolution procedures, should the need arise.
1.4.26	Applicant	How are the proposed works as set out in the draft SPA Management and Monitoring Plan to be funded in the long-term, and how is this funding to be secured either within or outwith the dDCO? In addition, provide details of your dispute resolution mechanism for the proposed Steering Group that is referenced in paragraph 7.2.1.11 of [APP-105].
1.4.27	Applicant and RHS	What, if any, is the role of RHS Wisley in the management of the 'C2 Wisley Compensation Land' and how would this be managed and, if required, funded in the long-term?
1.4.28	LAs, NE and Surrey Wildlife Trust	In Appendix 7.11 Great Crested Newts [APP-097], Appendix 7.12 Reptiles [APP-098] and Appendix 7.14 Otters and Water Voles [APP-100] the Applicant indicates the presence of great crested newts, reptiles (including sand lizards) and otters either within, or in close proximity, to the Proposed Development

Question to:		Question:
		site. Do you consider that the Applicant has had sufficient regard to the presence of these species in drafting the Requirements in the dDCO, the Outline CEMP [APP-134], the Landscape and Ecology Management and Monitoring Plan (LEMP)[APP-106], the SPA MMP[APP-105]. If not, then what other measures would you wish to see included?
1.4.29	Applicant	Having regard to your letter of 4 November 2019 [AS-023], please respond to the comments made in [RR-036] about the potential impact of the Proposed Development on toads and the opportunities for mitigation.
1.4.30	Applicant	Please provide details of whether/how the proposed retaining structures (eg Work No. 5(c) and Work No. 47(c)) would be designed so as to enhance biodiversity interests.
1.4.31	Applicant	Having regard to your letter of 4 November 2019 [AS-023], please respond to the view expressed by Surrey Wildlife Trust [RR-027] that the proposed 'green element' to the replacement Cockrow bridge must have a width of 25 metres as an absolute minimum in order to ensure its effectiveness.
1.4.32	Applicant	Please confirm that the replacement Footpath 17 Cockrow overbridge is considered to constitute additional biodiversity mitigation and would not form an integral part of the compensation package in Habitats Regulations terms.
1.4.33	LAs, NE, RSPB and Surrey Wildlife Trust	Please confirm whether or not you are satisfied with the amount, nature and proposals for long-term management of both the SPA compensation land and the SPA enhancement areas. If not, then please state why and explain any other measures you would wish to see included?

Question to:		Question:
1.4.34	LAs, NE, SWT	Are you satisfied with the duration of management/monitoring for each management type as set out in Table 7.2.1 of [APP-105]?
5.	Construction	
1.5.1	Applicant	Please set out the measures you intend to adopt to ensure the effective monitoring of construction impacts and liaison with householders who may be affected by construction operations, such as those residing at Elm Corner.
1.5.2	Applicant	In its RR [RR-025] the Royal Mail has requested that HE or its contractors liaise with it on any road closures, diversions and alternative access arrangements. Please set out how you intend to notify the main local businesses, including the Royal Mail, of any such works that will affect the local road network.
1.5.3	Applicant	Please clarify the process for the development, submission and approval of the various Environmental Control Plans (ECPs), such as those that are listed in paragraph 4.4.4 of the CEMP [APP-018]. How do the ECPs relate to the various management plans and method statements for undertaking the construction works that are detailed in Requirement 3(2)(c)?
1.5.4	Applicant	Please indicate whether details for the fencing and any landscaping of the construction compound(s) and topsoil storage areas would be provided and, if so, how this is secured in the dDCO.
6.	Flood risk, drainage and water management	
1.6.1	SCC and EA	Are you satisfied with the surface water mitigation measures (attenuation ponds and ditches) that are discussed ES Chapter 8 [APP-053] and do you agree with

Question to:		Question:
		the conclusions drawn by the Applicant in regard to the residual effects on surface water and groundwater?
1.6.2	Applicant	Please clarify how the new drainage attenuation ponds and ditches (Work No. 52) that are proposed would be managed in the long-term, including in terms of enhancing biodiversity interests, and how these features would, depending on their location, relate to the management and monitoring that is detailed in the LEMP [APP-106] and the SPA MMP [APP-105].
1.6.3	SCC (as Lead Local Flood Authority)	Is the Lead Local Flood Authority content with the disapplication of any of the legislation referred to in Article 3(1)&(2) of the dDCO [APP-018] for which it is responsible for administering?
1.6.4	Applicant	With respect to surface water drainage what mitigation/compensation is intended to address the increased impermeable area that would arise from the Proposed Development in locations such as: the A245 west of the Painshill roundabout; areas by M25 Junction 10; between the A3 and Wisley Airfield; and by Oakham Park junction/Stratford Brook [paragraph 8.2 of RR-004]?
1.6.5	EA	In relation to paragraph 2.4 of your RR [RR-011] please explain why you consider the submitted Flood Risk Assessment (FRA) [APP-046] has used 'unclear terminology in places' and includes 'a number of assumptions made without supporting evidence'.
1.6.6	Applicant and EA	Further to the EA's RR [RR-011], most particularly paragraph 2.4, please explain why the FRA [APP-046] has or has not made an appropriate allowance for climate change. If an inappropriate allowance for climate change has been made does this have any implications for the assessment of effects included in section 8.10 of Chapter 8 of the ES [APP-053]?

