

M25 junction 10/A3 Wisley interchange

TR010030

9.32 Applicant's comments on Joint Local Impact Report submitted by Surrey County Council, Guildford Borough Council and Elmbridge Borough Council

Rule 8(1)(j)

Infrastructure Planning (Examination Procedure) Rules 2010

Planning Act 2008

Volume 9

January 2020

Infrastructure Planning

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010 (as amended)

M25 junction 10/A3 Wisley interchange Development Consent Order 202[x]

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Regulation Number:	Rule 8 (1) (j)
Planning Inspectorate Scheme Reference	TR010030
Application Document Reference	TR010030/EXAM/9.32
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Version	Date	Status of Version
Rev 0	28 January 2020	Deadline 3

1. Structure of document

- 1.1.1 This document sets out Highways England's comments on the Joint Local Impact Report submitted by Surrey County Council, Guildford Borough Council and Elmbridge Borough Council (the Joint Councils) at deadline 2 (18 December 2019).
- 1.1.2 This document is structured in three parts:
- Part one contains Highways England's comments on the matters raised by the Joint Councils in Chapters 1-8 of the Joint Local Impact Report.
 - Part two contains Highways England's comments (insofar as they are not set out in part one above) on the mitigation measures identified by the Joint Councils in Chapter 9 (Assessment of local impact) of the Joint Local Impact Report, together with its comments on the policy accordancy matters raised in the 'Relevant planning considerations' column of the table in chapter 9.
 - Part three contains Highways England's comments on the amendments to the draft development consent order (dDCO) sought by the Joint Councils and identified in the table headed 'Comments on DCO document' in chapter 9.
- 1.1.3 In each case, Highways England has sought to provide comments where it considers that it would be helpful to the examining authority to do so. For example, a response has been given where the Joint Local Impact Report includes a request for further information or clarification from Highways England, or where Highways England considers that it would be appropriate for the examining authority to have Highways England's views in response to a matter raised by the Joint Councils which have not been addressed in its previous written submissions.
- 1.1.4 Where issues raised within the Joint Local Impact Report have been dealt with previously by Highways England, for instance in response to a question posed by the examining authority in its first round of written questions [REP2-013], in Highways England's comments on written representations [REP2-014] or within one of the application documents, a cross reference to that response or document is provided to avoid unnecessary duplication. The information provided in this document should, therefore, be read in conjunction with the material to which cross references are provided.
- 1.1.5 In order to assist the examining authority, Highways England has not provided comments on every point made within the Joint Local Impact Report, including for example statements which are matters of fact and which it is unnecessary for Highways England to respond to, or other minor matters which are not in serious dispute between Highways England and the Joint Councils. However, and for the avoidance of doubt, where Highways England has chosen not to comment on matters contained in the Joint Local Impact Report, this should not be taken to be an indication that Highways England agrees with the point or comment raised or opinion expressed.

2. Part One - Highways England's comments on Chapters 1-8 of the Joint Local Impact Report

Paragraph	Issue	Highways England Response
Chapter 1 Introduction and Terms of Reference		
1.4	<p>The Joint Councils have actively engaged with Highways England during the pre-application period, both jointly and independently and have responded to all previous consultations with comments and concerns. The Joint Councils are disappointed that negotiations for a Planning Performance Agreement (PPA) were not successful with Highways England, as it has meant limited capacity and ability to fully assess the submitted Development Consent Order (DCO) within the timeframes available. The situation is particularly disappointing as Highways England had previously shared a draft PPA Legal document and schedule with the Joint Authorities and made a financial offer that was subsequently withdrawn. Despite this, considerable local authority time and resources have been invested in providing constructive and challenging input to the design with the aim of developing a scheme that would benefit both the Strategic and the Local Road Network and has the least impact on the host authorities and their communities. We feel that this is an important point as it will affect other Highways England DCO's that involve Local/Host Authorities.</p>	<p>Highways England recognise the considerable resources deployed by the local authorities, in particular SCC, in the preparation of the DCO. PPAs were trialled by Highways England for the development of Lower Thames Crossing (LTC), recognising the considerable demand upon the Councils in the area.</p> <p>It should be noted that Highways England does not, as a matter of course, accept that PPAs should be used on DCO Schemes, as HE is itself a publicly funded body. Accordingly, the use of PPAs should be regarded as the exception rather than the norm.</p> <p>Local authorities are obligated to provide some statutory support to Highways England but it is recognised that the work undertaken has been over and above that required to fulfil their statutory duties. In recognition of the benefit provided by SCC's engagement in the development of the Scheme, Highways England is prepared, in this case, to submit a proposal to SCC as the local highway authority, with a view to concluding this matter before the end of the examination.</p> <p>See also Highways England's comments on this matter provided in REP2-014 (see page 23, reference number REP1-020-7).</p>
Chapter 2 Scheme Description		
2.1	<p>2.1 5th bullet refers to: 'two free-flow left turn lanes at Painshill junction'.</p>	<p>It should be noted that the dedicated left turn lane to connect the A3 northbound off-slip with the A245 Byfleet Road westbound carriageway is not proposed as a free-flow lane as described in paragraph 2.1 of the Local Impact Report (LIR). The Scheme includes new signalised pedestrian crossings over this left turn lane and over the northbound off-slip, which means that the left turn lane will not operate as a fully free-flow lane.</p>
Chapter 3 Executive summary		
3.4	<p>SCC considers the current Road Safety Audit (RSA) to be too limited as it does not cover all of the affected LRN.</p>	<p>The Stage 1 Road Safety Audit (RSA) for the Scheme has been carried out in accordance with 'GG 119: Road Safety Audit (formerly HD 19/15) Revision 1' dated January 2019. This document sets out the requirements for road safety audits for schemes on the trunk road and motorway network. The purpose and scope of the RSA report is to describe any road safety problems identified by the road safety audit team in relation to any physical changes being proposed to the highway and to make road safety recommendations where appropriate. The RSA Report provided at Appendix I of the Transport Assessment Report [APP-136] sets out the audit team's recommendations as required by the Guidance.</p> <p>As noted in Highways England's response to comments made on this matter in examination document REP2-014 (see page 38, reference number REP1-020-37), Highways England has carried out an Interim RSA on the final scheme design. This will ensure that all physical changes proposed within the submitted Scheme, including the design modifications that were agreed to be made for the DCO scheme and in response to the Stage 1 RSA carried out on 8 January 2019 have been addressed.</p> <p>The Interim RSA also considered the changes to proposals for non-motorised user routes and changes to the Scheme relating to the A245 Byfleet Road and Seven Hills Road junction.</p> <p>A revised Interim (Stage 1) RSA is currently in progress which will consider the proposed DCO changes that were notified to the Examining Authority [AS-023] on 4 November 2019. A Stage 2 RSA, which is more detailed, will be undertaken at the detailed design stage in accordance with the G119 guidance and will be shared with Surrey County Council (SCC) at the appropriate time.</p>

Paragraph	Issue	Highways England Response
Chapter 4 Characteristics of the local area		
4.2.2 to 4.2.5	<p>4.2.2 There is an Air Quality Management Area (AQMA) in Cobham, location High Street from junction of Hogshill Lane to Church Street, although near to the Scheme it is not located within the Scheme. There are concerns this may be negatively impacted during the construction and operational phases as well as the long-term use of the new road network. There are five NO₂ in this location; two NO₂ monitoring tubes within the AQMA and three in the near vicinity. Another NO₂ monitoring tube is to the south by M25 Bridge, Pointers Lane.</p> <p>4.2.3 Esher High Street AQMA has been identified in the Environmental Statement as potentially being affected by the Scheme, as it is within 200m of the Affected Road Network (ARN). This is one of EBC's most affected AQMA's and as so, there are concerns about the long-term impact in this location.</p> <p>4.2.4 There are also concerns relating to the village of Ripley (within GBC's administrative area) and those properties in close vicinity to the Portsmouth Road and Ripley High Street (B2215). The proposals appear to result in increased traffic movements along this route both in the peak and non-peak hours and has the potential increase noise, vibration, air quality and general disturbance to people and businesses in the properties on this route.</p> <p>4.2.5 These matters are very closely linked, but not indistinguishable to the potential highway impacts identified. It is very likely that a highway and environmental enhancement scheme agreed to address the impacts on the local highway network would also mitigate the impact on these environmental impacts.</p>	<p>The Cobham AQMA is not expected to be affected either by emissions from construction traffic or by emissions of dust raised during the construction period. [see figures 5.9 (sheet 1 of 2) and 5.2 (sheet 1 of 2) of APP-064].</p> <p>During the operation of the Scheme, the Cobham AQMA is not expected to be affected by traffic changes as a result of the Scheme as it is located outside of the air quality study area. [see figure 5.1 (sheet 3 of 5) of APP-064]. The air quality study area is discussed in section 5.4 of APP-050.</p> <p>As noted in the Environmental Statement [5.8.13 of APP-050] the air quality assessment has shown that receptors within the Esher AQMA are expected to have a decrease in pollutant concentrations as a result of an expected decrease in traffic on the A244 with the Scheme.</p> <p>The air quality assessment included the effects of additional traffic travelling through Ripley to and from RHS Wisley. Modelling of this additional traffic showed a small or imperceptible change in pollutant concentrations at receptors near the B2215 (Ripley High Street), which would be below relevant air quality criteria both with and without the Scheme. It should be noted that the air quality assessment was based on the more conservative traffic data from an earlier iteration of the Scheme design, and that both the changes in pollutant concentrations with the scheme, and total pollutant concentrations (traffic component plus background concentration) would be lower with the iteration of the Scheme design as applied for when the DCO application was submitted in June 2019.</p> <p>The potential impacts for road traffic noise levels at Ripley in the operational phase were considered in the wider area assessment, which can be found in paragraphs 6.8.54 and 6.8.55 of Chapter 6 of the Environmental Statement: Noise and Vibration [APP-051]. As stated in paragraph 6.8.54 "In the short-term and the long-term, the Basic Noise Level calculations indicated that for the majority of the roads the changes in road traffic noise levels was negligible according to the impact magnitude criteria in DMRB 11:3:7". Although not mentioned by name, the roads in Ripley were among those where negligible changes were predicted.</p> <p>As no significant environmental effects have been identified as regards the Cobham and Esher AQMAs or at Ripley on account of the Scheme, the need for an environmental enhancement scheme in the way suggested in paragraph 4.2.5 of the LIR cannot be justified.</p>
4.4.8	<p>Natural England has confirmed their acceptance of the proposed replacement land and the designations that this land will be given. The Local Planning Authorities have also assessed the impact of the replacement land and its designation on their SANG zones and raise no concerns about the impact this will have on housing delivery.</p>	<p>Highways England welcomes the local authorities' confirmation that the SPA compensation measures will not affect local plan housing delivery. It is noted that the proposed locations for compensation land have been specifically amended during targeted consultations to avoid any effects on housing delivery or the delivery of SANG in connection with the development of the former Wisley Airfield site.</p>
4.4.10	<p>The Joint Councils consider that the compensation and enhancement measures are appropriate to the Thames Basin Heaths SPA. Through ongoing discussion a number of amendments relating to management and monitoring provisions have been requested, including an extended monitoring period for the translocation of woodland soils, a request for replacement badger sett monitoring and an earlier commencement for detailed botanical monitoring.</p>	<p>Highways England welcomes the local authorities' confirmation that the measures proposed within the Scheme to compensate for its effects on the Thames Basin Heaths Special Protection Area are appropriate. The proposed measures reflect the outcome of extensive engagement with the relevant statutory environmental bodies and the local authorities.</p> <p>The monitoring proposals are described in the Landscape and ecology management and monitoring plan [APP-106] and the SPA Management and Monitoring Plan [AS-015]. Surrey County Council (SCC) have provided their views on both management plans during a workshop in August 2019 and Highways England is willing to agree with SCC that it will incorporate SCC's comments (where these are agreed) in the versions of the management plans submitted to the Secretary of State for approval. There will be an opportunity for SCC to provide any further views on the SPA compensatory and enhancement measures as part of the consultation process under requirement 8 of schedule 2 to the dDCO [REP2-023].</p> <p>Highways England can confirm that the artificial sett will be monitored once it has been installed. This is a requirement of the Letter of No Impediment (LONI) that Natural England issued for the draft badger licence (receipt of LONI for badgers has been recorded on page 16 of the Natural England SOCG [APP-138]).</p> <p>Highways England can confirm that the requests for earlier commencement for detailed botanical monitoring raised by SCC during the workshop in August 2019 will be incorporated in the versions of the management</p>

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		<p>plans submitted to the Secretary of State for approval, as part of the discharge of Requirement 8 of the DCO [see REP2-002].</p> <p>Highways England is satisfied that a 25-year period of monitoring of success of the ancient soil translocation is sufficient to determine if plant species have established. Natural England has reviewed the Landscape and ecology management and monitoring plan, including the proposals for the translocation of ancient woodland soil (refer to Section 3.2.6 of Natural England's relevant representation [RR-020] and is content with the proposed approach.</p>
4.4.9	<p>The Joint Councils have had collaborative discussions with Highways England on the outline Construction Environmental Management Plan (CEMP), Landscape Environmental Management Plan (LEMP) and discussions continue. Confirmation of the approval process and timescales for the finalisation of these documents is now required. The detail of land management agreements and associated commuted sum payments remain to be finalised.</p>	<p>The Construction Environmental Management Plan (CEMP) must be finalised and approved under requirement 3 of the draft Development Consent Order (dDCO) before the works may commence. The final CEMP must be substantially in accordance with the outline CEMP [AS-016] but there will be an opportunity to incorporate points raised by SCC in finalising the document at that stage. SCC (as the local highway authority) has been named as a requirement consultee in the amended requirement 3 [see REP2-023] and the Undertaker is required to have regard to any additional feedback provided by SCC before the final document is submitted to the Secretary of State for approval.</p> <p>The SPA Management and Monitoring Plan [AS-015] will need to be finalised before any part of the authorised development within the boundary of the SPA may commence, in accordance with requirement 8 (1) (g) of the dDCO. There will therefore be an opportunity to update the document to take into account the Joint Councils' and other interested parties' points/additional detail at that stage. SCC has been added as a requirement consultee in respect of requirement 8 (see REP2-023) and the Undertaker will be required to have regard to SCC's feedback before submitting the document to the Secretary of State for approval.</p> <p>The Landscape and Ecology Management and Monitoring Plan [APP-106] will inform detailed submissions made under requirements 6, 7, 8, 10, 11 and 12. All of the requirements in the dDCO relating to environmental mitigation will require the Undertaker to submit schemes for the maintenance, management and monitoring of the proposed environmental measures. In the amended dDCO [REP2-023] SCC has been named as a requirement consultee for all environmental mitigation measures which affect the Council's estate or other statutory functions and therefore any details/comments can be further developed/finalised in consultation with SCC at that stage.</p> <p>See also Highways England's Comments on Written Representations [REP2-014]. On page 44 Highways England confirms (as a comment on reference number REP1-020-64) that there will also be an opportunity for SCC's comments to be incorporated within the final version of the management plans, when seeking approval under the relevant DCO requirements.</p> <p>As regards the issue of commuted sums, Highways England is in discussion with SCC on terms for a legally binding agreement to address a number of issues, including the maintenance and long-term management of environmental mitigation works (see Highways England's comments in REP2-014 as they relate to the issue on page 43, reference number REP1-020-60).</p>
4.4.12	<p>The Green Bridge – The Joint Councils note Change 1 of the proposed DCO changes of November 4th 2019 (AS-023) in respect of the green bridge and welcome the increase in width to 25 metres in order for the bridge to function as a wildlife corridor. The bridge is integral to the scheme in linking the new heathland areas and features in the SPA Management and Monitoring Plan at objective one 'establish and maintain Cockcrow green bridge, providing a wildlife corridor across the new structure which is linked to areas of new habitat creation'. There needs to be detailed monitoring to allow the bridge to prove its ability to link habitats for species and mapping potential connectivity. The Joint Councils ask whether this element is now no longer reliant on funding through Designated Funds. Concerns around maintenance responsibilities for the 'green' element and the associated funding to undertake maintenance remain. SCC consider that if the green bridge is an essential scheme element, maintenance should be dealt within in the same manner as other compensatory mitigation for 'green'/environmental/landscape elements.</p>	<p>The Green Bridge is not required as mitigation for the Scheme's effects but is proposed, subject to securing the necessary designated funds, to address the severance of habitats caused by the existing A3. This is confirmed in paragraph 17.4.4 of the Introduction to the Application and Scheme Description [APP-002].</p> <p>Highways England has also confirmed in its Comments on Written Representations [REP2-014] (see page 42, reference number REP1-020-57) that it will be prepared to accept responsibility for the maintenance of the green verge. Highways England welcomes the local authorities' support for proposals to widen the green verge, again the widened bridge proposal will be subject to securing the necessary designated funds.</p> <p>As to SCC's point on the need for monitoring the efficacy of the green bridge, the SPA Management and Monitoring Plan (see paragraph 7.12.3.4) [AS-015] confirms that monitoring will be undertaken over a period of 10 years and will include measures to assess the vegetation on the green bridge, and utilisation of the green bridge by bats, reptiles, amphibians and invertebrates.</p>
4.5.1 to 4.5.3	<p>4.5.1 SCC has statutory responsibilities as Lead Local Flood Authority and as such have provided the provisions it would wish to see in the Protective Provisions Part 4 for the "Protection of Surrey</p>	<p>Pollution control measures are described within Environmental Statement Chapter 8: Road drainage and the water environment [APP-053] at paragraph 8.9.15. The need for such measures shall be assessed</p>