Question to:		Question:
7.	Historic environment	
1.7.1	Applicant	ES Chapter 11 Cultural heritage [APP-056] identifies a 'large adverse effect on the Bell Barrow on Cockrow Hill SAM during the construction stage with this then being a 'moderate adverse effect' during operation. Paragraph 11.10.6 of ES Chapter 11 goes on to state that: " <i>The increased proximity of the junction to the barrow, with the expected increase in traffic and noise, would further erode the ability of the setting to reflect the significance of the barrow as part of a prehistoric funerary landscape</i> ". However, in Table 11.5 of ES Chapter 11, the residual effect after mitigation on this SAM is categorised as 'Slight Adverse'. Please explain and justify this categorisation.
1.7.2	Applicant	On what basis do you categorise any hitherto undiscovered archaeological remains to be of 'low to moderate value' when, as you acknowledge in paragraph 11.8.7 of ES Chapter 11 [APP-056], further assessment is required. Also, please explain your reasoning for the effects of the Proposed Development on as yet unknown archaeological remains would be 'neutral to slight adverse'.
1.7.3	Applicant	Although you have submitted a Desk-Based Assessment [APP-122], please provide a draft Archaeological Written Scheme of Investigation or justify why you consider that one does not need to be provided at this stage.
1.7.4	Applicant	What is the mechanism for determining and agreeing the 'provision for further sub-written schemes of investigation if required' that is referenced in R14(2) of the dDCO?
1.7.5	Applicant	Please set out your proposed consultation and approval process with both HistE and Painshill Park Trust in regard to the submission of full details for all measures that may have an effect of the setting of Painshill Park, such as the design and associated landscaping of the pedestrian bridge, acoustic barriers, lighting columns and signal gantries, the balancing pond and restoration of the land that is proposed to be used as construction compound. Similarly, in regard to RHS Wisley please provide details of your consultation and approval process with HistE

Question to:		Question:
		and RHS Wisley in regard to noise reduction measures, and the design and location of lighting and signal gantries.
8.	Landscape and Visual Impact	
1.8.1	Applicant and LAs	Please confirm what consultations, if any, were held between the Applicant, LAs, the Forestry Commission and NE on baseline conditions. Can you please indicate the extent to which there is agreement with regard to the description of baseline conditions in Chapter 9 of the ES [APP-054].
1.8.2	Applicant	Paragraph 7.6.1 of ES Chapter 7 [APP-052] gives the source of data ancient woodlands as being the Multi-Agency Geographic Information for the Countryside (MAGIC) website. However, government guidance at https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences states that 'Ancient woodland is unlikely to appear on these inventories' and this includes MAGIC. Therefore can you confirm whether all areas of ancient woodland that may be affected by the Proposed Development have been identified in the ES, and if so, how?
1.8.3	Applicant	In its scoping response GBC drew attention to a number of non-designated historic parks and gardens, but only one of these, Foxwarren Park, is referred to in your assessment. Please can you confirm what regard has been given to impacts on the following sites: Ockham Park, Ockham; Dunsborough Park, Ripley; Send Grove, Send; and Sendholme, Send, and please confirm whether there would be any likely significant effects on any of these.
1.8.4	Applicant	Please clarify the numbering of the Veteran, Notable and TPO Trees Tree Protection Plans in the Revision 1 of your Appendix 7.3 Veteran Trees and Arboricultural Impact Assessment document [AS-014] that was submitted to accompany your letter of 5 November 2019 [AS-011] as some refer to 'X of 8' whilst some refer to 'X of 11'.
1.8.5	Applicant	Please confirm that agreement has been reached with LAs in relation to the 1.5km study area that has been adopted and how this relates to the anticipated extent of the Proposed Development. Are you content that all relevant sensitive

Question to:		Question:
		receptors, including those located outside of the study area have been included in the assessment of landscape and visual impacts?
1.8.6	LAs	Please comment on the 1.5km study area adopted for the assessment of landscape and visual impacts.
1.8.7	Applicant	Please confirm whether agreement has been reached with all relevant local authorities regarding the representative viewpoints.
1.8.8	Applicant	Figure 9.8 [APP-072] shows extensive areas of existing woodland to be felled. Please comment on the potential for this loss of woodland to lead to additional views or increased visibility from views already assessed towards the existing road network, in particular at Year 1. Please refer to visual receptors 1, 2 and 15, and any others that may be affected.
1.8.9	Applicant	In the assessment of visual effects at table 9.1.10 of Appendix 9.1 [APP-109], 'introduced' or 'implemented' environmental design measures are relied on for mitigation effects in Year 1, in the cases of a number of receptors. Please confirm what design measures are intended to provide this mitigation, and whether it has been assumed that woodland planting would provide such mitigation at Year 1.
1.8.10	Applicant	In the assessment of visual effects at table 9.1.10 of Appendix 9.1 [APP-109], mitigation planting is assumed to have matured at Year 15. Please confirm what planting mixes and densities were assumed for the various planting types shown on the Scheme Layout Plans [APP-012 and APP-013, and what heights were assumed at Years 1 and 15 of the assessment?
1.8.11	Applicant	Paragraph 2.5.33 of ES Chapter 2 [APP-049] states that areas of temporary possession will be restored sufficiently to be handed back to the respective owner (SCC) with public access reinstated, and that this could be between 2.5 to 4 years after the start of construction. Please confirm if any such areas are to be utilised for landscape mitigation planting and whether the relevant timescales have been taken into account in the assessment of landscape and visual effects at Year 15.
1.8.12	Applicant and Historic England (HistE)	Please provide an update on your progress in compiling a Statement of Common Ground.

Question to:		Question:
1.8.13	Applicant	Please confirm which plans, drawings or design details have formed the basis for the assessment of landscape and visual effects. In particular, what maximum heights AOD have been assumed for overbridges, gantries, retaining walls, earthworks, lighting, environmental barriers and fences?
1.8.14	Applicant	Please confirm, in light of paragraph 9.5.3 of ES Chapter 9 [APP-054] and the Visual impact Assessment at Table 9.1.10 of Appendix 9.1 [APP-109] whether or not views from upper floors of dwelling houses have been included in your assessment.
1.8.15	LAs	Are you content with the list of other developments at Table 9.14 of ES Chapter 9 [APP-054] which were considered for the cumulative landscape and visual impact assessment.
1.8.16	Applicant	In Appendix G.1 Table of the Outline CEMP [APP-134] you make reference to BS55. Please confirm if this reference is correct as the more typical standard would be BS5837:2012.
1.8.17	Applicant	In regard to Appendix G.1 of the Outline CEMP, under the heading of 'Stakeholders' please confirm whether local authorities would also be included in the proposed liaison. Also, in relation to the Outline CEMP please explain how as far as possible' would be determined and whether this would provide sufficient certainty that any future contractor would implement the advice of the relevant consultation bodies.
1.8.18	LAs and HistE	Are you content with the justification provided by the Application in Appendix 1.1 of [APP-078] as to why photomontages of the Proposed Development as viewed from key visual receptors have not be provided despite these being requested in the Scoping Opinion.
1.8.19	Applicant	Please respond to SCC's concern [RR-004] that the landscape mitigation is over-reliant on tree screening.
1.8.20	SCC	Further to your RR [RR-004] please provide details of what other landscape mitigation you would wish the Applicant to consider apart from/in addition to tree screening.

Question to:		Question:
1.8.21	Applicant	SCC in [RR-004] has raised the issue of trees potentially being made more susceptible to wind throw. Please respond to this comment.
1.8.22	Applicant	Table 9.13 of ES Chapter 9 [APP-054] assesses effects on visual receptors at Year 1 and Year 15. Please explain why a Year 15 timeframe has been used and please justify why you consider this would be appropriate to ensure that all the proposed species would have reached a sufficient height/density by Year 15 so as to enable you to draw the conclusions that you have.
1.8.23	LAs	Are you satisfied with the species proposed for planting that are to be decided during detailed design but which are outlined according to National Vegetation Classification types in Table 7.3.1 of the Landscape and Ecology Management and Monitoring Plan [APP-106]?
1.8.24	Applicant	What measures do you intend in terms of landscaping and/or boundary treatments for the proposed construction compounds?
9.	Land use, recreation and non-motorised users	
1.9.1	Applicant and Ockham Parish Council (OPC)	In its RR [RR-002] OPC comments that the redesign of Ockham Bites car park should include the prevention of antisocial behaviour. Please provide details of the measures that are, or you consider should be, provided in this regard?
1.9.2	Applicant	In light of the comments made by SCC in [RR-004] please explain your intentions for the adoption and/or long-term management of the stretches of new or diverted footpath and bridleway that you are proposing to create or amend as part of the Proposed Development.
1.9.3	Applicant	Tables 13.42 and 13.43 of the ES [APP-058] are titled 'Amenity and Severance effects on NMU during construction/operation'. However, the tables appear to only discuss the effects of severance. Can you please explain how impacts on amenity have been addressed in this assessment for relevant receptor groups?

Question to:		Question:
1.9.4	Applicant	With regard to the relevant criteria specified in the ES, please explain why a loss of 12% of the area of Chatley Heath during construction is classed as an impact magnitude of 'minor' rather than 'moderate'?
10.	Noise, Vibration, Dust and Lighting	
1.10.1	Applicant	<p>a) Please clarify whether any part of the 'new or replacement environmental barrier' comprising Work No. 61 in Schedule 1 of the dDCO [APP-0-18] is intended to consist of the noise barriers referred to in paragraph 6.9.10 of the noise chapter of the ES [APP-051]?</p> <p>b) Please notate on the Engineering Drawings and Sections [APP-014] or any of the other suites of drawings the heights for the noise barriers to be installed as part of the mitigation identified within chapter 6 of the ES [APP-051]. The details of the heights for any other highway fences and anti-dazzle fencing should also be shown of the revised drawings that are to be submitted.</p>
1.10.2	Applicant	Please provide the rationale for why the carriageways (presumed to be the main line) within Junction 10 of the M25 are not being surfaced with low noise road surfacing, as variously stated in Chapter 6 of the ES [APP-051], for example in Table 6.21?
1.10.3	Applicant	What is the life expectancy and resurfacing frequency for the proposed low noise road surfacing materials that would be used as the surfacing material for parts of the Proposed Development referred to in ES Chapter 6 [APP-051]?
1.10.4	Applicant	Which Requirement, if any, included in Schedule 2 of the dDCO [APP-018] would secure:

Question to:		Question:
		<p>a) the use of low noise road surfacing materials in the locations shown on any plans to be subject to the certification procedure under Article 44 and/or subject to a detailed design approval under Requirement 5 of the dDCO and the subsequent maintenance of that road surfacing material throughout the operational life of the Scheme?</p> <p>b) the installation of environmental fencing with the purpose of providing noise mitigation, no later than the completion of all of the construction works, and the subsequent retention and maintenance of any such fencing. While Requirement 16 refers to the installation of permanent fencing, it does so only in the context of ensuring that fencing is installed in accordance with the Applicant's manual of contract documents for highway works?</p>
1.10.5	Applicant	Under the 'Do-Something' scenario what level of traffic growth in excess of that projected would there need to be for the predicted noise levels at the noise sensitive receptor locations considered in the Chapter 6 of the ES [APP-051] to be exceeded and for occupiers or users at the receptor locations to experience a significant effect, ie be of a magnitude that the predicted level would change from 'No Observed Effect Level' to the 'Lowest Observed Adverse Effect Level' (LOAEL) or from LOAEL to a 'Significant Observed Adverse Effect Level'?
1.10.6	Applicant	Given the potential for traffic to re-route via Ripley in the absence of south facing slips at the Oakham Park junction, should the effects of the Proposed Development on Ripley's noise climate be assessed and the results of that assessment be included in Chapter 6 of the ES [APP-051]?
1.10.7	Applicant	In projecting the noise climate for the area affected by the Proposed Development for 2037 and beyond has any allowance been made for the

Question to:		Question:
		increasing powering of vehicles by means other than internal combustion engines?
1.10.8	Applicant, EBC and GBC	In relation to the control of construction noise would the need to apply to EBC and GBC for consents under Section 61 of the Control of Pollution Act 1974 equally apply to works being undertaken during the day and night-time periods and not just particularly the night-time as implied in paragraph 6.94 of chapter 6 of the ES [APP-051]?
1.10.9	Applicant	During the constriction period what form might the community liaison referred to in paragraph 6.9.6 of Chapter 6 of the ES [APP-051] take?
1.10.10	Applicant	Paragraph 13.13.4 of Chapter 13 of the ES [APP-054] refers to monitoring which 'should' be carried out. Consequently, please confirm if the monitoring described in this paragraph will be carried out? Would there be a trigger point for remedial action eg in relation to the need for additional noise barriers? How would any such action be implemented?
11.	Pollution, Contaminated land, Geology and Ground conditions	
1.11.1	Applicant	Table 1.2 of the REAC [APP-135] makes reference to a number of actions/commitments that are required before the start of construction. These include matters such as developing a Pollution Prevention Plan, agreeing a Drainage Strategy and designing an Environmental Incident Control Plan. Whilst some of these are specifically referenced in the Outline CEMP, others are not. What is the process for the future authorisation, management and monitoring of these?