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	<p>County Council in respect of Ordinary Watercourses". Discussions are ongoing around these provisions. SCC would like to see and approve any enhancements proposed to watercourses as the Consenting Authority. SCC also expect to see details of pollution control in relation to surface water drainage within the DCO.</p> <p>4.5.2 As Lead Local Flood Authority, SCC produces a "wetspot" database which records the location of reported, recurring flood incidents which are unlikely to be solved through business as usual activities. Each wetspot is assessed and scored to reflect the severity of the flood risk. The higher the score, the higher the flood risk. Factors assessed include:</p> <ul style="list-style-type: none"> - Risk to safety - Property flooding - Disruption to critical services - Social and economic impacts - Length and frequency of flooding <p>4.5.3 There are a number of highway wetspots that will be affected by the scheme and SCC require that specific flooding issues are addressed by the scheme in these locations. Any increased run off caused by the scheme in these locations is a concern for SCC as the Lead Local Flood Authority.</p> <ul style="list-style-type: none"> - A245 West bound dual carriageway off Painshill roundabout (high risk wetspot) <ul style="list-style-type: none"> - Areas by M25 and Junction 10 roundabout - Between the A3 and Wisley Airfield - By Ockham roundabout/Stratford Brook (high risk wetspot) 	<p>using the Highways Agency Water Risk Assessment Tool (HAWRAT) and details of pollution controls will be provided at detailed design stage.</p> <p>Based on information taken from the Surrey County Council Interactive Map, there are no unresolved wetspots identified within the DCO boundary. Environmental Statement Chapter 8, section 3.3 outlines the scheme strategy in relation to allowable discharge rates which shall not be increased up to and including the 100 year return period. This is in line with the flood management objectives of providing neutral or better effect on overall flood risk. Further discussions on wetspots will be carried out with SCC during detailed design stage.</p> <p>See also Highways England's comments on Written Representations [REP2-014], to points previously made by SCC regarding protective provisions and the approval of designs relating to works affecting ordinary watercourses (see page 46, reference number REP1-020-69 and REP1-020-71).</p> <p>Highways England and SCC are continuing discussions in relation to protective provisions in respect of ordinary watercourses and hope to reach an agreement on the wording of those protective provisions by close of Examination.</p>
4.5.4	<p>The Joint Councils note that a new drainage pond is proposed for pollution control at Manor Pond, which is welcomed to improve the drainage in this area. As this pond is within the DCO red line boundary we would ask for clarity on maintenance responsibilities for this new facility. Clarity is required on ownership of the land the pond will be on and detail around what will be connected into it. Should it be proposed that SCC take on the future maintenance of this pond we would wish to see details of the specific elements proposed to be adopted (for example outfall structures, pond construction, design details/capacity and interaction with the existing drainage system) along with a suitable agreed commuted sum to cover future maintenance before SCC can agree to any adoption.</p>	<p>A new drainage attenuation pond (Work 52 (I) in the dDCO [REP2-002] is proposed as part of the Scheme as a measure to improve drainage for the widened A245 Byfleet Road. As the A245 forms part of the local road network, the future maintenance of this drainage work will become the responsibility of SCC as local highway authority. The dDCO makes provision to compulsorily acquire the land required for the drainage pond (see plot 8/39 on sheet 8 of the Land Plans [AS-002]).</p> <p>As to SCC's involvement in agreeing the detailed design of the pond and associated outfalls etc, article 12 of the dDCO [REP2-002] provides that the works must be completed to the reasonable satisfaction of the local highway authority. As noted in Highways England's response to SCC's written representations [REP2-014] (see page 41, reference number REP1-020-52), discussions are in progress with SCC on a range of matters, including arrangements for SCC's involvement in the detailed design process. Progress on these discussions will be reported in a Statement of Common Ground (SoCG) with SCC to be submitted at deadline 3.</p> <p>It is not necessary for the dDCO to make provision for the payment of commuted maintenance sums in respect of works affecting or to become part of the local highway network as funding for such activities is funded through other Government channels. This position was set out in Highways England response to SCC's written representations [REP2-014] (see page 43, reference number REP1-020-60).</p>
4.6.1 to 4.6.2	<p>4.6.1 The Landscape and Visual Assessment identifies significant effects during construction and/or operation for a number of landscape and visual receptors. There remains a concern regarding the absence from the methodology of a Zone of Theoretical Visibility (ZTV) model. ZTV analysis is a typical best practice for EIA Development. As the scheme involves extensive felling of surrounding woodland, this assessment is particularly relevant. Similarly it would be reasonable and proportionate that photomontages are produced for a selection of key viewpoints representative of affected receptors.</p> <p>4.6.2 The Joint Councils will be seeking further assurances that the visual impact of the temporary works, such as construction compounds, will be minimised during their use and that these will be fully restored on completion. This must be secured by binding and enforceable conditions or obligations.</p>	<p>The landscape and visual assessment has been undertaken in accordance with DMRB IAN 135/10 (superseded July by LA 104 & 107). A ZTV was produced during the scoping stage for the environmental assessment, which assisted in defining the extent of the study area for the landscape and visual assessment. This was produced to support the design of the Scheme but was not submitted as part of the Environmental Statement. As much of the surrounding area is heavily wooded with relatively few sensitive receptors (relative to the size of the scheme), it was considered that the further development of the ZTV would add little value to the assessment.</p> <p>The Scoping response received from SCC made no request for a ZTV. Photomontages are not a required deliverable under IAN 135/10. This formed part of the reasoning that photomontages were not produced for the Environmental Statement. During Scoping SCC recommended that photomontages be produced; however, it was concluded by the project team that photomontages would have limited value in this heavily</p>

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		<p>wooded landscape. Similarly, given the wooded and contained character of much of the landscape surrounding the interchange, no significant views were identified that would be likely to experience a notable change in view and which would justify the production of photomontages.</p> <p>The restoration of land used temporarily during construction is secured by requirement 17 of the dDCO [REP2-002]. Temporary fencing will be provided in accordance with Highways England's Manual of Contract Documents, as set out in requirement 16. Details of lighting proposed on construction compounds is a matter that will need approval under requirement 3 of the dDCO. The wording of the requirements in the dDCO [REP02-002] has been amended and now provides for SCC to be consulted on matters relating to requirements 3 and 17 before details can be submitted for approval by the Secretary of State.</p>
4.7	<p>SCC officers have met with Highways England, who have confirmed that a programme of archaeological investigation will be carried out in advance of construction in order that appropriate mitigation measures are identified and designed. SCC has not yet seen the detail of a written scheme for the investigation and mitigation of areas of archaeological interest and request confirmation of the timescales for finalisation of this material.</p>	<p>The written scheme of investigation (WSI) is secured as part of the CEMP and REAC. The REAC states that the WSI will cover the geophysical survey, evaluation trenching, and excavation or areas subject to soil stripping and ground disturbing activities, and mitigation through recording in advance of construction. Details of mitigation measures are set out in section 11.9 of the Environmental Statement Chapter 11: Cultural heritage [APP-056]. Furthermore, Requirement 14 of the dDCO makes clear that no part of the authorised development can commence until the WSI has been approved. The WSI will be finalised prior to commencement of the authorised development in order to discharge Requirement 14 of the dDCO.</p> <p>The timescales for the development and finalisation of the WSI will be developed in the detailed design phase, to allow incorporation of the Scheme detailed design in the methodologies contained therein. No specific programme of deliverables has yet been developed. As such, the deadlines are flexible at this point. Requirements CH1.1, CH 2.1, and CH 3.1 of the REAC commitments require the WSI to be developed in consultation with the SCC Archaeologist.</p> <p>See also Highways England's response to this issue in REP2-014 on page 45, reference number REP1-020-68.</p>
4.8.2	<p>SCC notes that the applicant will develop a CEMP. It is recommended that the CEMP has regard to the principles of sustainable construction and waste management and takes account of the approach set out in Policy CW1 – 'Waste Minimisation' of the adopted Surrey Waste Plan (2008/09) and in proposed Policy 4 – 'Sustainable Construction and Waste Management in New Development' of the emerging Surrey Waste Local Plan 2019-2033.</p>	<p>Highways England will adhere to the principles of sustainable construction and waste management. This includes Policy CW1 - 'Waste Minimisation' of the adopted Surrey Waste Plan 2008 and Policy 4 – 'Sustainable Construction and Waste Management in New Development' of the emerging Surrey Waste Local Plan 2019-2033. Highways England acknowledges that these policies should be reflected in the Construction Environmental Management Plan (CEMP) to be submitted and approved under requirement 3 of the dDCO (see REP2-002 Schedule 2). In particular paragraph (2) (c) (vii) requires that a plan for the management of site waste is included within the CEMP.</p>
4.8.5 to 4.8.6	<p>4.8.4 It has been assumed that material consumption and waste generation will be distributed equally across the scheme's construction period. Again, SCC ask how likely this distribution is. Could it be better informed by a Construction Plan containing phases?</p> <p>4.8.5 Contaminated land is not considered to be hazardous waste and further information could perhaps be provided as to why it is not considered to be a waste material (referring to the CL:AIRE Definition of waste). Further detail should also be provided regarding the capacity of facilities to deal with excavated hazardous waste. The applicant should ensure that only sites with the necessary Environment Agency permits and extant Planning Permission for the activity proposed should be utilised.</p> <p>4.8.6 The assessment refers to the topsoil material which is to be reused, or managed at composting facilities. More detail should be provided regarding the available capacity at facilities for this material. The applicant should ensure that only sites with the necessary Environment Agency permits and extant Planning Permission for the activity proposed should be utilised.</p>	<p>Contaminated land and waste are addressed in Chapter 10 - Geology and Soils [APP 055] and Chapter 12 – Materials and Waste [APP 057] of the Environmental Statement . In-situ land, including unexcavated contaminated land, is not subject to waste legislation. There is potential for contaminated land to become a waste, either classified as non-hazardous or hazardous, should it require excavation. Waste is defined by the Waste (England & Wales) Regulations 2011 (as amended). The CL:AIRE Definition of Waste: Development Industry Code of Practice provides a framework to enable excavated materials to be reused as non-waste.</p> <p>A ground investigation is being undertaken and is ongoing. The ground investigation report will provide a preliminary waste classification for excavation wastes that are likely to arise from the Scheme. Excavated material that is not suitable or required for reuse must be assessed, classified and managed in accordance with waste legislation. This will result in a classification as either inert, non-hazardous or hazardous. A management plan for waste shall be developed at the pre-construction stage and in accordance with Schedule 2, Requirement 3 (2) (c) (vii). The plan shall estimate hazardous waste quantities arising from the Scheme and identify suitable waste management routes.</p> <p>As stated in Table 12.1 of the Environmental Statement, waste holder(s) involved in the Scheme must comply with duty of care legislation. This includes appropriate checks to ensure that waste is transferred to facilities that hold the required permit or exemption to receive and manage the waste.</p>

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		The other points raised in paragraphs 4.8.4 to 4.8.6 of the LIR have already been addressed by Highways England in its response to the representations made by SCC. See Highways England's responses set out in REP2-014 (see page 47, reference number REP1-020-72 and REP1-020-73).
4.9.1	Conditions for pedestrians, cyclists and equestrian travellers – The area surrounding the interchange is designated as Common Land and/or Access land and is well used by the public. There are several Public Rights of Way and footpaths of local importance in the vicinity of the M25 J10/A3 Wisley Interchange, some of which cross or interact with the scheme. Discussions with Highways England on Rights of Way issues have generally been productive and overall proposals within the DCO will represent access improvements upon completion.	Highways England welcomes the local authorities' support for the proposed pedestrian, cyclist and equestrian facilities and their confirmation that the Scheme will improve existing conditions for non-motorised users.
4.9.3	To date construction details, including gradients, of new and altered PROWs have not been shown. It is essential that SCC is consulted on these. The specification of the A3 NMU route is particularly important and should incorporate split provision for cyclists on a sealed/smooth surface and equestrians on an unsealed rough stone surface.	<p>The Scheme design has used 5% as the intended maximum gradient for the design of the new routes used by NMUs, in line with the standards set out in the Design Manual for Roads and Bridges (TA 90/05), including local road and access links. Gradients will be checked at detailed design and the proposals refined as necessary to ensure this is the case. As an example, see Sheet 14 of the Engineering Drawings and Sections [APP-014], which shows the profile for Wisley Lane diversion (and the associated bridleway). The new bridleway route along the A3 corridor includes a 3m wide sealed surface suitable for use by road cyclists and an unsealed surface suitable for equestrian use. The detailed design, specification and construction proposals will be developed during the next stage of the project and SCC will continue to be involved in this as local highway authority.</p> <p>Further information on proposed widths and surfaces of proposed new NMU routes is provided in Schedule 1 of the dDCO [REP2-002] and on the cross-sections contained in Engineering Drawings and Sections [APP-014].</p> <p>See also Highways England's response to these issues in REP2-014 (page 36, reference number REP1-020-29).</p>
4.9.7	<p>An application has also been submitted for Highways England designated funds for feasibility work for a complementary package of non-motorised user improvements in areas surrounding the M25 junction. This was successful, however due to funding availability these complementary schemes are currently on hold but it is hoped that an application can be resubmitted in due course to further build on NMU improvements within the DCO. The package comprises four schemes:</p> <ol style="list-style-type: none"> 1. A high quality cycle route between West Byfleet station and RHS Wisley; 2. Upgrading provision for walking and cycling between Cobham and the Painshill junction; 3. A high quality cycle route on the A245 between the junctions with the Seven Hills Road and Chertsey Road, building on the improved NMU provision to be included as part of the DCO; 4. Controlled crossing at Ockham Park junction and high quality pedestrian and cycle provision from the junction into Ripley via B2215. 	The Applicant notes the Joint Councils' support for the schemes and record of events regarding funding availability. It is the intention of Highways England to apply for funding to continue to develop these schemes, subject to Designated Funding being made available in Highways England's Roads Investment Strategy 2 (RIS 2).
4.9.11	The service confirm that a standard fire appliance can gain access to the Gothic Tower using the internal access route across the Park. This route is considerably longer than the route from the access gate on the A3 to the Gothic Tower. Due to the topography of the site around the Gothic Tower deployment of aerial appliances for high level firefighting is not possible. So the question of access for these vehicles via the A3 gate is not a relevant consideration. The Gothic Tower does not present a sleeping risk and has fire detection fitted so the risk to life from fire is low.	<p>This paragraph confirms Highways England's understanding of the position as regards the low risk to life from fire at the Gothic Tower and that as aerial appliances for high level firefighting cannot be deployed to the Tower, the question of an emergency access from the A3 is not a relevant consideration for the Scheme to address. A standard fire appliance can gain access via the Park itself.</p> <p>See also Highways England's response on this point made in document REP2-014 (page 39, reference number REP1-020- 41 and page number 72, reference number REP1-032-2).</p>
4.9.12	The Joint Councils notes that the proposed development would likely increase the 'miles travelled distance for many of the visitors to RHS Wisley who travel to the site by private car and make comment on the traffic impacts in chapter 7. RHS Wisley is a nationally significant visitor attraction and its future development and success is important locally. Accordingly, the Joint Councils sympathise with the view of the RHS, that the proposals will increase travel times to and from the gardens. As highway authority, SCC accepts that this must be balanced against the highway safety	Highways England has considered the implications of the additional travel miles, both in relation to the environment and in terms of any economic impact on the Gardens. Reference should be made to Highways England's Transport Assessment Supplementary Information Report [REP2-011] which sets out (in chapter 2) the changes in travel distances likely to be incurred by visitors as a result of the Scheme. In addition, reference should be made to Highways England's responses to written representations set out in document REP2-014 (page 79, reference number REP1-038-2 , page 80, reference number REP1-038-4 and page

Paragraph	Issue	Highways England Response
	<p>and capacity improvements which would also be of benefit to the county. The Joint Councils would therefore expect to see demonstrated that the proper consideration of the additional travel miles has been properly assessed in terms of its environmental impact and any economic impact on the gardens, and the Borough, has been duly considered and appropriate mitigation provided.</p>	<p>83, reference number REP1-038-7) which provide further analysis on changes in journey distances likely to be attributable to the Scheme, environmental effects (air quality and the SPA) and implications for RHS's business.</p> <p>Highways England accepts that the Scheme will increase journey distances for people travelling to Wisley Lane compared with the current situation, but as recognised by the Joint Councils this needs to be balanced against the significant benefits that the Scheme will deliver in terms of providing a safer junction between the A3 and Wisley Lane. For the 50% of RHS visitors travelling from the north, the Scheme will increase return journeys by approximately 1.6 miles/2.6km in total, adding approximately 2.3 minutes to total return journey times in the do-something scenario (inter-peak). This is set out in table 2.1 of the Transport Assessment Supplementary Information Report [REP2-011]. For the 21.4% of trips to RHS Wisley from the south and which currently access directly from the A3 northbound, the Scheme will increase return journeys by approximately 5.2 miles/8.4km in total, adding approximately 7.2 minutes in total to those return journeys once the Scheme is in place (in the interpeak). If some of the 21.4% of trips from the south choose to route via Ripley instead of following the signposted route through M25 junction 10, their total journey distances will be 2 miles/3.2km less than at present and approximately 5.1 minutes longer in total return time (in the interpeak). During peak periods, trips to and from Wisley Lane from the north will benefit from the improved journey times that the Scheme will deliver through the M25 junction 10/A3 Wisley interchange, which will be likely to offset any additional time incurred as a consequence of the increased distances, although clearly most visitors to RHS Wisley travel during the inter-peak period.</p> <p>RHS Wisley Gardens is, as the Joint Councils note, a nationally significant visitor attraction and the addition of between 2.3 and 7.2 minutes on affected journeys, is unlikely to deter visitors or affect the future success of the Gardens. These impacts also have to be balanced against the majority of RHS Wisley's visitors benefitting through their journeys being safer. For visitors routing through Ripley, journey distances will be less than at present. Highways England has been reviewing the findings of the Hatch Regeneris Report on this matter and will be discussing this further in the SoCGs with RHS. In summary, Highways England considers that the changes in journey time and distances as a result of the Scheme are unlikely to materially affect visitor numbers to RHS Wisley. It also considers that the Hatch Regeneris Report over-estimates the potential impact, largely due to the limitations of the survey upon which it is predicated.</p> <p>The air quality/SPA implications of these additional miles travelled have also been considered further. As commented in REP2-014 (see page 80, reference number REP1-038-4), an additional assessment was carried out to consider the air quality implications should affected traffic follow the signposted route instead of the Ripley route (as assumed in the traffic modelling and environmental statement/appropriate assessment). The conclusion was that the additional traffic was shown to be unlikely to have any measurable effect on the reduction in species-richness as a result of changes in the nitrogen deposition rates within the Thames Basin Heaths Special Protection Area and would still not cause an adverse effect on the integrity of the site. The additional traffic was shown to have a negligible change in CO2 emissions. The key driver to reducing CO2 emissions will be through national policy measures, such as the move to zero emission vehicles.</p> <p>The additional traffic following the signposted route instead of the Ripley route would result in a negligible change in road traffic noise levels and would not significantly change the road traffic noise levels reported in the Environmental Statement [APP-051, APP-066, APP-067].</p>
4.10.1	<p>Health: The Joint Councils recognise that during the construction and operational phases of the Scheme, there is the potential for likely adverse impacts on the communities living around the Scheme. Mitigation measures and best practice must be secured through the CEMP, with the needs of the community in mind.</p>	<p>Chapter 14 of the ES [APP-059] assesses the health impacts of the Scheme. It concludes by stating that <i>"Overall, the majority of adverse effects are during construction and are of negligible-slight significance after mitigation. There is expected to be an increase in air pollution and noise, and this is expected to have a slight adverse effect on health. There are also expected to be beneficial health effects from the employment and procurement related to the Scheme and the improved journey times, safety and improved connectivity due to the Scheme during operation."</i></p> <p>Similarly, Chapter 13 of the ES assesses the impact on People and Communities [APP-058]. This chapter has aimed to assess effects and a number of assessments have been undertaken including impacts upon private dwellings, community assets, local businesses, agricultural land, development land and non-motorised users. Significant effects are expected during construction on the NMUs, once operational, the</p>