Question to:		Question:
12.	Socio-Economic impacts	
1.12.1	Painshill Park Trust	Please explain what you consider the effects on visitor safety and the visitor experience at Painshill Park as a result of the Proposed Development would be, in particular, affected by the loss of the western access on to the A3 without a replacement access track being provided.
1.12.2	Applicant	Please respond to the comments made by The Gardens Trust [RR-014] and Painshill Park Trust [RR-021] about the need for replacement access at the western end of Painshill Park Trust's land ownership for emergency and land management purposes.
1.12.3	Applicant	<p>Clarification is required with respect to what appear to be contradictions in Tables 13.24 and 13.27 with respect to the extent of any temporary and permanent land takes concerning the categories of 'Local businesses and local economy' and 'Development land' in Chapter 13 of the ES [APP-058]. With the way the previously mentioned tables are worded it is unclear whether one of the aforementioned land categories is being treated as a sub-set of the other, as the total land areas for the Feltonfleet School and RHS Wisley quoted in Table 13.24 are different to those quoted in Table 13.27.</p> <p>Please provide an additional table which clearly summaries what the intended temporary and permanent land take areas would be for the premises that are listed in both Tables 13.24 and 13.27. Confirmation should also be provided that for the sites that are only listed in either Table 13.24 or Table 13.27 that the quoted temporary and permanent land take areas are accurate and in the event of any inaccuracy corrected land take areas should be submitted.</p>

Question to:		Question:
1.12.4	Euro Garages	Please provide evidence to justify your assertion [RR-012] that the Proposed Development would render your property unviable as a roadside location to provide motorists' facilities. Please clarify whether this relates to only the existing facilities or includes any future development potential of the site.
1.12.5	Applicant	Please respond to the comments made in the Euro Garages RR [RR-012] concerning the impact on their business.
1.12.6	Applicant	In response to the comments [for example in RR-50 and RR-059] that the Proposed Development would affect the security of both Painshill Park and the residents of Painshill Estate, please set out how this has been assessed in the ES and how security matters would be monitored and mitigated should the DCO be made. With respect to the access for residents of Painshill Park off the Painshill junction roundabout please advise as to whether there is any intention to make any alterations to the gated access.
1.12.7	Applicant and Girl Guiding Greater London West	<p>a) Would the proposed access for the Heyswood Girl Guide Camp, including the location of the secure gate and fencing, provide an appropriately secure access for the camp site?</p> <p>b) If not, how could the access arrangements be amended to improve the security of the access to and from the camp site?</p>
1.12.8	GBG	Please provide a copy of the policy and supporting text concerning the Wisley Airfield allocation included within the Guildford Local Plan of 2019.
1.12.9	Applicant	Table 13.45 of the ES [APP-058] states that users of Feltonfleet School would experience a significant residual adverse effect on amenity, while Tables 13.32 and 13.36 say that no amenity effects are predicted. The Applicant is requested

Question to:		Question:
		to explain this apparent discrepancy and address how it might affect the conclusions reached
13.	Traffic, transport and road safety	
1.13.1	Applicant	Please clarify with respect to the forecast modelling under the 'Do-Minimum' works scenario, whether the effect of implementing the 'Smart Motorway' works at M25 J10, which might otherwise be undertaken as part of the implementation of the wider planned Smart Motorway scheme for J10 to J16, has been excluded from the Do Minimum forecasting, having regard to what is stated in paragraphs 3.5.5 to 3.5.9 and Table 3.2 of the TA [APP-136] and paragraph 5.4.16 of the SoR [APP-022].
1.13.2	Applicant	<p>If the answer to the request for clarification under question 1.13.1 is Yes:</p> <p>a) Does this have any implications for any of the comparative assessments reported in any of the ES Chapters or other applications documents where comparisons have been made between the Do-Minimum and Do-Something scenarios?</p> <p>b) Does the information submitted with the Application provide an accurate forecasting basis for M25 J10's operational performance and the accident rate under a Do Minimum scenario?</p> <p>c) The Applicant is requested to provide evidence concerning road safety and future network performance under a Do Minimum scenario that includes the implementation of Smart Motorway works as part of the planned Smart Motorway works scheme between M25 J10 to J16 for the first operational year following the completion of the Smart Motorway works and 2037.</p>

Question to:		Question:
1.13.3	Applicant	<p>Please clarify whether the 133 accidents on the M25 at J10 between 2012 and 2016 referred to in paragraph 4.2.2 and Table 4.1 of the TA [APP-136] are or are not additional to 171 accidents between 2012 and 2016 stated in paragraph 4.2.3 of the TA, the latter having been identified as part of the 'further local analysis' undertaken within the proximity of J10. This clarification is requested because at paragraph 4.2.4 of the TA it is stated that '... approximately 106 of accidents were on either M25 or A3 main carriageways ...', which suggests that the figure of 171 accidents may include some of the 133 accidents referred to in paragraph 4.2.2 of the TA.</p> <p>In providing clarification on this matter the applicant is requested to explain clearly when reference is being made to accidents in the TA what are the boundaries respectively for: M25 mainline; M25 J10; and the A3 to assist, most particularly, with the interpretation of the information contained within Tables 4.5, 4.6 and 4.7 and paragraph 4.4.2.</p>
1.13.4	Wisley Property Investments Limited (WPIL)	<p>Please provide a copy of:</p> <ol style="list-style-type: none"> a) The 'WSP scheme' for the Ockham Park junction referred to in paragraph 7.61 of the TA [APP-136]. b) The appeal decision referred to by the Wisley Action Group [RR-029]. c) The Transport Assessment or any other document prepared by WPIL in connection with the determination of the appealed planning application that identifies the anticipated vehicular traffic volumes and routing associated with the redevelopment of the airfield. d) The 'Agreed Statement on Progress' of 13 March 2018 concerning the provision of north facing slips at Burntcommon junction referred to in paragraph 2.3.2.5 of SCC's relevant representation [RR-004].

Question to:		Question:
1.13.5	WPIL, SCC and GBC	By reference to a map please provide details of all of the intended, agreed or otherwise, vehicular and non-motorised user access points for the redevelopment of Wisley Airfield.
1.13.6	Applicant	Having regard to the representations made by SCC [RR-004], RHS [RR-024] and WPIL [RR-030] if the Secretary of State was to grant the DCO and then the authorised scheme was to be implemented, could south facing slips at the Oakham Park junction subsequently be installed without detriment to either the free or safe operation of the A3?
1.13.7	Applicant, GBC, SCC and WPIL	Without south facing slip roads at the Oakham Park junction how would traffic originating from the south of this junction and heading for the Wisley Airfield redevelopment site exit the A3 and how would southbound traffic exiting the airfield site join the A3? The responses to this question should include any identified routes being drawn on a map base.
1.13.8	Applicant and WPIL	<p>a) What, if any, interdependency would there be between the implementation of a redevelopment scheme for Wisley Airfield and any development that might be authorised by a road scheme subject to the DCO application?</p> <p>b) Is there any requirement under the provisions of allocation A35 of the Guildford Local Plan of 2019 for south facing slips at the Oakham Park junction to be provided and if so at what stage in the airfield scheme's build out would the slips' need to be available for use?</p>
1.13.9	RHS	Please provide any daily traffic survey data that has routinely been collected or obtained in support of any submitted application(s) since 2015 for vehicles arriving and departing from RHS Wisley. This data, if available, should cover Mondays to Sundays, for the duration of the opening hours for RHS Wisley and should identify for both week days (ie Monday to Friday) and Saturdays and

Question to:		Question:
		Sundays the peak flow times for arrivals/departures at RHS Wisley. If available please provide daily averages as well as data for special event days.
1.13.10	RHS and SCC	In the light of the on-going plans to increase visitor numbers from 1.0 million to 1.4 million per year (the latter being referred to on page 30 of [APP-026]) what daily increase in daily vehicular movements to and from RHS Wisley has been planned for?
1.13.11	Applicant, SCC and RHS	Without south facing slips at the Oakham Park junction what would be the route or routes for vehicular traffic originating from the south and arriving at RHS Wisley or departing from RHS Wisley and having a southern destination? The responses to this question should include any routes being drawn on a map base.
1.13.12	Applicant and RHS	What proportion of the visitors to RHS Wisley arriving by motorised vehicles originate from the south and currently use the left turn from the A3 into Wisley Lane?
1.13.13	Applicant and RHS	<p>a) For 2022 (ie the theoretical opening year for the Proposed Development) in the absence of south facing slips at the Oakham Park junction what additional distance, in vehicle kilometres and miles per year, would visitors arriving at and departing from RHS Wisley need to travel compared with the current situation?</p> <p>b) RHS is requested to explain how it has calculated its estimate for visitors to its gardens generating 2.7 million extra vehicle miles should the Proposed Development be granted consent [paragraph 5 of RR-024]. In doing that RHS should state whether the estimated figure of 2.7 million extra vehicle miles relates to current visitor numbers or to those arising from the planned visitor growth.</p>

Question to:		Question:
1.13.14	RHS	What alternative garden destination(s) might potential visitors to RHS Wisley consider visiting if they thought that the proposed access arrangements were going to significantly increase their journey times and effect a decision as to whether or not to visit RHS Wisley?
1.13.15	Applicant	How many 'U-turn' movements generated by RHS Wisley and the redevelopment of the Wisley airfield have been predicted to take place within M25 J10 by 2037 in the absence of south facing slips at the Oakham Park junction?
1.13.16	Applicant	Having regard to the answer to question 1.13.15 what effect would there be on the predicted accident rate for 2037 within M25 J10 were south facing slips at the Oakham Park junction to be available?
1.13.17	Applicant and SCC	Without south facing slips at the Oakham Park junction for the Do-Something scenario what would the estimated additional daily weekday and weekend two-way traffic flow through Ripley be in 2022 and 2037?
1.13.18	Applicant	A number of IPs, for example Surrey County Council (SCC) [RR-004] and the Royal Horticultural Society (RHS) [RR-024] have made representations about the need for south facing slip roads to be included at Ockham Park junction as part of the scheme. Please provide a justification for why these have not been included in the application and your views on the feasibility of including these slip roads in the project envelope at this stage in the Examination process.
1.13.19	Applicant and SCC	Would any additional traffic flows through Ripley justify any or all of the funding of the mitigation measures referred to in paragraph 2.3.2.5.3 of SCC's RR [RR-004]?
1.13.20	Applicant	What degree of future proofing does the retention of the two lane A3 overbridges within junction 10, as opposed to widened overbridges, provide beyond 2037?

Question to:		Question:
1.13.21	Applicant and SCC	Should the realigned Wisley Lane be the subject of a 30 or 40 mph speed limit, as referred to in paragraph 2.3.4.1 of SCC's RR [RR-004]?
1.13.22	Applicant	With respect to the NSIP works to be undertaken at the at the interface between the strategic and local road networks, for example the installations of new structures and traffic control systems (traffic lights), what are the applicant's intentions for the future maintenance of these matters?
1.13.23	Applicant	What is the justification for the removal of the existing lorry parking laybys on the A3?
1.13.24	Applicant and SCC	<p>In the light of SCC's comments about bus stop locations and bus services [RR-004]:</p> <ul style="list-style-type: none"> a) With respect to the siting of any retained and/or repositioned bus stops would they be conveniently located for bus users and does the Applicant intend that these would be equipped with real time passenger information displays? b) Would there be a need to provide any additional footways to enhance pedestrian accessibility to any retained or repositioned bus stops? c) Would any temporary bus stops during the construction works be optimally located?
1.13.25	Applicant	Please confirm what the proposed access arrangements for the existing Starbucks site are on completion of the Proposed Development and following the return of the site to the land owner.