Paragraph	Issue	Highways England Response
		<p>Scheme is anticipated to provide benefits to NMUs with increased and better-connected routes. Refer to the CEMP [AS-016] as to the proposed mitigation measures to be secured.</p> <p>These measures have been designed taking the community into mind. For example, in relation to access, community severance and engagement, Highways England will maintain communication with the general public pre-construction and during construction in line with the Community Relations Strategy, as secured by the Outline CEMP [AS-016].</p>
4.11.1	<p>Climate: The Joint Councils have declared a climate emergency in recognition of the issues facing our planet. The Government requires that all greenhouse gas emissions are reduced to net zero by 2050 and local authorities are currently reviewing how they can contribute to help ensure that this low carbon future is achieved. It is recognised that although this is a large scale highway scheme, proposals do also support sustainable travel routes. The Joint Councils are committed to ensuring that proposals encourage and meet the needs of non-motorised users. A number of improvements are also required to ensure that the scheme isn't detrimental to public transport users.</p>	<p>Chapter 15 of the ES assesses the effects of the Scheme on climate by quantifying likely emissions of greenhouse gases to the earth's atmosphere. The assessment finds that the Scheme contributes a small fraction of the legislative carbon budgets currently in place. Although this will not generate a significant effect, emissions will be mitigated as far as possible, including provision for non-motorised users. It is Highways England's commitment to reduce emissions wherever practicable, to support the UK Government in meeting its carbon reduction targets.</p>
Chapter 5 Policy Context		
5.8.2	<p>The plan highlights that the delivery of the three RIS schemes is required to help address the peak hour congestion that occurs on the Strategic Road Network and also crucially in order to be able to accommodate future planned growth both outside and within the borough. The delivery of housing in the later stages of the plan period is dependent upon major improvement to the A3 through Guildford. The plan is therefore predicated on the delivery of the three Road Investment Strategy Schemes. Given the importance placed on their delivery, the plan includes the specific Policy ID2: "Supporting the Department for Transport's Road Investment Strategy".</p>	<p>Highways England welcomes the Joint Councils' support for the schemes and their confirmation that planned growth is predicated upon the delivery of the schemes. This serves to reinforce the critical need for the Scheme to proceed, not just for traffic and transport reasons but to support the delivery of new housing, employment and other facilities that are required to meet identified socio-economic needs.</p> <p>Highways England is committed to delivering a Smart Motorway improvement scheme between junctions 10 to 16 as part of the first Roads Investment Strategy. The commitment within its latest delivery plan is to start work on this scheme in the next Roads Period (2020 to 2025) following on from development of the scheme within this Roads Period (2015 to 2020).</p> <p>Currently an improvement scheme on the A3 has not been announced as part of the first Road Investment Strategy and Highways England notes the Council's support for such a scheme to progress. The traffic modelling work assumes that this scheme will have been delivered for the 2037 do-minimum case.</p>
Chapter 6 Local growth and development		
6.6	<p>Prior to the Appeal, the Appellant entered into a s106 Agreement with SCC an GBC to deliver the Burnt Common north facing slip roads as part of the proposals. This was seen as the most effective measure to deal with traffic and environmental impact issues on B2215 within Ripley.</p>	<p>Highways England acknowledges the strategy in the Local Plan to promote the north-facing slips as mitigation for the development of the former Wisley Airfield Site.</p>
6.7	<p>Indeed the Secretary of State (SoS) agreed with the Inspector that the local road network would not be subjected to unacceptable harm from the Appeal proposal in the accompanying letter to the Appeal Decision at paragraphs 23-25.</p>	<p>Highways England notes that the conclusion at paragraph 20.70 of the Inspector's Report in to the appeal concerning proposed development at the former Wisley Airfield was subject to the implementation of off-site works. Highways England notes that Policy A35 (4) of the Guildford Local Plan specifically identifies the Burntcommon north facing slips as the "identified mitigation" to mitigate the impact of the Wisley Airfield allocation on Ripley High Street. Paragraphs 6.12 and 6.16 of the LIR [REP2-047] make reference to this position being summarised in the Inspectors' reports into the appeal for the Wisley Airfield Development and in relation to the Guildford Borough Local Plan examination. It is also understood that there was agreement between the parties (excluding Highways England) that up to 1,000 homes could be built before the Burntcommon slips would have to be implemented. This appears to indicate that this quantum of associated traffic generation could be accommodated in Ripley without adverse effects on the operation of the local road network or the amenity of the village. Given that the M25 junction 10/A3 Scheme would only have a minimal effect on overall traffic flows through Ripley and would not give rise to any significant effects on amenity, there is similarly no justification for the Scheme to provide the package of mitigation measures which is now being sought by SCC and the Joint Councils.</p>
6.12 – 6.14	<p>6.12 Within the Inspector's Report, the following paragraphs are of relevance to the DCO process:</p>	<p>Highways England notes that the rationale for this measure was to improve the capacity and safety of the junction between Old Lane and the A3. Clearly, the situation now is somewhat different as the Scheme includes measures to significantly improve the capacity and safety of the junction and is not dependent</p>

Paragraph	Issue	Highways England Response
	<p><i>"20.64 At the northern end of Old Lane there would be a traffic restriction to prevent traffic travelling south from the A3 to Ockham Lane and beyond, the restriction would occur at the Pond car park. This would decrease the volume of traffic entering Old Lane from the A3 and so make exiting onto the A3 easier and safer, increasing the capacity of this junction. Both SCC and HE are satisfied with the proposed arrangements.</i></p> <p><i>6.13 20.65 The proposals do not now involve any changes in Ripley High Street. The infrastructure requirements for eLP Policy A35 seek interventions of its junctions with Newark Lane and Rose Lane. However, these interventions are not now proposed as the facing slip roads at Burnt Common would reduce traffic through Ripley to the extent that the conditions in 2031, even with the appeal scheme, other committed developments and traffic growth would be only slightly worse than now and better than they would be without the slip roads.</i></p> <p><i>6.14 20.76 Policy A35 also requires an off-site cycle network to key destinations, including the above mentioned railway stations Ripley and Byfleet.. The proposals do not make provision for a route to these stations as the roads are not conducive to cycling and while this mode would still be an option I consider that only experienced and confident cyclists would use them."</i></p>	<p>upon having to close Old Lane for traffic travelling south beyond the Pond car park to achieve these objectives. SCC has made the point in its relevant representations [RR-004] and in its written representations [REP1-020] that Highways England should have included this closure of Old Lane within its traffic modelling work. However, there is no clear policy commitment to this measure. Policy A35 of the Guildford Local Plan simply refers to the need for mitigation to address issues at the A3/Old Lane junction, which the Scheme now addresses. The approach to the traffic modelling is reasonable and appropriate.</p> <p>As cited in the joint LIR, it indicates that the modelling and evidence put forward in relation to the appeal for the Former Wisley Airfield site demonstrates that the Burntcommon slips would have the effect of reducing traffic flows through Ripley. Whilst it is not appropriate for the slips to be included within the do-minimum for the junction 10 scheme traffic modelling until a planning application for the Wisley Airfield site, including the provision of north facing slip roads at Burntcommon has been submitted, this reinforces Highways England's view that the impact on Ripley as assessed in the Transport Assessment Report [APP-136] and associated documents is likely to be overstated.</p> <p>Highways England recognises the importance of improving cycle connections to nearby railway stations for the delivery of the local plan development allocation at the former Wisley Airfield site. However, this is principally a matter to be addressed as part of any planning application which comes forward for that site. Whilst the potential for some increases in traffic flows on Old Lane are predicted in the traffic modelling as a result of the Scheme, in absolute terms the numbers of trips will be relatively low and can be accommodated without significant effects on the operation of the local road network. As set out in Highways England's response to written representation [REP2-014] (see page 31, reference number REP1-020-12) the increase in traffic on Old Lane in the 2037 do-something scenario will be comparable with two additional vehicles per minute when averaged across a 12 hour day. Indeed the Inspector's Report for the Wisley Airfield development appeal recognised that it is the development of the Airfield site itself that is likely to result in an increase in car traffic along Old Lane (see paragraph 20.61) but appears (in paragraph 20.67) to accept the appellant's case that the capacity of the surrounding rural roads is not an insurmountable obstacle to the development.</p>
6.21	<p>In summary, the Local Plan has the following policies and requirements that are relevant to the DCO:</p> <ul style="list-style-type: none"> - Policy A35 – Former Wisley Airfield Ockham (page 219); - Policy A42 – Land for new north facing slip roads to/from A3 at Send Marsh/Burnt Common (page 237); - Infrastructure Schedule - SRN2, SRN4, SRN7, SRN8 (page 300), LRN7 (Page 302) and AM3 (page 306) 	<p>Highways England acknowledges the local planning policy context considerations as identified within the LIR.</p> <p>Item LRN7 in the Local Plan Infrastructure Schedule identifies the need for improvements on the B2215 Ripley High Street, including at the junction with Newark Lane and Rose Lane specifically as mitigation for the development of the former Wisley Airfield site. As noted above, in the response to point 6.7, the identified mitigation for the impact of the Wisley Airfield development on Ripley High Street comprised the Burntcommon north facing slips. Highways England does not accept that the improvements are necessary on account of its Scheme, given the minimal change in overall traffic flows through Ripley that are predicted.</p> <p>Item AM3 which relates to the need for an off-site cycle network as mitigation for the development of the former Wisley Airfield site. It will be for the developer of that site to bring forward a suitable solution as to how that can be achieved.</p>
Chapter 7		
7.1	<p>The Joint Councils accept that the modelling adequately reflects the impacts on the Strategic Road Network but consider that there are general issues with the modelling on the Local Road Network. In particular, there remain concerns on specific elements of the Transport Assessment Report that the Joint Councils require to be clarified. There are particular concerns around the modelling findings for the area in and around Ripley.</p>	<p>See response to 7.2.1.12 below.</p> <p>With regard to paragraph 7.1.1, see Highways England's response to these issues in REP2-014 (see pages 24-28, reference number REP1-020-9).</p>
7.1.2	<p>In addition to these questions there is the potential impact of RHS Wisley Garden trips in the PM peak and off-peak. SCC note that the Transport Assessment report recognises that all Southbound Wisley RHS Gardens trips will head through Ripley village.</p>	<p>Traffic modelling indicates that the Scheme will result in a greater proportional increase in traffic flow through Ripley during the inter- and PM peak periods of up to 12% compared to without the Scheme. However, over the day the increase in traffic through Ripley due to the Scheme is only up to 5% (Table 4.1 of the Transport Assessment Supplementary Information Report REP2-010) and traffic flow through Ripley during the interpeak period is up to 28% less than during the morning peak period in 2022 with the Scheme (Appendix A of Transport Assessment Supplement Information Report REP2-010).</p>

Paragraph	Issue	Highways England Response
		<p>Furthermore, the traffic modelling is based on a weekday event held at Wisley Garden, which can generate up to twice the volume of traffic compared to a non-event day (Section 3.6.19 of the Traffic Forecasting Report REP1-010). Consequently, on a typical weekday the increase in traffic through Ripley due to the Scheme is likely to be less than indicated, especially during the inter- and PM peak periods.</p>
<p>7.2.1.4 and 7.2.1.8 to 7.2.1.9</p>	<p>7.2.1.4 Both SCC and GBC are concerned about the time period between the J10 M25/DCO scheme opening and the Burnt Common north facing slip roads being constructed and opened to traffic in relation to B2215 Ripley High Street. The Councils are also concerned about the long-term impacts of RHS Wisley traffic using B2215 to access Wisley Lane to/from the south as it has been demonstrated that using this route would be significantly less journey distance and time and with an increased reliance on satellite navigation technology to direct drivers to destinations it is likely that traffic to/from the south would be diverted onto B2215 through Ripley as part of a visit to RHS Wisley. In addition, a lot of visitors to the site have previously visited and will be familiar with the access arrangements and are more likely to use more local quicker routes to the site.</p> <p>7.2.1.8 As can be seen above, 85% of visitors are members and are likely to visit the site more than once. It is reasonable to assume that returning visitors are likely to know more local routes to visit the site and rely less on highway signage to access the site.</p> <p>7.2.1.9 It is accepted through evidence provided by Highways England that once the DCO scheme is in place leaving and joining the A3 south of Ripley at the Burnt Common slip roads and using B2215 Ripley High Street to access Ockham roundabout will result in a significantly reduced journey time and distance compared to staying on the A3 and using J10 M25 to 'u'-turn to access RHS Wisley via the Ockham slip roads.</p>	<p>The Guildford Local Plan is predicated upon the assumption the Burntcommon slip roads would be delivered between 2021 and 2027 (see items SRN7 and SRN8 in Appendix 6 of the Local Plan). Paragraph 7.2.1.4 of the LIR expresses concern about short-term effects on Ripley High Street for the time period between completion of the M25 junction 10/A3 Wisley interchange scheme and the delivery of the Burntcommon slips (scheduled for implementation between 2021 and 2027 as stated in Appendix 6 of the Local Plan). However, the traffic modelling and assessments for the Scheme have shown that the Scheme will have only a limited effect on the operation of the local road network and the assessment made no allowance for the implementation of the Burntcommon slips. Highways England considers that the more significant issue for Ripley will be the timing of development on the former Wisley Airfield site vis a vis the delivery of Burntcommon slips mitigation. As the local authorities appear to have accepted that up to 1,000 homes can be accommodated ahead of the Burntcommon slips, the need for any interim measures for Ripley is a matter which may need to be addressed as part of the determination of the planning application for that development.</p> <p>As to the points made about RHS Wisley traffic, as previously explained, the traffic modelling has assumed a worst case in that all Wisley Lane traffic affected by the closure of the Wisley Lane junction and travelling to and from the A3 south would route via Ripley, on the grounds that this would be the shortest and quickest route compared with the signposted route via Junction 10. However, the modelling indicates that in terms of journey times the difference would not be significant. With the Scheme, the return journey time to and from RHS Wisley Garden via Ripley will be approximately 2 minutes quicker than the signposted route via J10. For individual trips the Ripley route will be less than a minute quicker travelling towards RHS Wisley and just over a minute quicker leaving RHS Wisley. Therefore, Highways England does not accept that the difference of approximately one minute for each trip would be significant and is of the view that an effective signage strategy will be able to help encourage drivers to use the signposted route.</p>
<p>7.2.1.10 to 7.2.1.15</p>	<p>7.2.1.10 As a worst case, this could result in 23% of visitors to RHS Wisley diverting onto B2215 Ripley High Street from A3 south. The number of additional vehicles through Ripley High Street can be calculated using Table 5.5 (page 21) of the Motion TA for April and applying 23% to the numbers as follows: [Table 1 is in the LIR [REP2-047] page 30 and is not replicated here.]</p> <p>7.2.1.11 It can be seen from the above that the potential increases in traffic flows from RHS Wisley visitors alone (excluding staff) could be as high as 1200-1500 vehicles per day on B2215 through Ripley and at times would represent an additional vehicle every 20 seconds.</p> <p>7.2.1.12 To put the above impacts in perspective, as previously discussed, The Secretary of State (Appeal into planning application 15-P-00012) accepted that the local impacts of the Wisley Airfield development on B2215 Ripley High Street would be adequately addressed through the provision of the Burnt Common north facing slip roads which would need to be implemented at 1,000 homes. The wording for the provision of the slip roads is set out in the s106 Agreement (clauses 4.10 to 4.12 page 33) between Wisley Property Investments Limited, Surrey County Council and Guildford Borough Council and this is available at: http://www2.guildford.gov.uk/publicaccess/files/925B43CF8B0EF3325CA050B6948F3A59/pdf/15_P_00012-ID123_SECTION_106_AGREEMENT_BETWEEN_GBC_SCC_AND_APPELLANT-1102469.pdf</p>	<p>The traffic modelling which has been carried out for the Scheme is based on a weekday event held at Wisley Garden, which can generate up to twice the volume of traffic when compared with a typical non-event day. The traffic modelling also assumes that all RHS Wisley Garden traffic to and from the A3 south (approximately 21% of total RHS trips) routes via the B2216 through Ripley, in addition to those already routing through Ripley. On the basis of these reasonable worst-case assumptions, the Scheme would result in approximately 1,620 vehicles a day two-way using this route in 2022 and 1,880 vehicles in 2037.</p> <p>The additional daily traffic flow through Ripley due to the Scheme is, however, forecast to be less than the additional traffic due to RHS trips, at 1,050 additional vehicles per day in 2022 and 1,440 in 2037 (figures derived from Table 4.1 of the Transport Assessment Supplementary Information Report [REP2-011]). This is because the addition of the RHS trips through Ripley causes some of the background traffic to reroute in response to changes in relative delay and congestion via alternative routes compared to via Ripley. The impact assessment of the Scheme, including the impact on Ripley, and the conclusions drawn are based on this robust assumption regarding RHS Wisley Garden traffic in combination with the diversion of Wisley Lane included in the Scheme.</p> <p>The traffic modelling also accounts for the Wisley Airfield development and predicts that this will result in up to an additional 4,150 vehicles a day travelling through Ripley in 2037 with the Scheme. This is significantly greater than the 735 vehicles per day suggested in the SCC LIR and further demonstrates the robustness of the traffic modelling undertaken to assess the impacts of the dDCO Scheme.</p>