Question to:		Question:
1.13.26	Applicant	What does 'GEH criteria' stand for? The GEH abbreviation being introduced in paragraph 6.5.4 onwards of the TA [APP-136] and referred to thereafter without being defined.
1.13.27	Applicant	Please advise whether are you content that Stage 1 road safety auditing undertaken to date has been sufficiently comprehensive to address the proposed changes to both the strategic and local road networks?
14.	Waste management	
1.14.1	Applicant	Please detail the measures for sustainable waste management that you propose to adopt during the course of the construction operations, including the provision for the use of recycled aggregates.
1.14.2	Applicant	Is the Site Waste Management Plan (SWMP) that is listed in paragraph 4.4.4 of the Outline CEMP [APP-134] the same document as the Construction Resources Management Plan (CRMP) that is referenced in the REAC [APP-135]? If it is not, then please state how the CRMP is to be secured in the dDCO?
1.14.3	Applicant	Please respond to the issue raised by SCC [RR-004] concerning the capacity of local sites to accept any hazardous waste arising from the construction of the Proposed Development.
1.14.4	Applicant	Please confirm, with reference to Chapter 12 of the ES [APP-057] and the TA [APP-136] whether the assessment contained in ES Chapter 12 on quantities of construction materials and requirement for fill has been taken into account in calculating the anticipated HGV movements during the construction period?
15.	Content of the draft Development Consent Order (dDCO)	

Question to:		Question:
1.15.1	Applicant	Please justify your definition of 'commence' in Schedule 2, Part 1(1) of the dDCO and in particular the inclusion of the following activities: erection of any temporary means of enclosure, receipt and erection of construction plant and equipment, and the diversion and laying of underground apparatus and site clearance.
1.15.2	SCC	Schedule 2, Part 1 (1) of the dDCO refers to the term 'County Archaeologist'. Please confirm that such a post exists within your organisation.
1.15.3	Applicant	Article 7 of the draft DCO [APP-018] states that the vertical limits of deviation are shown on the engineering drawings and sections and allow deviation up to a maximum of 0.5 metres upwards or downwards. In addition, your Response to Rule 6 letter references a change to these limits of deviation. Note 5 on the longitudinal sections within the engineering drawings and sections states that ' <i>All details shown on the longitudinal profile referring to the retaining walls, bridge decks, gantries and culverts are indicative only.</i> ' There is a limited level of information provided on the cross sections and details of gantries environmental barriers and lighting columns are variable or 'typical'. Therefore please confirm where the information on the maximum height of each element of the Proposed Development which has been used as the basis of the environmental assessment is defined, including overbridges, gantries, retaining walls, earthworks, lighting, environmental barriers and fences, including highway fences, noise control fences and anti-dazzle fences.
1.15.4	LAs	Are you content with the definition of 'maintain' in the Part 1(2) Interpretation, and in particular the Applicant's intention that this would include terms such as adjust, alter, improve reconstruct and replace within this definition provided

Question to:		Question:
		that such works do not give rise to any materially different effects to those identified in the ES?
1.15.5	Applicant	Please clarify the intention of your wording of Article 47, the Arbitration clause and explain whether this would also relate to the discharge of any of the Requirements that are contained in Schedule 2, Part 1 of the dDCO.
1.15.6	Applicant	R3(2)(c) refers to 'construction works'. However, this term is not defined in the dDCO. Should it be defined or if not, then should another term such as 'authorised development' be used instead?
1.15.7	Applicant	R3 of the dDCO refers to the submission of a Handover Environmental Management Plan (HEMP). Please provide either an Outline version of this document for this Proposed Development or an approved one from another Scheme and explain how it relates to the CEMP, LEMP and SPA MMP.
1.15.8	LAs and NE	Are you satisfied with the relationship between the CEMP and the HEMP, and that the HEMP would provide sufficient safeguards in regard to environmental protection measures? If not, then please detail what measures you would wish to see specifically included in the HEMP?
1.15.9	Applicant	R4 of the dDCO states that: " <i>No part of the authorised development comprising the alteration or improvement of the M25 or A3 ...</i> ". This would appear to be a narrower definition than that provided for 'authorised development' in the Part 1 Preliminary, Interpretation section. Please explain this.
1.15.10	Applicant	Paragraph 17.4 of the Planning Inspectorate's Advice Note 15 'Drafting Development Consent Orders' provides an example of the unacceptable use of a tailpiece. Having regard to this, please explain and justify the use of the tailpiece that you propose in R5(1).

Question to:		Question:
1.15.11	LAs and NE	Please comment on the proposed wording of R5(1) having particular regard to the tailpiece that would potentially allow for an amended scheme that has not been subject to this Examination process to be approved by the Secretary of State.
1.15.12	Applicant	Please explain how you consider, under the terms of R9(3), a soft verge wildlife crossing could be omitted from the Cockrow Green Bridge whilst also complying with R5(1)?
1.15.13	Applicant	R10, R11 and R12 refer to the commencement of the authorised development only when details have been approved but only in regard to those specific works and not the principal element of the Proposed Development, i.e. the highways works. In light of this, please justify the particular wording you have used in these three Requirements.
1.15.14	Applicant	In response to paragraph 8.1 of SCC's RR [RR-004] is there any intention to include Protective Provisions within the dDCO relating to Ordinary Watercourses for which SCC is the Local Lead Flood Authority?
1.15.15	Applicant and EA	In response to the RR made by EA [section 1 of RR-011] please advise as to what progress is being made to negotiate Protective Provisions that would be acceptable to the EA, given that the dDCO seeks to disapply the legislative requirement to apply to the EA for certain consents.
1.15.16	Applicant	Where not already specifically referenced in any of the other questions from the ExA, please consider the various drafting issues that were discussed during the course of ISH1 and either make amendments to the wording of the dDCO or explain why such drafting changes are considered to be unnecessary. The

Question to:		Question:
		recording for ISH1 being available on the Planning Inspectorate's website for this Proposed Development [EV-003 and EV-004].
16.	Compulsory Acquisition (CA)	
1.16.1	Applicant	<p>The ExA has prepared the annexed Compulsory Acquisitions Objections Schedule (Annex A), which summaries the positions with respect to objections to the proposed CA and TP stated in the submitted RRs.</p> <p>The Applicant is requested to complete and review the entries within this schedule as the examination of the Proposed Development progresses, giving reasons for any additions and changes as negotiations progress with the Affected Persons.</p>
1.16.2	Applicant	<p>The former Department for Communities and Local Government published Guidance related to procedures for CA (September 2013) in 'Planning Act 2008: procedures for the compulsory acquisition of land' (the CA guidance). This states that:</p> <p><i>'Applicants should be able to demonstrate that adequate funding is likely to be available to enable the compulsory acquisition within the statutory period following the order being made, and that the resource implications of a possible acquisition resulting from a blight notice have been taken account of.'</i></p> <p>The Funding Statement [APP-024] gives a combined funding figure of £23.5 million for CA costs and blight compensation. However, no funding figure for CA costs alone has been provided nor has it been explained how the</p>