Paragraph	Issue	Highways England Response
	<p>7.2.1.13 The additional traffic flows from 1000 dwellings on Ripley High Street can be roughly calculated by use of the transport evidence (Appendix N of WSP's Appendices to their Proof of Evidence using Figures 9 and 10) provided by WSP for the Appellant for the appeal in relation to Wisley Airfield. During the AM peak, the average proportion of development traffic to/from Wisley Airfield on B2215 Ripley High Street west and east of the crossroads was 15.2% of the total. During the PM peak, at the same locations the average proportion was 14.2%. The average of the two peaks is 14.7%. WSP's Appendices to proof of evidence are available at: http://www2.guildford.gov.uk/publicaccess/files/2DE511AE0FDFA69AA1A9A09F93F3896F/pdf/15_P_00012-PROOF_OF_EVIDENCE_OF_COLIN_MCKAY_APPELLANT_APPENDICES-1071421.pdf</p> <p>7.2.1.14 Applying a typical daily traffic flow of 5 vehicles per residential unit to the average proportion of vehicles using B2215 Ripley High Street would result in an AADT of 735 vehicles for 1,000 dwellings (5000 x 14.7%).</p> <p>7.2.1.15 It can be seen that the trigger point for the provision of the Burnt Common slip roads for the Wisley Airfield development which was agreed at the Appeal is lower than the potential additional vehicles through B2215 Ripley High Street from RHS Wisley Traffic once the DCO scheme is in place.</p>	
7.2.1.12 (2 para with this number)	<p>Uncertainty in traffic flows modelled. The Highways England Traffic Forecasting Report has only recently been submitted on 26th November 2019 (REP1-010). It has at Appendix C (pages 62-76) a summary of the model link flows. A detailed review of the traffic flows show that many links which are parallel routes to the B2215 Ripley High Street have zero traffic flows particularly in the Base 2015 and Do Minimum 2022 scenarios. This shows how poorly validated the strategic model is with respect to local traffic flows on routes adjacent to Ripley High Street and potentially how traffic switches between these routes.</p>	<p>Traffic modelling to assess the impact of the Scheme has been developed, calibrated and validated in compliance with best practice and Department for Transport (WebTAG) requirements and is therefore fit for purpose. There will inevitably be less confidence in predicted changes in traffic flows on the smaller country lanes predicted by the traffic model compared to those on the Strategic Road Network, A-roads and B-roads, where there is a high level of confidence. This is due to it being a strategic model covering a large geographical area and focused on the SRN, A-roads and B-roads. However, the absolute changes in traffic flows on the smaller country lanes are generally very small compared to the traffic flows on the rest of the network, even if the proportional changes can be notable. Therefore, any variation or uncertainty in the modelled changes in traffic flows on these lanes does not materially undermine the confidence in the modelled changes in traffic flows on the SRN, A-roads and B-roads, including Ripley High Street.</p> <p>The strategic traffic model does contain a few smaller country lanes that have zero traffic flows in one direction. This is representative of the very low traffic flows on these lanes and does not necessarily indicate that the flow would actually be zero. It merely indicates that traffic flows are so low on these lanes that they are not materially relevant to the operation of the road network or the assessment of the traffic impacts of the Scheme. Notwithstanding the modelling limitations identified, the ExA and Secretary of State can have confidence in the results of the modelling regarding impacts on Ripley.</p>
7.2.1.14 (2 nd para with this number)	<p>The Councils are concerned about these zero flows during the base periods and how in the DO-Something scenarios there are significant increases in traffic flows on these lanes which are unsuitable to suffer these levels of increases in traffic flows. There are a number of reasons why the Councils are concerned about these increases in traffic flows one such example is how sustainable access to Wisley Airfield (Policy A35) can be achieved with such high increases in flows.</p>	<p>See response to 7.2.1.12 above. Please refer to Highways England's response to SCC's concerns about predicted increases in traffic flows on Old Lane in REP2-014 (see page 30, reference number REP1-020-12).</p>
7.2.1.16 to 7.2.1.19	<p>7.2.1.16 In particular, it can be seen that in the Do-Something scenarios there is a significant increase in traffic using Old Lane to travel south on the A3 as the junction improvements at Old Lane/A3 on-slip from J10 will significantly increase the capacity of this junction from a giveway to a merge arrangement. Longer distance traffic re-routing onto Old Lane is not welcomed by the Councils and would work against the objectives of Requirement 6 of Policy A35.</p> <p>7.2.1.17 Providing facilities for the average cyclist is likely to require Old Lane, Ockham Lane, Ockham Road North and B2215 Ripley High Street to have traffic flows reduced from existing traffic levels let alone the higher flows predicted in the Do-Something Scenario. This could only be achieved by the implementation of traffic management measures along these lanes to reduce vehicle</p>	<p>The Scheme is forecast to result in an insignificant change in traffic flows on Old Lane in 2022 compared to without the Scheme. Traffic modelling has indicated that in 2037 the Scheme could result in an increase in traffic flows on Old Lane north of Elm Lane of up to approximately 575 vehicles per hour and up to 310 vehicles per hour south of Elm Lane, compared to without the Scheme. This is illustrated in Appendix A of the Transport Assessment Supplementary Information Report [APP2-011]. Most of the forecast increase in traffic on Old Lane in 2037 will be traffic generated by the development of the former Wisley Airfield site rather than the dDCO Scheme. The improvements to the Old Lane junction with the A3 results in all the traffic leaving the Wisley Airfield development using Old Lane to access the A3 southbound, as this will become the quickest route. Whereas without the Scheme most (80%) of the Wisley Airfield traffic leaves via Ockham Road North and routes via Ripley to access the A3 southbound. Paragraph 7.2.1.19 of the LIR seeks to cast doubt upon the robustness of the traffic modelling as regards the effects on Old Lane and</p>

Paragraph	Issue	Highways England Response
	<p>numbers and speeds to enable the off-site cycling facilities to be provided that would enable average cyclists to use them.</p> <p>7.2.1.18 The implications of this reduction of flows on the adjacent parallel lanes to Ripley High Street is that more traffic would inevitably be using B2215 Ripley High Street as this would be the only local alternative to access the A3 south. The need to reduce traffic flows on the lanes around Wisley Airfield is not modelled by Highways England despite this being a consequence of the A35 Policy requirements and therefore the implications for B2215 Ripley High Street is unknown and raises uncertainty about the Do-Something scenario and the scale of traffic using B2215 Ripley High Street.</p> <p>7.2.1.19 This is a further reason why the Councils consider that a mitigation scheme for B2215 Ripley High Street is required as part of the DCO scheme.</p>	<p>Ripley. However, it is clear that the improvement of the Old Lane junction to be delivered as part of the Scheme will have a beneficial effect in reducing the flow of traffic through Ripley associated with the development of the former Wisley Airfield site.</p> <p>It will be the responsibility of the promoter/developer of the Wisley Airfield development to propose and assess measures on the local road network to mitigate development generated traffic and to enable appropriate access for cyclists. As noted above, the Inspector's report for the former Wisley Airfield development appeal observed that the former Airfield site development would be likely to give rise to an increase in traffic on that route with future residents seeking to gain access to the nearest railway station at Effingham Junction. The predicted increases in traffic flows in the 2037 do-something scenario for the Scheme are likely to be attributable to local traffic rerouting to avoid congestion elsewhere on the network once the Airfield site is built because the Scheme is not predicted to cause this reassignment effect in the 2022 do-something scenario.</p> <p>In addition see Highways England's responses to paragraphs 6.12-6.15 and paragraph 7.2.1.12.above and to Highways England's response to SCC's written representations about the impacts on Old Lane which are set out in REP2-014 (page 30, reference number REP1-020-12). Highways England has already responded to the points about the need for mitigation in Ripley. As the assessment and traffic modelling has taken a reasonable worst-case approach as regards the effects of closing the Wisley Lane junction on Ripley, there is a high level of confidence that the impacts have not been underestimated in the way inferred in paragraph 7.2.1.18. Highways England does not agree that there is insufficient confidence as regards the benefits of improving the Old Lane junction or that the overall effects on Ripley may have been underestimated.</p>
7.2.1.20 (Bullet 3)	<p>In addition to the above, the Joint Councils have requested the following to address concerns in Ripley, in priority order:...</p> <p>3) That Highways England agree as part of the DCO to fund a comprehensive mitigation package in Ripley via a s106 agreement as a result of additional traffic including heavy goods vehicles on the B2215, including but not limited to consideration of:</p> <ul style="list-style-type: none"> - Speed reduction and anti-severance measures on B2215 between A247 and B2039. - Road resurfacing/carrageway reconstruction along the B2215 Ripley High Street and Newark Lane. - Junction Improvements at the B2215 High Street/Newark Lane/Rose junction. - Cycling facilities throughout the length of the B2215. To include Village gateways at either end of the built up area on the B2215 and cycle lanes on Portsmouth Road. This should include a segregated cycle land and narrowing the carrageway. - Upgrade bus stops/shelters to an agreed form/high quality with real time passenger information is provided. ¹ - Other measures to be identified to mitigate the impact of additional traffic travelling through Ripley as a result of the M25 Junction 10 scheme. <p>The total cost of the above is £2.4m, comprising £1.65m construction cost estimate plus 10% risk, 15% contingency, 15% fees (design and supervision). The requested elements are mitigation against severance due to unbalanced flows on particular arms in additional directions. This severance is predominantly an inter-peak issue for Ripley justifying the mitigation measures set out above. There is additional traffic in the interpeak due to rerouting due to M25 Junction 10 making these routes more attractive to use and the RHS Wisley traffic. The Burnt Common Slip road is the longer term solution for Ripley, required as development comes forward.</p>	<p>As the Scheme is predicted to have a minimal effect on overall traffic flows through Ripley (adding approximately 5%) to AADT, Highways England does not accept that the measures suggested in paragraph 7.2.1.20 of the LIR are necessary or justified. As noted in Highways England's response to paragraph 7.1.2 of the LIR above, the Scheme is not expected to increase traffic flows on the B2215 Ripley High Street by more than 12% in the interpeak (when the total volume of traffic on the network is lower and can be accommodated within operational capacity). Across the day, the Scheme would not increase AADT flows on the High Street by more than 5.3% compared with the do-minimum scenario. Given the small changes in flows the Scheme would have a limited effect on the operational performance of the road network at Ripley.</p> <p>SCC has acknowledged in a meeting with Highways England held on 11 December 2019 that the measures requested and set out in paragraph 7.2.1.20 of the LIR would not have the effect of reducing traffic flows through Ripley. Whilst Highways England's position remains that the suggested mitigation is not required on account of the Scheme, it also questions whether the suggested measures would offer any meaningful mitigation benefit.</p> <p>If the measures are required to address the severance effects of the Scheme, Highways England considers that the increase in traffic flows through Ripley likely to arise on account of the Scheme will be far below the commonly held threshold of +30% at which a severance effect is considered possible. Moreover, it is necessary to consider the change in two-way traffic flows rather than for single directional flows in the way suggested. For example, as shown in the Transport Assessment Report [APP-136] in the 2037 am peak do-something scenario, predicted increases in northbound flows are likely to be largely offset by commensurate reductions in southbound flows and it is therefore the change in two-way flows that should inform conclusions about severance. See Highways England's response on this point contained in REP2-014 (page 29, reference number REP1-020-11).</p> <p>Turning to the suggested mitigation package measures specifically, Highways England challenges SCC's view that carrageway resurfacing, upgrading cycling facilities, upgrading bus infrastructure would have any meaningful benefit in terms of reducing severance.</p>

¹ This request is set out in more detail under the Public Transport section at 7.6, but given the location it is also referenced here in relation to Ripley

Paragraph	Issue	Highways England Response
	<p>Highway England's TA shows that journey times are quicker going through Ripley than the U turn and the speed reduction measures proposed above are therefore also intended to slow traffic speeds through the village of Ripley to encourage more RHS Ripley and general Wisley Lane traffic to use Highway England's signed 'u' turn route through the M25 J10 roundabout.</p>	<p>See Highways England's response on paragraph 7.1.2 of the LIR above.</p>
7.2.3	<p>Realigned Wisley Lane – SCC note that the realigned Wisley Lane contains a straight section of road with a proposed speed limit of 40 mph leading into a 30 mph speed limit over the bridge. Following consultation with Surrey Police SCC are content that the realigned Wisley Lane would have a 40mph speed limit from its junction with the Ockham Roundabout and then a 30 mph speed limit before the first bend onto the bridge over the A3 and onwards into Wisley Village. The lower 30mph limit will encourage slower speeds into the first bend and over the summit of the bridge and past the entrance and exit junctions to Wisley Gardens. It would also provide continuity with the existing 30mph speed limit further to the north within Wisley Village. Slower speeds would reduce the risk of collision and improve the routes for non-motorised road users. To encourage compliance with the 30 mph speed limit it is requested that an enhanced 30mph speed limit gateway should be installed to highlight the reduction in speed limit from 40mph to 30mph. The provision of the section of 40mph limit could be reviewed if any new junction is added to the realigned Wisley Lane (for example to access the Wisley Airfield development) as the junction would be likely to have a speed reducing effect, and lower speeds would be desirable through the junction to reduce the risk of collision involving turning traffic.</p>	<p>The need for and the design and positioning of a gateway feature on the Wisley Lane diversion is a matter that can be addressed at the detailed design stage of the project and once further detail is known about the proposals for the Wisley Airfield development. As noted in Highways England's response to SCC's written representations [REP2-014] (page 39, reference number REP1-020-39), the speed limit for Wisley Lane was agreed with SCC prior to the submission of the DCO application. It will be for SCC, as local highway authority to make any amendments to the speed limits as it sees fit, most likely once proposals for the development of the former Wisley Airfield site are agreed.</p>
7.2.4.2	<p>Old Lane is likely to be one of the cycling routes from the Wisley Airfield development (Policy A35) to serve Effingham Junction railway station. This is a requirement (Requirement 6) of Policy A35 of the Guildford Local Plan which states the following:</p> <p><i>“(6) An off site cycle network to key destinations including Effingham Junction railway station Horsley railway station/Station Parade, Ripley and Byfleet to be provided with improvements to a level that would be attractive and safe for the average cyclist.”</i></p>	<p>See Highways England's response on this matter as set out in relation to paragraphs 7.2.1.16 to 7.2.1.19 of the LIR above.</p>
7.2.4.3	<p>Providing facilities for the average cyclist is likely to require Old Lane to have traffic flows reduced from existing traffic levels let alone the higher flows predicted in the Do-Something Scenarios. The Highways England Traffic Forecasting Report which has only recently been submitted on 26th November 2019 (REP1-010) has at Appendix C (pages 62-76) a summary of the model link flows and the Council notes that in the Do-Something 2037 scenario traffic flows increase northbound on Old Lane by between 55% and 5000% and southbound between 19% and 31%.</p>	<p>The largest increases in two-way traffic flows on Old Lane due to the Scheme are forecast to occur during the AM peak hour, ranging from 15% to 32% increase in 2022 and from 60% to 167% increase in 2037. The highest increase is on the section of Old Lane between Elm Lane and the A3 and the lowest on the section south of Martyr's Green. The 5,000% increase reference by SCC is in one direction only and is due to an anomaly in the traffic model regarding representation of baseline flows on this road. Consequently, this proportional increase in traffic flow is likely to be inaccurate.</p> <p>See also Highways England's response on this matter as set out in relation to paragraphs 7.2.12 and 7.2.1.16 to 7.2.1.19 of the LIR above and in Highways England's comments on SCC's written representations [REP2-014] (page 30, reference number REP1-020-12).</p>
7.2.4.4	<p>This is clearly unacceptable and in conflict with the delivery of Wisley Airfield Policy A35. In reality some of these flows are likely to use B2215 Ripley High Street as an alternative to access A3 south.</p>	<p>Reference should be made to Highways England's response on this matter as set out in relation to paragraphs 7.2.1.16 to 7.2.1.19 of the LIR above and in Highways England's comments on SCC's written representations [REP2-014] (page 30, reference number REP1-020-12).</p> <p>Highways England does not agree that the effects of the Scheme on Old Lane are 'clearly unacceptable' and nor would they conflict with the delivery of Policy A35.</p> <p>In summary, the Scheme would not give rise to a significant reassignment of traffic on to Old Lane in the 2022. However, once the site of the former Wisley Airfield is developed the modelling shows that there would be an increase in traffic in Old Lane in the do-minimum scenario for Old Lane and more reassignment in the do-something case. For the section of Old Lane between Ockham Lane and Effingham junction this increase is assumed to reflect the re-routing of local traffic to avoid congestion elsewhere on the local road network. If an acceptable solution for improving cycling between the former airfield site and Effingham Junction can only be achieved 'on-road' then this clearly is a matter for the developers of that site to address at the relevant time.</p>