Question to:		Question:
		aforementioned combined figure has been derived. Please identify the anticipated cost of CA, how this figure has been arrived at, and provide confirmation of how the CA costs are going to be met.
1.16.3	Applicant	Paragraphs 5.97 – 5.103 of the EM [APP-019] indicate how Art 26 of the dDCO [APP-018] provides for the extinguishment of private rights. Please explain how this addresses the CA guidance which, in Annex D, paragraph 10 states: <i>'Where it is proposed to create and acquire new rights compulsorily, they should be clearly identified. The Book for reference should also cross-refer to the relevant articles contained in the development consent order.'</i>
1.16.4	Applicant	<p>The Book of Reference (BoR) [APP-025] includes a number of Statutory Undertakers with interests in land.</p> <p>a) Please provide a progress report on negotiations with each of the Statutory Undertakers listed in the BoR, with an estimate of the timescale for securing agreement from them.</p> <p>b) Indicate whether there are any envisaged impediments to the securing of such agreements.</p> <p>c) State whether any additional Statutory Undertakers have been identified since the submission of the BoR as an application document.</p>
1.16.5	Applicant	The Applicant is requested to review Relevant Representations and Written Representations of any Statutory Undertakers made as the Examination progresses and to prepare at each successive deadline updates, as necessary, a table identifying and responding to any representations made by Statutory Undertakers with land or rights to which PA2008 S127 applies. Where such representations are identified, the Applicant is requested to identify:

Question to:	Question:
	<p>a) the name of the Statutory Undertaker; b) the nature of their undertaking; c) the land and or rights affected (identified with reference to the most recent versions of the BoR and Land plans available at that time); d) in relation to land, whether and if so, how the tests in PA2008 S127(3)(a) or (b) can be met; e) in relation to rights, whether and if so, how the tests in S127(6)(a) or (b) can be met; and f) in relation to these matters, whether any protective provisions and /or commercial agreement are anticipated, and if so:</p> <ul style="list-style-type: none"> i. whether these are already available to the ExA in draft or final form, ii. whether a new document describing them is attached to the response to this question or iii. whether further work is required before they can be documented; and <p>g) in relation to a Statutory Undertaker named in an earlier version of the table but in respect of which a settlement has been reached:</p> <ul style="list-style-type: none"> i. whether the settlement has resulted in their representation(s) being withdrawn in whole or part; and ii. identifying any documents providing evidence of agreement and withdrawal. <p>The table provided in response to this question should be titled ExQ1.16.5: PA2008 s127 Statutory Undertakers Land/Rights and provided with a version number that rolls forward with each deadline. If at any given deadline, an empty table is provided, a revised table need not be provided at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed.</p>

Question to:		Question:
1.16.6	Applicant	<p>The Applicant is requested to review its proposals relating to CA or TP of land and/ or rights and to prepare and at each successive deadline update a table identifying if these proposals affect the relevant rights or relevant apparatus of any Statutory Undertakers to which PA2008 S138 applies. If such rights or apparatus are identified, the Applicant is requested to identify:</p> <ul style="list-style-type: none"> a) the name of the Statutory Undertaker; b) the nature of their undertaking; c) the relevant rights to be extinguished; and/or d) the relevant apparatus to be removed; e) how the test in S138(4) can be met; and f) in relation to these matters, whether any protective provisions and/ or commercial agreement are anticipated, and if so: <ul style="list-style-type: none"> i. whether these are already available to the ExA in draft or final form, ii. whether a new document describing them is attached to the response to this question or iii. whether further work is required before they can be documented; and g) in relation to a Statutory Undertaker named in an earlier version of the table but in respect of which a settlement has been reached: <ul style="list-style-type: none"> i. whether the settlement has resulted in their representation(s) being withdrawn in whole or part; and ii. identifying any documents providing evidence of agreement and withdrawal. <p>The table provided in response to this question should be titled ExQ1.16.6: PA2008 S138 Statutory Undertakers Apparatus etc. and provided with a version number that rolls forward with each deadline. If at any given deadline, an</p>

Question to:		Question:
		empty table is provided, a revised table need not be provided at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed.
1.16.7	Applicant	<p>Paragraph 3.4 of the EM [APP-019] states that the Applicant has chosen not to differentiate between 'associated development' within the meaning of section 115(2) PA2008 and works which form part of the NSIP.</p> <p>a) How does that approach reflect the Guidance on associated development 'Planning Act 2008: associated development applications for major infrastructure projects' (former Department for Communities and Local Government, April 2013)?</p> <p>b) The Statement of Reasons (SoR) [APP-022], paragraph 2.3.1, lists the works necessary to deliver the scheme. Which, if any, of these works. can be identified as associated development?</p>
1.16.8	Applicant	With respect to the powers of Temporary Possession sought under Articles 31 and 32 of the dDCO [APP-018] and referred to in section 3.4 the SoR [APP-022], and to assist with the consideration of whether the extent of the land to be used temporarily is no more than is reasonably required for the purposes of the development to which the development consent will relate, please provide further details to justify the extent of the land sought to be used temporarily. For each area explain why such a size is required and the justification for the extent of the plots proposed to accommodate them.
1.16.9	Applicant	For the avoidance of doubt, what are all the factors that are regarded as constituting evidence of a compelling case in the public interest for the Compulsory Acquisition powers sought for this NSIP and where, giving specific paragraph references, are these set out in the submitted documentation?

Question to:		Question:
1.16.10	Applicant	<p>The SoR [APP-022] in section 5.4 states that there is a compelling case in the public interest for the Compulsory Acquisition.</p> <ul style="list-style-type: none"> a) What assessment, if any, has been made of the effect upon individual Affected Persons and their private loss that would result from the exercise of Compulsory Acquisition powers in each case? b) Where is it demonstrated within the application documentation that the public benefits of the scheme outweigh any residual adverse effects including private loss suffered by individual land owners and occupiers? c) Please demonstrate how such a conclusion has been reached and how the balancing exercise between public benefit and private loss has been undertaken?
1.16.11	Applicant	<p>In the light of the CA guidance, in particular paragraph 8:</p> <ul style="list-style-type: none"> a) How can the ExA be assured that all reasonable alternatives to Compulsory Acquisition (including modifications to the scheme) have been explored? b) Set out in summary form, with document references where appropriate, what assessment/comparison has been made of the alternatives to the proposed acquisition of land or interests in each case.
1.16.12	Applicant	<p>Paragraph 5.5.7 of the SoR [APP-022] states that none of the alternatives or modifications considered would obviate the need for the compulsory acquisition and temporary possession of the Land. The Applicant is asked to provide further detail to substantiate this position.</p>

Question to:		Question:
1.16.13	Applicant	<p>Section 6 of the SoR [APP-022] addresses human rights:</p> <p>a) Where is it demonstrated that interference with human rights in this case would be proportionate and justified?</p> <p>b) How has the proportionality test been undertaken and explain how this approach has been undertaken in relation to individual plots?</p>
1.16.14	Applicant	<p>With respect to the ten Crown land interests (plots 1/13, 1/14, 1/15, 1/18, 1/18a, 1/21, 1/22, 8/28, 8/29 and 8/34) listed in Part 4 of the BoR [App-025], please advise when it is expected that the necessary consent from the appropriate Crown authority to the compulsory acquisition of its affected land will have been obtained.</p>
1.16.15	Applicant and SCC	<p>Please advise when will you conclude the vesting process for the exchange of Common Land subject to the 1979 and 1982 Compulsory Purchase Orders relating to the original construction of the M25 and associated alterations to the A3?</p>
1.16.16	Applicant and SCC	<p>Should the exchange of the Common Land referred to in question 1.16.15 not be concluded prior to the close of the examination on 12 May 2019 then would it be appropriate for ExA to treat the affected land as being Common Land for the purposes of the Commons Act 2006?</p>
1.16.17	SCC	<p>Please provide full copies of the Common Land Register entries, including the rights and definitive maps for Wisley Common and Oakham Common.</p>
1.16.18	SCC	<p>Would any of the proposed TP of Common Land associated with the construction of the Proposed Development constitute any 'interference' of registered rights of common for the purposes of S139(3) of the PA2008?</p>

Question to:		Question:
1.16.19	Applicant and WPIL	Would the proposed land take for the Proposed Development have any adverse effects on the proposals to mitigate Wisley's Airfield's redevelopment on the SPA, including the provision of Suitable Alternative Green Space?

M25 Junction 10 / A3 Wisley Interchange Improvement Project

List of all objections to the grant of Compulsory acquisition OR TEMPORARY POSSESSION powers (ExA: Question 1.16.1])

Obj No.ⁱ	Name/ Organisation	IP/A P Ref Noⁱⁱ	RR Ref Noⁱⁱⁱ	WR Ref No^{iv}	Other Doc Ref No^v	Interest^{vi}	Perman ent/ Temporary^{vii}	Plot(s)	CA?^{viii}	Status of objection
1	Elmbridge Borough Council	20023 006	RR-001			Owner		Various [Applicant to specify plot numbers in subsequent versions of this table]		
2	Surrey County Council	20023 014	RR-004			Owner		Various [Applicant to specify plot numbers in subsequent versions of this table]		
3	Monte Blackburn	20023 013	RR-012			Owner		7/4 and 7/6		

Obj No.ⁱ	Name/ Organisation	IP/A P Ref Noⁱⁱ	RR Ref Noⁱⁱⁱ	WR Ref No^{iv}	Other Doc Ref No^v	Interest^{vi}	Perman ent/ Tempor ary^{vii}	Plot(s)	CA?^{viii}	Status of objection
	Limited (Euro Garages)									
4	Painshill Park Trust	20022 897	RR-021			Lessee/Tenan t		Various [Applicant to specify plot numbers in subsequent versions of this table]		
5	RHS Wisley	20022 887	RR-024			Owner		1/30, 2/21, 2/27, 2/27a, 2/28, 2/28a, 2/28b, 2/28c, 2/30, 2/30a, 10/7, 10/9, 11/1,11/2, 11/2a, 11/3, 11/3a,		

Obj No.ⁱ	Name/ Organisation	IP/A P Ref Noⁱⁱ	RR Ref Noⁱⁱⁱ	WR Ref No^{iv}	Other Doc Ref No^v	Interest^{vi}	Permanent/ Temporary^{vii}	Plot(s)	CA?^{viii}	Status of objection
								11/4, 11/4a, 11/6, 11/16 & 20/5		
6	Wisley Property Investments Limited	20023 003	RR-030			Owner		1/18, 1/18a, 1/22, 1/40, 2/1, 2/1a, 2/1b, 2/3, 2/5a, 2/5b & 2/5c		
7	Amy Barklam	20023 012	034			Owner		23/1, 23/2 & 23/7		
8	The Young Family	20023 009	061			Owner		23/7, 24/1 & 24/2		
9	The Guide Association							7/1, 7/2 and 7/7		

i Obj No = objection number. All objections listed in this table should be given a unique number in sequence.

ii Reference number assigned to each Interested Party (IP) and Affected Person (AP)

iii Reference number assigned to each Relevant Representation (RR) in the Examination library

iv Reference number assigned to each Written Representation (WR) in the Examination library

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- v Reference number assigned to any other document in the Examination library
- vi This refers to parts 1 to 3 of the Book of Reference:
- Part 1, containing the names and addresses of the owners, lessees, tenants, and occupiers of, and others with an interest in, or power to sell and convey, or release, each parcel of Order land;
 - Part 2, containing the names and addresses of any persons whose land is not directly affected under the Order, but who “would or might” be entitled to make a claim under section 10 of the Compulsory Purchase Act 1965, as a result of the Order being implemented, or Part 1 of the Land Compensation Act 1973, as a result of the use of the land once the Order has been implemented;
 - Part 3, containing the names and addresses of any persons who are entitled to easements or other private rights over the Order land that may be extinguished, suspended or interfered with under the Order.
- vii This column indicates whether the applicant is seeking compulsory acquisition or temporary possession of land/ rights
- viii CA = compulsory acquisition. The answer is ‘yes’ if the land is in parts 1 or 3 of the Book of Reference and Highways England is seeking compulsory acquisition of land/rights.