Paragraph	Issue	Highways England Response
7.2.5	<p>The "Environmental Statement Chapter 6: Noise and vibration" at paragraph 6.8.45 advises that Ockham Lane will experience an additional 441 vehicles compared to without the Scheme. This is a significant increase which SCC is concerned about. The Guildford Local Plan proposes mitigation to Ockham Lane as part of Policy A35: Former Wisley airfield, Ockham through the provision of Requirement (2) "A through vehicular link is required between the A3 Ockham interchange and Old Lane". Once the provision of the link is obtained, traffic management would be required on Ockham Lane to downgrade its current level of usage and encourage traffic to use the through vehicular link through the Wisley Airfield site.</p>	<p>See Highways England's response to this issue in REP2-014 (page 31, reference number REP1-020-14). Highways England acknowledges the Joint Councils' view that a through vehicular link provided as part of the former Wisley Airfield development could have the effect of reducing traffic on Ockham Lane. However, as the detail of this link has not yet been established or confirmed, Highways England was unable to include it within its traffic modelling for the Scheme. As noted in Highways England's Comments on Written Representations [REP2-014], the predicted increase in vehicles on Ockham Lane attributable to the Scheme will be small. In 2022, the Scheme will add approximately 200 trips to Ockham Lane over the course of a day (assuming no through link), the equivalent of one additional vehicle every three minutes, which can be readily accommodated without detriment to the performance of the local road network.</p>
7.3.1	<p>The Joint Councils are concerned regarding the loss of HGV parking laybys that will result from the scheme and which have not been adequately addressed. HGV parking along this section of the A3 is long established and a very popular location for overnight parking before transporting goods into London, where there is very little lorry parking available. Roadside parking for HGVs in Surrey away from residential areas is also very limited. HGV parking is available for a charge at Cobham Services on the M25. After three hours a £35 charge for 24 hours is made and as a result lorries are frequently seen parked under bridge on motorway slip road.</p>	<p>As noted in Highways England's response to SCC's representations on this matter in REP2-014, see page 35, reference number REP1-020-26), there is sufficient capacity available in other laybys to the south of the Ockham Park junction to accommodate the needs of HGV drivers using the A3. For HGV drivers on the M25, Cobham services is just 4.5km (3 miles) to the east of M25 junction 10 and has recently extended its HGV parking to provide an additional 75 spaces. The existing HGV layby on the A3 slip road has a capacity for 5 HGV's. The retention of the existing HGV layby on the A3 for overnight parking would not be appropriate as there are no welfare facilities available for drivers.</p>
7.3.3	<p>The Joint Councils would therefore ask that Highways England either retain parking for these HGVs or demonstrate that the additional trips have been considered and would not displace onto local roads. Laybys are occasionally used as an abnormal load lay-up (e.g. to collect police escorts) and an alternative should be provided in the scheme design.</p>	<p>There is adequate capacity elsewhere on the A3 and M25 that could be used for abnormal load lay-over. It is not possible to safely provide replacement laybys within the Scheme given that there is insufficient separation distances between junctions. Moreover, Highways England does not consider that there are any suitable sites that could be used to provide replacement HGV parking within the vicinity of the M25 junction 10/A3 Wisley interchange. Most of the land is subject to important environmental designations, including the Thames Basin Heaths Special Protection Area of the Ockham and Wisley Commons Site of Special Scientific Interest which would be incompatible with the provision of HGV parking when other suitable and less damaging alternative locations are available.</p> <p>In any event it is not practicable to amend the Scheme at this stage of the examination process to provide for alternative laybys which have not been designed, nor environmentally assessed or consulted upon, and which would not be appropriate in the absence of welfare facilities.</p> <p>In addition see Highways England's response to this issue in REP2-014 (page 35, reference number REP1-020-26)</p>
7.5.4	<p>SCC continue to highlight opportunities to better coordinate with Highways England to ensure networks are integrated. Earlier this year SCC submitted a bid for HE Designated Funds for intelligent transport systems technology improvements around M25 junction 10/A3 Wisley interchange to complement the scheme. The bid proposed the introduction additional ANPR and CCTV cameras and replacement VMS on the A245 and corridors approaching and leaving the Painshill and Ockham A3 junctions, but has yet to have confirmed funding from Highways England. Improved travel information to users could inform and promote greater transport choice by providing the travelling public with timely information of incidents and could result in potential changes to modes of travel.</p>	<p>Highways England has supported SCC in its application for designated funding to install VMS on Surrey's network as an enhancement to the scheme. These funds enable Highways England to provide environmental, social and economic benefits to the people, communities and businesses who live and work alongside our strategic road network. Highways England takes care in choosing its schemes, based on defined objectives and criteria to ensure schemes of high-quality and ensuring value for money is achieved. Unfortunately, the scheme presented by SCC and HE did not meet the criteria for designated funds in Roads Investment Strategy 1 when presented to the Designated Funds Investment Committee.</p> <p>As a correction to the Applicant's Comments on Written Representations [REP2 -014], this proposal is not subject to a current application for funding. Should designated funding be announced as part of the next Roads Investment Strategy, Highways England would support SCC in submitting another application for funding if the VMS scheme satisfied the criteria.</p>
7.6.1	<p>The hourly 715 bus route between Kingston and Guildford via Cobham serves RHS Wisley Gardens and SCC have been pressed by RHS Wisley and disability groups to ensure a service to RHS Wisley is maintained. Patronage on the route is increasing, with circa 3,500 boardings (total in both directions) at the Wisley stop during the period Jan-October 2019. Patronage varies seasonally and there is a clear increase during RHS Wisley event periods.</p>	<p>The Scheme makes provision to replace the existing bus stops on the A3 near the Wisley Lane junction with a new turnaround facility on Wisley Lane near the entrance to RHS Wisley Gardens. This will improve the situation for RHS Wisley visitors and for people with mobility difficulties. Passengers will be dropped immediately at the entrance to the Gardens and will not have to negotiate the 400m walk along Wisley Lane from the A3 which currently has no footway or safe crossing.</p>
7.6.4	<p>The impact on bus routes stated in the Transport Assessment is that the existing bus stops in the vicinity of the existing Wisley Lane will be removed with the nearest bus stops being on the northbound off-slip and southbound on slip. While there is an ambition that some bus journeys will</p>	<p>The Scheme makes provision for a replacement bus stop facility at the entrance to RHS Wisley Garden. This will be more convenient for visitors and staff alike which will help encourage more bus patronage than at present and in turn could improve bus revenues. As noted in Highways England's response on these</p>

Paragraph	Issue	Highways England Response
	<p>access RHS Wisley via the realigned Wisley Lane link road this will add journey time to the service and may not be financially viable, hence SCC seeks pump-priming from HE to fund this diversion – see below. The bus stops at the Ockham roundabout and at the entrance to RHS Wisley, off Wisley Lane should all be of the same standard. That is accessible kerbing, appropriate traffic management (bus stop clearways as necessary), safe passenger waiting area, bus stop pole/flag/timetable case, bus shelter (wooden) with lighting, and a real time passenger information display. Installing a RTPI display close to the main entrance of the RHS Wisley Visitor Centre would also give confidence to intending passengers prior to embarking on the walk to the bus stops.</p>	<p>matters in REP2-014, (page 37, reference number REP1-020-32 and REP1-020-32), the diversion of buses to the proposed new turnaround facility will increase bus journey times (by approximately 30 seconds) but this would be more than off-set by the benefits that the Scheme would deliver in terms of improved journey times along the A3 and through the M25 junction 10/A3 Wisley interchange and at Painshill. On this basis, there cannot be any reasonable justification for the financial compensation now being sought and Highways England notes that SCC has yet to provide any evidence to justify the sums being requested.</p> <p>As to the quality of bus infrastructure to be provided in place of the existing, the Scheme makes provision to replace features to at least a comparable level of provision. However, the substantial upgrading of bus infrastructure is not considered by Highways England to be directly relevant to the purpose of the Scheme or for the mitigation of any of the Scheme's effects.</p> <p>In addition, see Highways England's response to paragraph 7.6.5 of the LIR below.</p>
7.6.5	<p>Where passengers are expected to wait in remote locations where they are unfamiliar with the bus routes and geography, such as passengers who are visiting the area, it is vital that they are given the confidence that they are at the correct bus stop and that the bus is on its way. Recent passenger insight research by a large multinational bus operator has reinforced the value of RTPI at bus stops. Usage of real-time bus information via mobile apps and text messaging is generally low outside of city regions.</p>	<p>Highways England does not dispute these points but considers that it is for SCC to address any existing deficiencies in bus stop infrastructure as these matters are not directly relevant to the Scheme itself. At present, most of the bus stops comprise just a single pole, some with a timetable attached others without. Only the bus stops on the A3 near the Wisley Lane and Elm Lane junctions have a bus shelter. The bus stop on the B2215 Portsmouth Road approaching the Ockham Park junction (northbound) has a seat. None of the existing bus stops benefit from real time information.</p> <p>Most of the bus stops will be re-provided by the Scheme as close as possible to their existing position, so the Scheme will not make any bus stop more remote than at present. For the two bus stops in the A3 laybys near Wisley Lane and Elm Lane, the Scheme proposes to replace these with a single new bus stop turnaround facility at the entrance to RHS Wisley which will be less remote than at present. Provision will be made for a replacement shelter.</p>
7.6.7	<p>7.6.7 In terms of impact on buses SCC understand that the RHS Wisley Gardens bus stops need to be closed during construction phase with the proposal to provide shuttle buses to RHS Wisley Gardens from existing stops at Ockham Park Junction. SCC would suggest that it would be more attractive to passengers if a shuttle bus to RHS Wisley Gardens is provided from existing stops in Ripley Village. Mitigation for this issue is also sought regarding improvements to bus stops in Ripley as included in the Ripley mitigation package being sought (see para 7.2.1.20 sub para 3)</p>	<p>These are matters that can be dealt with, if necessary, under Requirement 4 of the dDCO (Traffic Management Plan) as set out in Highways England's response to SCC's written representations [REP2-014] (page 38, reference number REP1-020-35). The Register of Environmental Actions and Commitments (REAC) [REP2-005] will require the Undertaker to agree measures with SCC regarding arrangements for maintaining bus services during the construction works as close as possible to the position of existing bus stops. Highways England does not consider that provision of new bus stop facilities within Ripley is necessary or directly related to the delivery of the Scheme. Moreover, it is the responsibility of the RHS, not HE, to provide any additional bus services and improvements to bus stops in Ripley to promote sustainable travel for their visitors to Wisley Garden.</p>
7.11.5	<p>There is precedent for payments of commuted sums between SCC and Highways England as SCC were required to pay a substantial commuted sum payment where a County Council scheme involved works on both the County network and a Highways England slip road.</p>	<p>Highways England is in discussion with SCC on terms for a separate legally binding agreement to address several issues raised in relation to works affecting the local road network and other SCC assets, including maintenance and the long-term management of environmental mitigation works. However, Highways England does not consider it appropriate for the DCO to make provision for the payment of commuted maintenance sums in respect of works affecting or to become part of the local highway network as maintenance of the local network is a duty which is funded through other central Government channels. Progress on the discussions as regards the side agreement with SCC will be reported in a SoCG with SCC to be submitted during the examination process.</p> <p>Highways England notes that SCC has made further representation on the need for a mechanism to provide for commuted sums (see item 7 of SCC's Response to Rule 8 Letter [REP1-019]).</p>
7.11.4 (page 46)	<p>The permit scheme has the benefit of being familiar and widely understood. It works well and is respected by those that use in the county. SEPS will ensure that SCC will retain the ability to comply with its statutory duties to co-ordinate works affecting the local road network. This approach was agreed by the Secretaries of State in their decision letter relating to the Thames Tideway Tunnel DCO. Further consultation with TFL, the highway authority running the permit scheme within the area of the Thames Tideway Tunnel has confirmed that the permit scheme is running well and that the bespoke scheme which was negotiated but not agreed prior to the decision on that scheme has not been required.</p>	<p>Highways England has responded to this point in REP2-014 (page 52, reference number REP1-020-89). Highways England considers that these matters can be adequately covered in a side agreement with SCC without the need to introduce a separate consenting process for works being carried out by Highways England to improve the local road network. Highways England is engaging in discussions with SCC regarding the terms for this agreement and will update the examination on progress made at subsequent relevant deadlines.</p>

Paragraph	Issue	Highways England Response
		As noted in the response to 7.11.5 below, the position of Highways England as a highway authority under the Highways Act, is not comparable with the role of statutory water and waste water undertakers, with regard to the carrying out of works to the Local Road Network.
7.11.5 (page 46)	In addition, as per Section 74a of the (amended) 1991 New Roads and Street Works Act, Surrey County Council is currently developing a Lane Rental Scheme. This will mean that on specified key sections of the Local Road Network any activities reducing the number of lanes available to traffic or impacting on the operation of a junction will incur daily Lane Rental charges throughout any works periods. The Lane Rental Scheme is not fully developed and is still subject to SCC Cabinet and DfT/Secretary of State scrutiny, however it is expected to be in place prior to the commencement of the DCO scheme.	<p>Highways England does not intend to reduce the number of running lanes for traffic when carrying out the works to improve the LRN (A245 Byfleet Road, Ockham Park junction and Painshill junction) and on this basis a lane rental charge, if confirmed, should not be applied to the scheme. As there is no certainty that the proposed SCC lane rental scheme will be approved by the Department for Transport or that it would apply to Highways England in any event, it is not appropriate to seek provision for it within the dDCO.</p> <p>This issue of a lane rental charge has not been raised by SCC until the examination and Highways England is concerned about the potential for significant additional costs being imposed on the project for which no funding has been secured. As Highways England is a highway authority under the Highways Act, its position is not comparable with third party developers carrying out works for other purposes not directly related to improving the network. As there is no certainty about the justification for the Scheme and the likelihood of it obtaining DfT approval, it is not appropriate to seek provision for it within the DCO.</p> <p>Highways England considers that a bespoke side agreement with SCC will provide a far more effective mechanism for the co-ordination of works to minimise disruption to the travelling public than a general lane charging scheme. This can be secured without burdening the project with unnecessary and unreasonable charges not previously anticipated when funding was allocated for the Scheme.</p>
Chapter 8 Impact on Land		
8.3	Impact on Ockham Bites car park – The proposal shows the access track to the green bridge occupying around a third of the surfaced area of the car park. This loss in capacity will have a significant effect on visitors to the common and surrounding area, revenue from parking charges and income to the Ockham Bites Café. SCC is committed to increasing visitor numbers to this and other countryside car parks, so future capacity is needed to accommodate this increase. The proposal access road will limit any future plans for car park expansion. The remodelling of the car park and impact on the building will require accommodation works to either be undertaken by Highways England or a suitable level of funding provided.	As set out in the Applicant's Comments on Written Representations [REP1-014], (page 51, reference number REP1-020-86), the impact on the Ockham Bites Car Park will be a matter for the compensation settlement to SCC as landowner and to the Ockham Bites Café proprietor. However, Highways England does note that SCC resolved on 26 November 2019 to cease all parking charges on all Countryside Estate car parks managed under lease by Surrey Wildlife Trust because such charges were considered not to yield a significant financial contribution.

3. Part Two - Highways England's comments on the mitigation measures and policy accordance matters identified in Chapter 9 of the Joint Local Impact Report

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
LRN1	<p>Traffic Impacts on Local Communities – Ripley The scheme Transport Assessment Report states that, "as a result of the closing the existing A3/Wisley lane junction and realigning it to the Ockham Roundabout all trips to/from Wisley Lane to/from the A3 south are expected to travel via Ripley".</p> <p>It continues "the closure of the direct Wisley Lane access to the A3 means southbound trips from Wisley Lane are choosing to travel via the new link road into the Ockham Park roundabout and then through Ripley, thereby avoiding the need to U-turn at M25 junction 10. This results in a large journey time improvement compared to either the existing journey via Ripley, as well as the probable 'signed' route via M25 junction 10 in the Do Something scenario. The scheme results in all trips routeing via Ripley as this route becomes the fastest option" (para's 7.8.5, 7.8.6, 7.8.12 and 7.8.14 and Figure 7.11 of Volume 7.4 Transport Assessment)</p> <p>Highways England, however, state (in para 7.5.3) that the assessment has not considered any mitigation in Ripley to manage changes in traffic flow resulting from the scheme.</p> <p>The Joint Councils consider that without mitigation the impact on Ripley is unacceptable.</p>	<p>That Highways England confirm in writing their support and progress to conclusion the Approval in Principle for north facing slips at the Burntcommon junction.</p> <p>It is requested that appropriate mitigation is provided through Ripley. Mitigation to be secured through a s106.</p>	<p>Under the criteria for good design as set out in NPSNN Para 4.31 it is stated "a good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts. It should also mitigate any existing adverse impacts wherever possible, for example, in relation to safety or the environment. A good design will also be one that sustains the improvements to operational efficiency for as many years as is practicable, taking into account capital cost, economics and environmental impacts."</p> <p>NPSNN Para 3.22 sets out "Severance can be a problem in some locations. Where appropriate applicants should seek to deliver improvements that reduce community severance and improve accessibility."</p> <p>NPPF para 102 provides "Transport issues should be considered from the earliest stages of planmaking and development proposals, so that (d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains..."</p> <p>The SCC Development Control Good Practice Guide details how the Highway Authority require applicants to enter into planning obligations to mitigate scheme effects.</p>	<p>Highways England's summary response as regards the Joint Councils' first suggested LRN1 mitigation re. Burntcommon slips: The Burntcommon slips are not required as mitigation for any effects associated with the M25 junction 10/A3 Wisley interchange scheme. This point is not disputed by any of the interested parties. The slips are only required as mitigation for the development of the former Wisley Airfield site under policy A35 of the recently adopted Guildford Local Plan. Accordingly, Highways England's position as regards the Burntcommon slips is neutral. The acceptability of the slips is therefore a matter for the promoter of the former Wisley Airfield development to address. Highways England encourages the parties to progress their relevant technical assessments to enable the feasibility of the slips to be confirmed, including taking into account the effect of the slips on the operation of the A3 as well as the local road network. However, until these assessments have been carried out in accordance with the relevant WebTAG procedures, Highways England is unable to confirm its approval or otherwise.</p> <p>Highways England's summary response as regards the Joint Councils' second suggested LRN1 mitigation re. measures at Ripley: Highways England does not accept that there is a need for the Scheme to fund a comprehensive package of improvement measures at Ripley as mitigation for the Scheme's effects. Highways England has put forward a range of evidence to demonstrate that the overall increase in traffic flows through Ripley directly attributable to the Scheme will be small, even taking into account the re-routing of approximately 21.4% of RHS Wisley visitor traffic. Given the limited changes in traffic flows, the Scheme will not adversely affect the operational performance of the local road network through Ripley, nor will it cause severance or result in any significant environmental effects on receptors along the route of the B2215 Ripley High Street. The package of mitigation measures suggested are proposed to reduce severance and not to reduce the flow of traffic through the village. Notwithstanding Highways England's view that the Scheme would not cause severance, most of the measures requested will offer no material benefit in reducing potential severance.</p> <p>Highways England's comments on policy accordance matters raised: On the basis of the responses provided above, the Scheme is considered to be in accordance with NPSNN paragraphs 3.22 and 4.31. A detailed appraisal of the NPSNN, which demonstrates how the Scheme accords with its provisions, is provided at Appendix A of the Planning Statement [APP-133].</p>
LRN2	<p>Painshill junction</p>	<p>It should be confirmed through the DCO that Highways England own and maintain this signal crossing.</p>	<p>N/A</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LRN2 mitigation: Highways England has confirmed in REP2-014 (page 41, reference number REP1-020-51)</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
	There is no clarity around ownership/maintenance of the pedestrian crossing at the A3 southbound on slip from Painshill junction roundabout.			that it will accept responsibility for the ownership and maintenance of the new signalised pedestrian crossing on the A3 southbound on-slip.
LRN3	<p>A245 Byfleet Road The scheme includes works to the Local Road Network at Painshill junction and A245/Seven Hills Road junction.</p> <p>The A245 is recognised by the Joint Authorities as a congestion hotspot and as such they are keen to ensure that all outstanding concerns and queries have been addressed by Highways England to ensure that there is no detrimental impact for this section of the network.</p> <p>SCC support measures such as the banned right turn onto the A245 from Seven Hills Road (north) but a number of queries asked of Highways England relating to this section of the scheme remain unanswered. These include:</p> <ul style="list-style-type: none"> - Justification for the proposal of only a single lane exit from Seven Hills Road (North) to show how this junction would operate in respect of the capacity / anticipated queuing at this junction to show that the junction operates efficiently. - Confirmation that there is sufficient space within the red line boundary in the vicinity of the left turn filter to Seven Hills Road South to allow construction of the junction and Feltonfleet access in this area. - Confirmation that Highways England have investigated the potential to link the Painshill and A245/Seven Hills Road traffic signal control. <p>Confirmation that consideration has been given to extending the length of the nearside left turn lane on the A245 eastbound arm of the Seven Hills junction to improve the traffic flow at this junction (there is a verge at the rear of the existing footway that could allow the footway to be realigned to provide space).</p> <p>In addition revised traffic modelling and environmental information is required in relation to change 3 of AS-023 submitted by Highways England.</p>	<p>That the scheme incorporates controlled crossing facilities across the A245 Byfleet Road to the west of Seven Hills Road (north) to allow Non-Motorised Users to cross the A245 and access proposed cycle facilities that was being promoted as part of the scheme and associated Highways England Designated funds (a cycle link from Cobham across the Painshill junction and along the A245 to Brooklands).</p> <p>The NMU route proposed along Seven Hills Road (south) currently stops short of the A245/Seven Hills junction (the route seems to be continuous from Ockham Roundabout to Seven Hills Road South and then stops). The Joint Councils request that a cycle facility be provided along the eastern side of Seven Hills Road (south) to connect up with the NMU route proposed on the A245 and provide a continuous link between Ockham Road Roundabout and Painshill as the proposed M25 Junction 10 scheme includes banning cyclists on the main A3.</p> <p>That the Old Byfleet Road adjacent to Feltonfleet school be stopped up as part of the DCO only in the event of the proposal to ban the straight ahead and right turn out of Seven Hills (north) as part of the proposed mitigation arrangements.</p> <p>Seven Hills Road (south) will require resurfacing/highway maintenance improvements along its whole length as part of the Highways England project as under the proposals additional traffic will now be using Seven Hills Road (south) to provide access to properties on the west side</p>	<p>NPSNN Para 3.17 sets out "the Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions."</p> <p>SCC's Congestion Programme and Elmbridge Local Transport Strategy identify congestion issues on the A245 Byfleet Road/B365 Seven Hills Road and highlights the need for pedestrian and cycle improvements along the corridor.</p> <p>The Surrey Cycling Strategy prioritises achieving high quality, joined up cycle routes within the county.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LRN3 mitigation: Highways England has responded in REP2-014 (page 32 and 33, reference number REP1-020-16 and REP1-020-19) to the effect that it does not consider these additional measures to be necessary for the purposes of the Scheme.</p> <p>The Scheme does indeed make provision for a continuous non-motorised route between the Ockham Park junction and the Painshill junction, albeit a very short section will be routed along Seven Hills Road (south) given that this road will carry very low traffic volumes. Highways England does not consider that there is a compelling public interest case to justify the compulsory acquisition of additional land from third parties specifically to align this short section of route off the existing carriageway. Highways England also disputes the need to carry out carriageway resurfacing on Seven Hills Road south, just because the road will be used by cyclists or as a substitute means of access for properties in the Long Orchard Farm area. The existing road (between the Hilton Hotel entrance and the A245 Byfleet Road) is considered by Highways England to be fit for its intended purpose.</p> <p>Highways England has supported SCC in seeking designated funds for a new pedestrian crossing immediately to the west of the A245 Byfleet Road/Seven Hills Road crossing. Highways England understands that this is being sought to address an existing deficiency in crossing facilities on the Byfleet Road but is not required as mitigation for the small increases in traffic flows on the A245 that are likely to be attributable to the Scheme.</p> <p>Overall, the design for A245 Byfleet Road/Seven Hills Road junction improvement as submitted in the DCO application has been developed in consultation with SCC. Highways England had understood that it had taken all of SCC's original design comments into account prior to submitting its application. As to imposing any restrictions on the timing of stopping up of the Old Byfleet Road, Highways England does not consider there to be any direct relationship between this proposal (a feature requested by SCC) and the banning of certain turning movements at the exit from Seven Hills Road North. Given the complexity of the works being undertaken at this busy junction, this suggested mitigation would further constrain the effective delivery of the works without adding any meaningful benefit for road users and the travelling public.</p> <p>Highways England's comments on policy accordance matters raised: As set out in Appendix A of the Planning Statement [APP-133], the Scheme is in accordance with NPSNN paragraph 3.17.</p> <p>Highways England does not consider that there is a compelling case in the public interest to justify the compulsory acquisition of the additional land required to deliver a cycle lane along the A425. The provision of a</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
	The Joint Councils have a number of specific requests for incorporation into the scheme design to optimise junction layout and non motorised user provision as well as ensuring there is future proofing for further improvements at a later date.	of the A3 that would no longer have access from the A3.		route along the A3 is considered to be in accordance with the objectives of the Surrey Cycling Strategy. Comments made about further design changes at the A245 Byfleet Road: At Deadline 4 of the DCO examination, Highways England is proposing to submit a change that will affect the A245. This is currently under targeted consultation, which will end on the 4 th February 2020.
LRN4	Variable Message Sign Technology SCC has two existing VMS on the A245 either side of the Painshill A3 junction. SCC asks that as part of the scheme Highways England replace these signs as an essential tool to inform motorists of both immediate incidents and planned works as well as to provide a useful tool to aid communication around scheme construction progress.	To be secured through the DCO by S106. All VMS infrastructure and technology should come with a commuted sum.	To support a key element of the Surrey Congestion Strategy which aims to improve the day-to-day proactive management of the network by working in partnership with other organisations, such as Highways England	Highways England's summary response as regards the Joint Councils' suggested LRN4 mitigation: Highways England is supporting SCC in making an application for designated funds to secure the provision of replacement VMS signage on the A245. This will now be a matter for the Road Investment Period 2, rather than RIS1 as originally anticipated. See also Highways England's response to paragraph 7.5.4 of the LIR above and to Highways England's response in REP2-014 (page 35, reference number REP1-020-25). Highways England's comments on policy accordance matters raised: Through its support of SCC's application for funding, Highways England is fulfilling the aims of the Surrey Congestion Strategy.
LRN5	Structures As Highway Authority, SCC has been asked to adopt a number of structures proposed as part of the scheme. A full schedule providing detail on these structures has not yet been provided.	See comments made below at SCC1 on the need for Protective Provisions for the Highways Authority. There are specific areas where approval of the Highway Authority will be required: - Approval of the design (loading, dimensions etc.) of the structure - Agreement on future maintenance responsibilities Agreement that adequate maintenance access will be provided for all structures (including consideration to hard standings for maintenance vehicles). Land acquired should be adequate to accommodate suitable access for future inspection, maintenance and reconstruction of the highway asset. Where access strips are needed, SCC's preference is to have these as part of the public highway rather than only an easement over third party land.	The SCC Transport Development Control Good Practice Guide sets out how SCC works with applicants under section 278 of the Highways Act 1980 (S278s) and use this mechanism to ensure safety and construction standards. Commuted sums for maintenance and inspection fees are required.	Highways England's summary response as regards the Joint Councils' suggested LRN5 mitigation: As stated in REP2-014 (page 26, reference number REP1-020-6) Highways England does not consider it appropriate to include protective provisions for the benefit of local highway authorities within the DCO itself. Highways England is of the view that any relevant matters can be more appropriately addressed in a separate bespoke side agreement with SCC, including matters such as SCC's involvement in the detailed design process and clarification on future maintenance responsibilities. A side agreement will offer greater flexibility to address a wider range of issues than might otherwise be possible if including within the formal drafting of the DCO. The DCO boundary has been defined having regard to the need to maintain the works and Highways England is confident that sufficient space has to be allowed for appropriate maintenance access. In addition, see Highways England's response in REP2-014 (page 42, reference number REP1-020-54). Highways England's comments on policy accordance matters raised: Highways England notes the SCC Good Practice Guide, but this is not a policy against which the Scheme will be assessed. As regards the issue of commuted sums, Highways England is in discussion with SCC on terms for a legally binding agreement to address a number of issues, including the maintenance and long-term management of environmental mitigation works (see Highways England's comments in REP2-014 as they relate to the issue at REP1-020-60 on page 43).

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
LRN6	<p><u>Structures supporting permanent/temporary highways</u></p> <p>SCC will need to agree technical approval of any temporary structure/works that support an SCC permanent or temporary highway (including Rights of Way). This is regardless of whether it is on SCC land.</p> <p>SCC also has an interest in third party owned structures crossing SCC highway and will need to be involved in the decision making on these elements to ensure that these structures do not restrict SCC's highway networks.</p>	<p>See comments made below at SCC1 on the need for Protective Provisions for the Highways Authority.</p> <p>There are specific areas where approval of the Highway Authority will be required.</p>	<p>The SCC Transport Development Control Good Practice Guide sets out how SCC works with applicants under section 278 of the Highways Act 1980 (S278s) and use this mechanism to ensure safety and construction standards. Commuted sums for maintenance and inspection fees are required.</p>	<p>Please see Highways England response above to LRN5.</p>
LRN7	<p><u>HGV parking</u></p> <p>Concern that the loss of HGV parking laybys has not been adequately addressed within the scheme</p>	<p>That Highways England retain provision for HGV parking within the scheme</p>	<p>In line with the approach of the 2011 SCC Freight Strategy which advocates that freight issues are considered as part of major applications.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LRN5 mitigation: As set out in Highways England's response to paragraph 7.3.1 and 7.3.3 of the LIR above, it has not been possible to identify a solution for safely accommodating replacement layby facilities within the Scheme design.</p> <p>In addition see Highways England's previous response on this issue in REP2-014 (page 35, reference number REP1-020-026).</p> <p>Highways England's comments on policy accordence matters raised: Facilities for HGVs has been considered in the Scheme, as is required by the SCC Freight Strategy (2011); however, the provision of HGV lay-bys within the Scheme would not meet DMRB standards on weaving, merging and separation distances. It is considered that there is sufficient capacity in existing HGV facilities on the surrounding road network.</p>
LRN8	<p><u>Collaborative Traffic Management (CTM) approach</u> Highways England to agree a CTM approach with SCC regarding the interaction of Highways England operated/maintained traffic signals with those operated and maintained by SCC.</p>	<p>SCC request that this scheme is included in the approach being developed by Highways England and that the Junction 10 team liaise with the CTM project.</p>	<p>It is understood that Highways England are developing/implementing a Collaborative Traffic Management Approach programme.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LRN8 mitigation:</p> <p>Highways England will work with SCC on an appropriate collaborative traffic management approach for M25 Junction 10.</p>
NMU1	<p><u>Maintenance of proposed parallel NMU route</u></p> <p>This is a replacement for the current NMU route (maintained by Highways England) adjacent to the A3 and the current legal right to cycle on the A3 which Highways England are proposing to remove under the proposed scheme</p>	<p>That Highways England confirm their commitment to maintenance responsibilities for the NMU within the DCO.</p>	<p>NPSNN Para 3.17 sets out "the Government expects applicants to use reasonable endeavours to address the needs of cyclists and pedestrians in the design of new schemes. The Government also expects applicants to identify opportunities to invest in infrastructure in locations where the national road network severs communities and acts as a barrier to cycling and walking, by correcting historic problems, retrofitting the latest solutions and ensuring that it is easy and safe for cyclists to use junctions."</p>	<p>Highways England's summary response as regards the Joint Councils' suggested NMU1 mitigation: As Highways England does not have a statutory duty to maintain public rights of way, the responsibility for maintaining the proposed new bridleway/non-motorised user route between the Ockham Park and Painshill junctions should rest with SCC as the relevant highway authority and its maintenance be funded through the usual Government channels. This approach is consistent with that taken in other made DCO schemes, where new and improved public rights of way delivered as part of strategic road network improvement schemes subsequently become the responsibility of the relevant local highway authority. In addition, see Highways England's response on this point in REP2-014 (page 40, reference number REP1-020-48).</p> <p>Highways England's comments on policy accordence matters raised: Compliance with the NPSNN is set out in the Schedule of</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
				<p>Accordance with National Policy Statement at Appendix A of the Planning Statement [APP-133]. The Scheme, which includes provision of NMU facilities along the A3, four new or replacement road crossing bridges, improved crossing facilities at the A3 Ockham Park junction and at Wisley Lane and a connected PRoW network across common land, is considered to be in accordance with NPSNN paragraph 3.17. The responsibility for the maintenance of these proposals is considered to rest with SCC as statutory body for public rights of way and this is not considered to undermine compliance with paragraph 3.17</p>
NMU2	<p><u>Confirmation of construction detail for NMU routes</u> To date construction details, including gradients and surface treatment, of new and altered PROWs have not been shown.</p>	<p>That this construction detail for NMU routes is included within the DCO and that SCC is a consultee on this aspect.</p>	<p>In line with SCC's Right of Way Improvement Plan which recommends a focus on the needs of network users.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested NMU2 mitigation: The level of detail contained in the DCO application is commensurate with the preliminary design status of the Scheme at this point in time. Highways England is in discussion with SCC about the terms of a separate side agreement, which will amongst other things address the arrangements for SCC's involvement in finalising the detailed design and there will therefore be an opportunity to provide the requested detail at that stage. Article 12 of the dDCO [REP2-002] requires that the works must be completed to the reasonable satisfaction of the local highway authority.</p> <p>In addition, see Highways England's response to paragraph 4.9.3 of the LIR above.</p> <p>Highways England's comments on policy accordance matters raised: The inclusion of Article 12 in the dDCO [REP2-002] will ensure that SCC as the highway authority have oversight of the detailed design of PROWs prior to their alteration or provision; and in this regard, the Scheme accords with SCCs Right of Way Improvement Plan.</p>
NMU3	<p><u>Pedestrian access from the proposed RHS Wisley bus stop to the gardens</u></p> <p>The Joint Councils consider that there will be a detrimental impact on bus users who will have to walk from the Ockham bus stops along the realigned Wisley Lane to access RHS Wisley Gardens which is some distance away (circa 1.2km).</p>	<p>As a minimum the scheme must include a pedestrian footway on the realigned Wisley Lane to provide access to RHS Wisley Gardens</p>	<p>NPSNN Para 3.20 "The Government expects applicants to improve access, wherever possible, on and around the national networks by designing and delivering schemes that take account of the accessibility requirements of all those who use, or are affected by, national networks infrastructure, including disabled users. All reasonable opportunities to deliver improvements in accessibility on and to the existing national road network should also be taken wherever appropriate."</p> <p>As specified in the SCC Transport Development Control Good Practice Guide the highway authority will consider applications to ensure that non-car transport infrastructure can accommodate people's everyday movement needs, such as ensuring:</p> <ul style="list-style-type: none"> - adequate footways exist, and - suitably equipped bus stops exist within a reasonable walking distance 	<p>Highways England's summary response as regards the Joint Councils' suggested NMU3 mitigation:</p> <p>The Scheme makes provision for a new bridleway along the eastern most side of the Wisley Lane diversion which will comprise a 3m sealed surface. Footpath 7 will be realigned to suit the revised vehicular access to RHS Wisley Gardens and will comprise a sealed surface.</p> <p>Highways England's comments on policy accordance matters raised: Compliance with the NPSNN is set out in the Schedule of Accordance with National Policy Statement at Appendix A of the Planning Statement [APP-133].</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
			Where the existing highway infrastructure is inadequate, it is requested that the developer design and undertake necessary improvements	
NMU4	<p><u>Need for further measures to compensate for removal of A3 bus stops</u></p> <p>The nearest bus stops will be on the northbound off slip and southbound on slip. These bus stops/shelters should be upgraded to an agreed form with real time passenger information provided as these existing bus stops are neither particularly convenient nor a pleasant place to wait.</p> <p>In addition clarification is required as to whether Highways England has investigated the potential for bus operators to divert their routes into the bus turnaround at RHS Wisley.</p>	Upgrades to bus stops to be secured through the DCO by S106	As above – see NMU3	<p>Highways England's summary response as regards the Joint Councils' suggested NMU3 mitigation: The Scheme makes provision for a new bus turnaround facility at the entrance to RHS Wisley as a replacement for the bus stops which currently exist at the laybys near Wisley Lane and Elm Lane and which will be closed by the Scheme. The replacement bus stop location is shown on sheet 2 of the Scheme Layout Plans [APP-012]. As both of the bus stops on the A3 near Wisley Lane and Elm Lane benefit from bus shelters at present, the Scheme will provide for a new shelter at the turnaround location. The design and siting of the shelter is a matter that can be agreed with SCC at the detailed design stage and in consultation with RHS Wisley.</p> <p>In addition, see Highways England's response to paragraphs 7.6.4 and 7.6.5 of the LIR above.</p>
RS2	<p><u>Inadequacy of Road Safety Audit</u></p> <p>SCC consider that Road Safety Audit that has been made available is not comprehensive (as set out in para 7.7), in that information for additional locations should have been included.</p>	That additional Road Safety Audit evidence is provided for assessment during the course of the examination.	<p>NPSNN Para 4.62 sets out the road safety audit process to be followed to ensure that the operational road safety experience is applied to design.</p> <p>Section 39 of the 1998 Road Traffic Act</p> <p>The SCC Transport Development Control Good Practice Guide details the requirements for planning applications assessed by the County Council in relation to safety audits.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested RS2 mitigation: Highways England will submit an interim RSA during the course of the examination. In line with the relevant guidance (contained in GG 119: Road Safety Audit (formerly HD 19/15) Revision 1' dated January 2019.) a more detailed audit will be carried out at the detailed design stage and will be shared with SCC at that time.</p> <p>In addition, see Highways England's response to paragraph 3.4 of the LIR above.</p> <p>Highways England's comments on policy accordence matters raised: Compliance with the NPSNN is set out in the Schedule of Accordence with National Policy Statement at Appendix A of the of the Planning Statement [APP-133]. Para 4.62 states that the applicant should put in place arrangements for the road safety audit process. As stated above and in paragraph 3.4 of Highways England's response above the arrangements have been made to progress.</p>
SCC1	<p><u>Adoption of new/proposed scheme components</u></p> <p>SCC await a full schedule of the scheme elements that it is proposed will be adopted by the Highway Authority, but it includes additional carriageway surfacing, structures (including maintenance access), drainage systems, new drainage pond for pollution control, earthworks, traffic signals and green infrastructure.</p> <p>In non DCO situations where Highways England undertake works on the Local Road Network it is usual for Highways England to enter into an agreement with the Local Highway Authority under section 4 of the Highways Act 1980. This provides</p>	<p>That Highways England include "Protective Provisions for the Local Highway Authority" within the dDCO.</p> <p>SCC maintain that the position of the highway authority is no different from that of the third parties whose interests are currently protected under Schedule 9.</p> <p>This schedule should include headings such as Provision of Detailed Information, The Local</p>	More detail is included in SCC2 below.	<p>Highways England's summary response as regards the Joint Councils' suggested SCC1 mitigation relating to protective provisions: As stated in Highways England's response to LRN5 above, Highways England does not consider it appropriate to include protective provisions for the benefit of local highway authorities within the DCO itself.</p> <p>Highways England is of the view that any relevant matters can be more appropriately addressed in a separate and bespoke side agreement with SCC, including matters such as SCC's involvement in the detailed design process and clarification on future maintenance responsibilities. A side agreement will offer greater flexibility to address a wider range of issues than might otherwise be possible if including within the formal drafting of the DCO.</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
	for obligations such as works being completed to the reasonable satisfaction of the Council, changes to the works requiring consent, Highways England paying the cost of the works, Highways England indemnifying the Council against certain claims which may be made against it and a clear description of works within the highway boundary. It is not clear to SCC, as Local Highway Authority where the requirement for a section 4 provision would fit under the DCO.	Highway and the Works, Stage 3 Certificate and the Maintenance Period, Inspection and Test of Materials, Final Certificate, Payment of Costs etc.		Highways England is in discussions with SCC regarding the terms of the agreement, including the need to incorporate the matters suggested under SCC1. Progress on these discussions will be documented in a SoCG and updated in accordance with the relevant examination deadlines.
SCC2	<p><u>Commuted sums</u></p> <p>As Highway Authority SCC is concerned at the lack of reassurance within the DCO in respect of the maintenance burden that would fall to SCC for elements of the scheme that SCC will be forced to adopt.</p> <p>The rationale for seeking commuted sums is to ensure that SCC as highway authority has sufficient financial resources to fund the future costs associated with taking on the liability for the asset including maintenance, inspection, associated works and, where appropriate, renewal costs/replacement of these additional assets which it will inherit as a result of the Order. Any funding received from Government through the Revenue Support Grant is insufficient. In this way, the purpose of securing commuted sums is to fund the future maintenance of these assets</p>	<p>That Highways England include "Protective Provisions for the Local Highway Authority" within the dDCO.</p> <p>SCC maintain that the position of the highway authority is no different from that of the third parties whose interests are currently protected under Schedule 9.</p> <p>This schedule should include the provision of commuted sums to SCC.</p>	<p>The Association of Directors of Environment, Economy, Planning and Transport's (ADEPT) published a guidance document on 'Commuted Sums for Maintaining Infrastructure Assets' in November 2009. This document has been widely adopted by local highway authorities and has been broadly accepted as national standard procedures and principles for the assessment and collection of commuted sums.</p> <p>The SCC Transportation Development Control Good Practice Guide details SCC's approach to commuted sums</p>	<p>Highways England's summary response as regards the Joint Councils' suggested SCC2 mitigation relating to commuted sums: Highways England does not consider it appropriate for the DCO to make provision for the payment of commuted maintenance sums for proposed works affecting the local highway network or intended to become part of that network once completed. The maintenance of local highways is funded through other Government channels.</p> <p>In addition, see Highways England's response to this issue in REP2-014 (page 43, reference number REP1-020-60) and in response to SCC1 above.</p> <p>Highways England's comments on policy accordance matters raised: For the reasons set out above, Highways England does not consider the guidance set out in ADEPT or the SCC Transportation Development Control Good Practice Guide to be of relevance.</p>
SCC3	<p><u>Absence of a S106 agreement</u></p> <p>The Joint Councils were disappointed to learn at the Issue Specific Hearing on the draft DCO that Highways England do not intend to enter into any s106 agreements with the local authorities.</p>	<p>This Local Impact Report provides detail on the areas which the Joint Councils consider it essential that a S106 Agreement is negotiated during the remaining examination period.</p>	<p>Under the criteria for good design as set out in NPSNN Para 4.31 it is stated "a good design should meet the principal objectives of the scheme by eliminating or substantially mitigating the identified problems by improving operational conditions and simultaneously minimising adverse impacts."</p>	<p>Highways England's summary response as regards the Joint Councils' suggested SCC3 mitigation relating to S.106 agreements: As set out in Highways England's response in REP2-014 (see page 23, reference number REP1-020-6), Highways England has confirmed its intention to enter into a separate side agreement with SCC on a range of highway and environmental matters, to include environmental mitigation and arrangements for involving SCC at the detailed design stage. There is no requirement for this agreement to be made under section 106 of the Town and Country Planning Act 1990. As to entering into a section 106 agreement as regards the provision of mitigation measures at Ripley, Highways England does not consider such mitigation to be necessary or justified for the purposes of the Scheme.</p> <p>Highways England's comments on policy accordance matters raised: Compliance with the NPSNN is set out in the Schedule of Accordance with National Policy Statement at Appendix A of the Planning Statement [APP-133]. Highways England consider that they have met the Scheme Objectives as illustrated in Section 3 of the Planning Statement. As stated in response to NPSNN paragraph 4.31, the ES has assessed the scheme, set out the mitigation required,</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
				which is secured through the outline CEMP [AS-016] and the dDCO [REP2-002].
LI1	<p><u>Adverse impact/blighting on County Council's retained land alongside the NMU route</u></p> <p>There are extensive strips of land remaining between the NMU and the A3 carriageway along much of its length leaving enclaves of land.</p>	<p>That Highways England clarify their approach to financial compensation for these orphaned strips of land.</p>	<p>Proposals will result in a material impact on the value of the land as a result of these enclaves of land not being contiguous with the remaining land on the other side of the NMU route.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LI1 mitigation – clarification on treatment of land between A3 and proposed NMU route: The proposed Highways England highway boundary would be aligned along the A3 side of the NMU route, as a result of which, there will not be any enclaves of different land ownership. Highways England is continuing to engage with SCC in respect of land acquisition and compensation matters in respect of any land adversely impacted/blighted, with a view to reaching agreement on possible terms.</p> <p>In addition, see Highways England's response to these issues in REP2-014 (page 36, reference number REP1-020-30 and page 43, reference number REP1-020-61).</p>
LI2	<p><u>Ockham Bites car park</u></p> <p>Proposals show a loss in car park capacity of approximately one third. The proposed access track will also create a visual and physical barrier from the car park to the common.</p>	<p>Scheme to fund and incorporate suitable accommodation works to remodel the car park to create replacement parking.</p> <p>Requests for Highways England to:</p> <ul style="list-style-type: none"> investigate reducing height of embankment and creation of easily accessible public and vehicular access across access track to link with common investigate the feasibility of realigning the access track to the western side/rear of café. 	<p>Proposals will have a material impact on an SCC asset and requesting re-provision of car parking capacity is a proportionate approach to accommodation works.</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LI2 mitigation – Ockham Bites Car Park: As set out in Highways England's response to paragraph 8.3 of the LIR above, the funding of any necessary accommodation works to reconfigure parking will be addressed as part of the compensation settlement for SCC as landowner and to the proprietor of the Ockham Bites Café.</p> <p>The height of the embankment for Work No. 35(d) is the minimum necessary to connect with the replacement Cockcrow overbridge, which in turn must be designed to meet standards in the DMRB (not less than 5.3m headroom over carriageway surface). The Scheme design will allow for vehicles to cross the proposed new bridleway at its closest point to Old Lane, where it will be at-grade (see sheet 4 of the Scheme Layout Plans [APP-012]).</p> <p>As to the alignment of Work No. 35(d), this route will be used as a substitute means of access to Pond Farm, the Birchmere Scout Camp and Hut Hill Cottage, including by vehicles. This means the route must be designed with an appropriate radius and its connection with Old Lane must be set back from the junction between the A3 and Old Lane for safety reasons. For this reason, it would not be feasible to realign the route to the western side of the Café as suggested.</p> <p>In addition, see Highways England's response to these issues in REP2-014 (page 51, reference number REP1-020-86 and REP1-020-87).</p>
B1	<p><u>Land management agreements and commuted sums</u></p> <p>The detail of land management agreements and associated commuted sum payments remain to be finalised.</p>	<p>Requirement for S106 agreement negotiation to be concluded during 6 month examination period.</p>	<p>NPSNN Para 5.181 states "The Secretary of State should also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of any planning obligations, for example, to provide exchange land and provide for appropriate management and maintenance agreements"</p>	<p>Highways England's summary response as regards the Joint Councils' suggested B1 mitigation – land management agreements: Highways England is in discussions with SCC with a view to entering into a bespoke side agreement that deals with these issues, including the potential for SCC to carry out some land management activities on its behalf. However, it is emphasised that the Scheme is not dependent upon such an agreement being secured as the dDCO [REP2-002] will provide sufficient powers for Highways England to carry out all of the necessary maintenance, management</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
				<p>and monitoring of land proposed for environmental mitigation and compensation works directly.</p> <p>Highways England's comments on policy accordence matters raised: Compliance with the NPSNN is set out in the Schedule of Accordence with National Policy Statement at Appendix A of the Planning Statement [APP-133]. In response to 5.181, the Statement of Reason Appendix C [AS-005] gives full details about the replacement land included in the Scheme.</p>
B2	<p>Green bridge maintenance Management agreement and commuted sums required for SCC maintenance element of green bridge.</p> <p>The green bridge appears to be integral to the scheme in linking the new heathland areas. Concerns around maintenance responsibilities and the associated funding to undertake maintenance remain. SCC consider that maintenance should be dealt with in the same manner as other compensatory mitigation.</p>	<p>Management agreement and commuted sum for maintenance element of green bridge to be secured through the DCO by S106 Agreement.</p>	<p>NPSNN Para 5.36 states "in particular, the applicant should demonstrate that:</p> <ul style="list-style-type: none"> - developments will be designed and landscaped to provide green corridors and minimise habitat fragmentation where reasonable; - opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals, for example through techniques such as the 'greening' of existing network crossing points, the use of green bridges.." <p>NPSNN Para 5.37 states "The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into in order to ensure that mitigation measures are delivered."</p>	<p>Highways England's summary response as regards the Joint Councils' suggested B2 mitigation – management of the Green Bridge: Highways England has confirmed in REP2-014 (page 42, reference number REP1-020-57) that it will accept responsibility for the maintenance and management of the green verge proposed on the replacement Cockcrow overbridge and thus there will be no requirement for Highways England and SCC to enter into an agreement on this point specifically. It is emphasised that this feature is included in the Scheme to address the severance of habitats caused by the existing A3 and is not required as mitigation for any of the Scheme's effects. Highways England also confirms that under Article 12 of the dDCO [REP2-002] it would be responsible for the maintenance of the structural elements of the bridge but that SCC, as local highway authority, would be expected to maintain the highway surface.</p> <p>In addition, see Highways England's comments in response to paragraph 4.4.12 of the LIR above.</p> <p>Highways England's comments on policy accordence matters raised: Compliance with the NPSNN is set out in the Schedule of Accordence with National Policy Statement at Appendix A of the Planning Statement [APP-133]. As responses to NPSNN Para 5.35, 5.36 and 5.37 indicate, the Scheme would result in some loss of habitats within the landscape. Wildlife would be at risk of direct mortality and pollution, disturbance as well as fragmentation and isolation of their habitat. However, compensation measures would reduce adverse effects through the planting of woodland habitats, and the creation of wood pasture and reedbed areas. and any other consents have been considered in APP-020. Therefore the applicant is in compliance with the NPSNN.</p>
LLFA1	<p><u>Protective provisions for Surrey County Council in respect of ordinary watercourses</u> Any works to any watercourse will need to be assessed and approved.</p>	<p>To reach an agreed position on Protective Provisions for inclusion at Schedule 9.</p>	<p>In compliance with SCC's role as Lead Local Flood Authority</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LLFA1 mitigation – protective provisions for lead local flood authority: Highways England is continuing to engage with SCC on the detailed wording of these protective provisions.</p> <p>In addition, see Highways England's response to this point in REP2-014 (page 46, reference number REP1-020-69).</p>
LLFA2	<p><u>Manor Pond</u></p>	<p>If required, management agreement and commuted sum for maintenance</p>	<p>NPSNN Para 5.37 states "The Secretary of State should consider what appropriate requirements should be attached to any</p>	<p>Highways England's summary response as regards the Joint Councils' suggested LLFA2 mitigation – management of Manor Pond: As set out in Highways England's response to paragraph 4.5.4</p>

Issue Reference	Specific Issue	Summary of Council's proposed mitigation/ DCO amendment required	Relevant Planning Consideration (NPS, Local Policy, Guidance, Local Evidence etc)	Highways England Response
Chapter 9				
	Clarity required on maintenance responsibilities as well as access arrangements	to be secured through the DCO by S106	consent and/or in any planning obligations entered into in order to ensure that mitigation measures are delivered."	<p>of the LIR above, Manor Pond is proposed to improve drainage on the A245 and as part of the local highway network will become the responsibility of SCC upon its completion. Highways England does not therefore consider that there will be a need for a separate side agreement to address this point further or for provision to be made for any commuted maintenance sum specifically in this regard.</p> <p>Highways England's comments on policy accordence matters raised: Compliance with the NPSNN is set out in the Schedule of Accordence with National Policy Statement at Appendix A of the Planning Statement [APP-133]. Highways England has been in discussion with Environment Agency about other consents during the examination, as per suggested in [APP-020].</p>
WA1 (1)	<p><u>Outstanding queries around waste and material assumptions used</u> SCC has raised queries relating to:</p> <ul style="list-style-type: none"> • Capacity for both hazardous waste and topsoil material. • Transport implications of obtaining heavy material (particularly aggregate) 	That further detail is provided through the examination process.	In line with policies and objectives of the emerging Surrey Waste Local Plan 2019-2033.	<p>Highways England's summary response as regards the Joint Councils' suggested WA1(1) mitigation –Assessment on capacity for hazardous waste and topsoil: As set out in Highways England's response to paragraphs 4.8.3 to 4.8.5 of the LIR above, these matters will be further addressed as part of discharging the DCO requirements. Requirement 13 provides that the Undertaker must obtain approval of a site investigation and risk assessment prior to commencing any intrusive groundworks, including details of remediation strategies to address any contamination. Ground investigations are now being carried out and the results of these will inform how any anticipated excavated material is likely to be classified, including whether that waste is likely to be hazardous. This will in turn inform the preparation of the materials and waste management plans and method statements that the Undertaker must submit for approval under requirement 3, including detail of material volumes to supplement the information and assessments already provided in the Environmental Statement.</p> <p>Highways England's comments on policy accordence matters raised: Highways England believe it is in line with the policies and objectives of the emerging Surrey Waste Local Plan 2019-2033.</p>
WA1 (2)	<p><u>Concerns around impacts to the LRN during construction</u> HE are required to produce a Traffic Management Plan in accordance with Requirement 4 in Schedule 2 of the DCO. SCC note that Highways England have shared with SCC a draft Traffic Management Plan (TMP) setting out proposed diversion routes during construction. SCC have raised concerns on this TMP (at a meeting on 9th May 2019) which Highways England are to address before SCC can agree to the TMP.</p>	SCC require HE to submit for its approval the Traffic Management Plan in accordance with Requirement 4 in Schedule 2 of the DCO within the Examination period.	Traffic Management Act 2004	<p>Highways England's summary response as regards the Joint Councils' suggested WA1(2) mitigation –Traffic management plan:</p> <p>Requirement 4 of the DCO (Schedule 2 of REP2-002) provides that the Undertaker must submit and obtain approval of a traffic management plan prior to commencing any part of the authorised development involving alteration or improvement works to the M25 or A3. Highways England does not consider that such details need be approved during the course of the examination, in line with the approach adopted for other highway DCOs.</p>

4. Part Three - Highways England's comments on the amendments to the dDCO sought by the Joint Council's Local Impact Report in Chapter 9

Paragraph	DCO Comment	HE Response
Comments on the amendments to the dDCO sought by the Joint Councils		
DCO1	<p>Throughout the dDCO, deemed consent is conferred if a consultee has not responded within a certain amount of time – often 28 days. Any such application for consent should contain a clear reference to this deemed consent provision and this should be expressly required within all such provisions.</p> <p>The phrase unreasonably withheld is also included throughout the dDCO, with no definition provided.</p>	<p>Paragraph 19 of Schedule 2 to the dDCO (Requirements) [REP2-002] provides for both deemed approval and deemed refusal of applications under the requirements depending upon the circumstances of the application.</p> <p>For applications made to the Secretary of State for approval of matters required under the requirements, the relevant period is 8 weeks, not 28 days (paragraph 19(1)).</p> <p>This dDCO goes further than other made Highways England DCO as the deemed approval provision does not apply to an application made under requirement 8 (as regards approval of details of the SPA compensation and enhancement measures) or under requirement 17 (restoration of SPA land used temporarily).</p> <p>The deemed approval and refusal provisions are well-precedented in Highways England development consent orders, c.f. The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016, The M20 Junction 10a Development Consent Order 2017 and The A19/A184 Testo's Junction Alteration Development Consent Order 2018.</p> <p>It is therefore reasonable and proportionate for the dDCO to include the deemed consent and deemed refusal provisions, which as noted are more restrictive in this case than in the case of other made Highways England DCOs.</p> <p>The expression 'unreasonably withheld' which is used in several places in the dDCO [REP2-002] (see for instance article 14(4) (temporary stopping up of streets), 18(2) (traffic regulation), 19(3) (discharge of water) and 21(4) (authority to survey and investigate the land)), is well-precedented in made development consent orders including The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016, The M20 Junction 10a Development Consent Order 2017 and The A19/A184 Testo's Junction Alteration Development Consent Order 2018.</p> <p>It is not necessary for the dDCO to define the circumstances in which consent may or may not be reasonably withheld under any of the relevant articles. What may or may not be reasonable in any given situation is fact-sensitive and it would be inappropriate for the dDCO to seek to make provision in this regard.</p>
DCO2	<p>Part 1, Citation and commencement, para 6 rather than the wording "will be no less advantageous than" should it state "will be improved and enhanced than it was before"?</p>	<p>The language used in the preamble reflects the statutory language in section 132 Planning Act 2008.</p>
DCO3	<p>Article 2 Interpretation</p> <p>The definition of maintain is broad and the County Council query what is meant by a number of the terms. The County Council has specific concern at the use of the tailpiece as there is no clarity on the process that would be followed to determine if works do give rise to any materially different effects to those identified in the ES.</p>	<p>The list of elements within the definition of maintain has been based on other made Highways England DCOs, c.f. The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016, The M20 Junction 10a Development Consent Order 2017 and The A19/A184 Testo's Junction Alteration Development Consent Order 2018.</p> <p>The definition of 'maintain' in this dDCO is more restrictive than that contained in the 3 Highways England made DCOs cited above in an important respect. This is because the dDCO [REP2-002] contains a tailpiece to the effect that none of the activities constituting the maintenance of the authorised development may be carried out to the extent that they would give rise to materially new or materially different environmental effects compared with those identified in the environmental statement. This 'environmental envelope' thereby constrains the scope of the power in article 5 for Highways England to maintain the authorised development by restricting what may be carried out within the purview of the dDCO to those activities which would not have significant new or different environmental effects.</p> <p>As breaching the terms of a DCO is a criminal offence, Highways England will at all times act strictly in accordance with the terms of article 5 and the definition of 'maintain' and where appropriate to do so would seek specialist environmental advice on the effects of any works which may fall outside the environmental envelope in the tailpiece to the definition of maintain.</p>
DCO4	<p>Article 9 - Consent to transfer benefit of order</p>	<p>Article 9 is a standard provision in the majority of made DCOs, including recent Highways England DCOs. It ensures in particular that, where a DCO confers powers for an undertaker to carry out works to apparatus belonging to a statutory</p>

Paragraph	DCO Comment	HE Response
	<p>The County Council request further detail as to why this would be necessary. Where this would apply to the Local Road Network, the County Council would like consideration to be given to a requirement to consult the Highway Authority</p>	<p>undertaker, the benefit of the relevant powers can be transferred to the undertaker in question without the need for further consent where, for example, the undertaker wishes to carry out the relevant works itself.</p> <p>Article 9 of the dDCO is also necessary to provide for the possibility of the benefit of the dDCO to be transferred to a successor body in the event that Highways England is wound-up, merged or its functions are transferred to a successor undertaking. In the absence of such a provision, the benefit of the powers to be granted by the dDCO would be vested solely in Highways England. Further explanation is provided in paragraphs 5.28 and 5.29 of the Explanatory Memorandum [APP-019].</p>
DCO5	<p>Article 10 – Application of the 1991 Act</p> <p>The County Council consider that Article 10 should be drafted to confirm that the Scheme would be subject to the South East Permit Scheme (SEPS), operated by Surrey County Council under the Traffic Management Act 2004 which changes the notification system under the New Roads and Street Works Act 1991'. Section 56 –C of the 1991 Act (amended by Section 43 of the TMA 2004) should not be dis-applied. This will enable SCC to better fulfil its 'Network Management Duty' as required by the TMA 2004, and provide a greater degree of confidence for the delivery of scheme without concerns over conflicting works on the Local Road Network impacting upon the scheme delivery programme. Adherence to the SEPS will ensure that other activities on the highway can be successfully coordinated around the delivery of the scheme and the systems used for SEPS will allow for accurate information on the works being carried out on the Local Highway Network to be automatically populated and updated onto existing public facing websites thus minimising un-necessary direct contacts to customer contact centres of both the Applicant and the Local Highway Authority. On those Local Highway Authority Streets where the Surrey Lane Rental Scheme (SLRS) is in operation, as per Section 74a of the (amended) 1991 Act, works in relation to the Scheme which adversely impact upon traffic flows during the traffic sensitive times specified in the National Street Gazetteer (NSG) will be subject to a daily Lane Rental charge at the applicable rate as set out in the SLRS.</p>	<p>Please refer to Highways England's response to paragraph 7.11.5 of the LIR above and Highways England's response to this issue in REP2-014 (page 52, reference number REP1-020-89).</p>
DCO6	<p>Article 11 – Construction and maintenance of new, altered or diverted streets Expand title of article to "Construction and maintenance of new, altered and diverted streets and other structures"</p> <p>SCC is concerned at the lack of reassurance that the structure of this article provides for Highways Authorities in respect of the maintenance burden that would fall to SCC. In non DCO situations where Highways England (are undertaking works on the Local Road Network it is usual for Highways England to enter into an agreement with the Local Highway Authority under section 4 of the Highways Act 1980. This provides for obligations such as works being completed to the reasonable satisfaction of the Council, changes to the works requiring consent, Highways England paying the cost of the works, Highways England indemnifying the Council against certain claims which may be made against it and a clear description of works within the highway boundary. It is not clear to SCC, as Local Highway Authority where the requirement for a section 4 provision would fit under the DCO. SCC require detail on what consultation and approval mechanism are proposed.</p> <p>We would request that an additional part be added to Schedule 9 (Protective Provisions) entitled "For the Protection of the Local Highway Authority". The position of the highway authority requires protection in addition to those third parties whose interests are currently protected under Schedule 9.</p> <p>Under Article 11 (1), (2) would request that after the wording "unless agreed with the local highway authority" be revised to state wording "unless agreed in writing with the local highway authority"</p>	<p>Please refer to Highways England's response to these issues in REP2-014 (page 52, reference number REP1-019-3).</p> <p>Please refer to Highways England's response to these issues in REP2-014 (page 23, reference number REP1-020-6).</p> <p>Please refer Highways England's response to these issues in REP2-014 (page 52, reference number REP1-019-1).</p>

Paragraph	DCO Comment	HE Response
	<p>Under Article 11 (3) would request that after “waterproofing membrane)” the wording “unless agreed in writing with the local highway authority” be added.</p> <p>‘reasonable satisfaction’ ‘otherwise agreed’ – these need to be tightened up and a mechanism for agreement/approval put in place</p> <p>Provisions should include a maintenance period or Defects Liability Period (DLP)</p>	<p>Please refer to Highways England’s response to these issues in REP2-014 (page 52, reference number REP1-019-2).</p>
DCO7	<p>Article 12 – Classification of roads</p> <p>12(1) Definition of open for traffic is required</p>	<p>Highways England position is that the term ‘open for traffic’ bears an ordinary, common-sense meaning in the context of article 12 and a specific definition is not necessary.</p>
DCO8	<p>Article 13 – Temporary stopping up and restriction of use of streets</p> <p>13(1) In the absence of a definition of reasonable here and throughout, it is assumed that the arbitration provision at Article 47 will be invoked.</p> <p>13(5) Part 1 of the 1961 Act relates to compensation for Compulsory Acquisition. Would it apply here?</p> <p>13(6) Is there a reason for this departure from Article 11 of the GMP?</p>	<p>The power in article 14(1) (following re-numbering – see REP2-023) for Highways England to temporarily stop up, alter, divert or restrict the use of any street is subject to article 14(4), which provides that the consent of the street authority is required prior to the exercise of the power in article 14(1) as regards any street for which Highways England is not the street authority.</p> <p>Article 14(4) provides that the street authority may attach reasonable conditions to its consent but may not unreasonably withhold or delay its consent.</p> <p>Please refer to the response to DCO1 above as regards ‘reasonably withheld’.</p> <p>This provision is well-precedented in Highways England made DCOs and reflects article 11(5) of the Model Provisions. The provision clarifies that a person’s entitlement to compensation as a result of interference with a private right of way in consequence of the exercise of the power under article 14(following re-numbering – see REP2-023) may refer a dispute to the Upper Tribunal (Lands Chamber).</p> <p>Article 14(6) (following re-numbering – see REP2-023) is well-precedented in made Highways England DCOs (c.f. article 12(6) of the Testo’s order, article 14(6) of the M20 Junction 10a order and article 14(6) of the 14 order.) The provision is reasonable and proportionate in the context of a nationally significant infrastructure project to ensure that the requirement on Highways England to obtain the consent of the street authority prior to the exercise of the power in article 14(1) will not unduly impede the efficient implementation of the authorised development.</p>
DCO9	<p>Article 15 – Access to works</p> <p>As drafted, the undertaker may form and layout means of access or improve existing means of access without seeking consent/approval/agreement of the relevant highway authority or street authority. Clearly such consent/approval/agreement must be sought from the relevant authority. If required, SCC can provide a form of words.</p>	<p>Highways England does not agree with SCC that the power in article 16 (following re-numbering – see REP2-023) to form and lay out means of access within the Order limits should be subject to the prior consent of the highway authority (if not Highways England). This provision is well-precedented in made Highways England DCOs (c.f article 15 of the A14 order, article 14 of the Testo’s order and article 16 of the M20 junction 10A order).</p>
DCO10	<p>Article 17 – Traffic regulation</p> <p>SCC will make further comment on these provisions. Initial comments include:</p> <p>17 (2) Consenting process required and a definition of ‘unreasonably withheld’</p> <p>17 (8) Highways England is only required to take representations into consideration – not to act on them</p>	<p>Highways England is willing to discuss with SCC the form and practicalities of the consenting mechanism provided for in article 18(2).</p> <p>Please see response to DCO1 above regarding why it is not necessary or appropriate for the dDCO to seek to define ‘unreasonably unwithheld’</p> <p>Article 18(8) (following re-numbering – see REP2-023) is well-precedented in made Highways England DCOs (c.f. article 47(8) of the M20 junction 10a order, article 16(8) of the Testo’s order and article 16(8) of the A14 order).</p>
DCO11	<p>Part 4 Article 18 – Discharge of water</p> <p>18(6)(a) should this reference be to Homes England?</p>	<p>Highways England is happy to clarify the reference to Homes England in this article of the dDCO.</p>
DCO12	<p>Article 20 – Authority to survey and investigate land</p> <p>A requirement should be included to ensure that the undertaker restores the land to the condition and level it was in on the date on which the survey or investigation began or other such condition as may be agreed with the owner of the land.</p> <p>20(1) This article authorises the entering on to of any land within the Order limits or which may be affected by the authorised development. What is envisaged by ‘may be affected by the authorised development’? This appears to be a very broad power to enter land.</p>	<p>Please refer to Highways England’s response in REP2-014 (page 50, reference number REP1-020-83).</p> <p>Furthermore, the article follows the relevant Model Provision (see Model Provision 16) and is well-precedented in made Highways England DCOs (c.f. article 19 Testo’s order, article 20 of the M20 junction 10a order and article 19 of the A14 order).</p>

Paragraph	DCO Comment	HE Response
	20(7) It is unclear how section 13 of the 1965 Act can be made to apply to an authority to survey and investigate land in this way using section 125 of the Planning Act 2008 and perhaps the undertaker can clarify this. It should be borne in mind that section 13 provides a mechanism for obtaining a warrant to deliver possession with costs to be paid by the person refusing to give possession to be offset against any compensation payable by the acquiring authority and if none, recovery can be effected using the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 (taking control of goods).	Article 21(7) (following re-numbering – see REP2-023) was included in error and will be removed from the next revision of the dDCO.
DCO13	Part 5 Powers of Acquisition and Possession of Land Further comment on this part of the draft DCO will be made during the relevant issue specific hearings.	N/A
DCO14	Article 31 – Temporary use of land for carrying out the authorised development 31 (1) (c) The provision of means of access should be subject to highway authority approval. There may be considerable time between taking of possession and up to two years after completion of authorised development. This may have potential wide ranging consequences	Please see response to DCO9 above as regards means of access. The inclusion of a two-year post-completion period is necessary in order for Highways England to ensure that it can carry out all of the necessary reinstatement works to the land in question. The two year timeframe has been included because the Scheme will require significant reinstatement measures to be undertaken including the reinstatement of special category land at Ockham and Wisley Commons and land which is designated as Thames Basin Heaths Special Protection Area and/or the Ockham and Wisley Site of Special Scientific Interest. To ensure the efficacy of proposed reinstatement planting, it is important that the reinstatement measures are carried out during the appropriate planting season. The two year period will ensure that there is sufficient time allowed for this should the completion of the engineering works not align well with the start of the next available planting season.
DCO15	Article 32 – Temporary use of land for maintaining the authorised development 32 (1) Maintenance period should be clarified or defined.	The maintenance period is defined in article 33(11).
	32 (1) (b) The provision of means of access should be subject to the approval of the highway authority.	Please see response to DCO9 above as regards means of access.
DCO16	Part 6 Article 38– Felling or lopping of trees and removal of hedgerows 6.38 (3) Do the compensation provisions of the 1961 Act apply here without modification? 6.38 (4) Consent from the relevant Local Authority should be required prior to the removal of any hedgerow or part not specifically identified on the Schedule and plan.	The entitlement to compensation in relation to loss or damage suffered in consequence of the exercise of the power under article 39(1) arises from article 39(2), not the 1961 Act. Article 39(3) simply clarifies that, in the event of a dispute between Highways England and the party concerned, such dispute is to be determined under Part 1 of the 1961 Act i.e. by the Upper Tribunal (Lands Chamber). Highways England does not agree that the consent of the relevant local authority should be obtained prior to the exercise of the power under article 39(4) as regards hedgerows. Such provision is well-precedented in made Highways England DCOs (c.f. article 34(4) of the Testo's order, article 38 of the M20 junction 10a order and article 36(4) of the A14 order).
DCO17	Part 7 – Article 47 Arbitration Queried how arbitration costs are to be dealt with.	Please refer to Highways England's response to this issue in REP2-014 (page 52, reference number REP1-019-4).
DCO18	Requirement 3 – Construction and handover environmental management plans 3(4) Add in "upon completion of construction of the authorised development the CEMP must be converted into the HEMP and the authorised development must be operated and maintained in accordance with the HEMP" (the HEMP must be prepared before completion to allow for timely conversion)	Requirement 3(6) of the dDCO [REP2-002] provides that the authorised development must be operated and maintained in accordance with the HEMP. Under Requirement 3(4) the submitted and approved CEMP must include a process for the preparation of the HEMP, which will provide an opportunity for the precise timing of the HEMP to be confirmed.
DCO19	Requirement 23 – Anticipatory steps towards compliance with any requirement What steps are contemplated within this provision as steps taken before the coming into force of the Order which may be taken into account for determining compliance? Are they steps that would have been agreed with the relevant planning authority?	This provision is intended to facilitate the timely formal discharge of requirements under the dDCO by permitting Highways England to take steps before the dDCO is made towards the approval of certain specified matters required under the requirements. For example, in order to achieve the tight environmental window for the Scheme, Highways England may wish to submit details of certain environmental elements of the Scheme which are required to be approved by the Secretary of State, following consultation with the relevant local authority. This will facilitate the swift approval of such details following the

Paragraph	DCO Comment	HE Response
		<p>making of the dDCO and ensure that the construction programme within the sensitive environmental window is not unduly delayed.</p> <p>This provision (which is well-precedented) will aid the efficient implementation of the authorised development. Accordingly, under requirement 23, it is not necessary for steps which have been taken before the dDCO is made to be 'formally' repeated.</p>
DCO20	<p>Schedule 9 – SCC request that additional Protective Provisions “For the Protection of the Local Highway Authority” be added.</p>	<p>Please refer to Highways England’s response on this issue in REP2-014 (page 23, reference number REP1-020-6).</p>
DCO21	<p>Schedule 9 – Part 4 For the Protection of Surrey County Council in respect of ordinary watercourses</p> <p>Discussions are underway with Highways England to seek agreement on the wording of the Protective Provisions.</p>	<p>Highways England is continuing to engage with SCC to agree a suitable form of protective provisions in respect of ordinary watercourses.</p>

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Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
Highways England Company Limited registered in England and Wales number 09346363

