

Our ref: HE551522-ATK-GEN-J10-LN-ZM-000004

The Planning Inspectorate
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Highways England
Bridge House
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Surrey
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28 January 2020

By email to: m25junction10@planninginspectorate.gov.uk

Dear Sirs,

M25 junction 10/A3 Wisley interchange scheme (the Scheme)

Planning Inspectorate reference: TR010030

Highways England's Deadline 3 submission –28 January 2020

Please find enclosed the submission of Highways England for Deadline 3. This submission consists of a number of enclosures and separate documents which are submitted in response to various requests made in the Examining Authority's (ExA) Rule 8 letter [PD-005] issued on 20 November 2019.

The Deadline 3 submission comprises the following documents in addition to this letter:

1. Highways England's Comments on the Joint Local Impact Report submitted by Surrey County Council, Guildford Borough Council and Elmbridge Borough Council

1.1 Highways England's comments on the Joint Local Impact Report submitted at Deadline 2 are contained in the document reference **TR010030/Volume 9.32**.

1.2 Highways England's approach to commenting on the Joint Local Impact Report is set out in the introduction to Volume 9.32. A number of issues raised in the Joint Local Impact Report have been dealt with by Highways England in the following examination documents: REP1-009 (Applicant's Comments on Relevant Representations) at Deadline 1, REP2-013 (Applicant's Responses to ExA's First Written Questions (ExAQ1)) and REP2-014 (Applicant's Comments on Written Representations) at Deadline 2.

2. Comments on Interested Parties' Responses to ExA's Written Questions

2.1 Highways England's comments on interested parties' responses to ExAQ1 are contained in the document with reference **TR0130030/Volume 9.33**. Highways England's approach to commenting on interested parties' responses to ExAQ1 is set out in the introduction to Volume 9.33. A number of issues raised by interested parties have already been dealt with by Highways England in the following examination documents:- REP1-009, REP2-013 and REP2-014 at Deadline 2.

2.2 As requested by the ExA in ExAQ1 1.16.5, Highways England has provided a schedule of statutory undertaker representations to which section 127 of the Planning Act 2008 applies. This was submitted initially at Deadline 2 as REP2-020 and has been updated for Deadline 3 as **TR0130030/Volume 9.25(1)**.

2.3 As requested by the ExA in ExAQ 1.16.6, Highways England has provided a schedule of statutory undertaker representations to which section 138 of the Planning Act 2008 applies. This was submitted initially at Deadline 2 as REP2-021 and has been updated for Deadline 3 as **TR0130030/Volume 9.26(1)**.

3. Highways England's Post Hearing Submission - Written Summary Oral Case

3.1 In relation to Issue Specific Hearing (ISH) 2 on Transportation, Environmental and Socio-economic Matters, Highways England has provided a written summary of the oral case made at the hearing. This is submitted with reference (**TR0130030/Volume 9.34**).

4. Statements of Common Ground

4.1 As requested in the ExA's Rule 6 letter, Highways England has provided, in some cases in draft, Statements of Common Ground (SoCGs) with the eight interested parties identified by the ExA, including a number of updated signed SoCGs originally submitted with the application and updated for Deadline 3. The SoCGs have taken into consideration the matters which the ExA requested in its Rule 6 letter be covered in each SoCG, together with items 3 and 17 of the ISH 2 Action Points (EV-005e).

The SoCGs submitted at Deadline 3 have been agreed with the relevant interested party, save where noted below and in the accompanying Statement of Commonality (Volume 9.40) as being submitted in draft form and have been given the following document references:

- Statement of Common Ground with Natural England- Updated (**TR0130030/Volume 8.2(1)**).
- Statement of Common Ground with Environment Agency- Updated (**TR0130030/Volume 8.3(1)**).
- Statement of Common Ground with Historic England (**TR0130030/Volume 8.4(1)**).
- Statement of Common Ground with Elmbridge Borough Council (**TR0130030/Volume 9.35**).
- Statement of Common Ground with Guildford Borough Council (**TR0130030/Volume 9.36**).
- Statement of Common Ground with Surrey County Council (**TR0130030/Volume 9.37**).
- Draft Statement of Common Ground with Royal Horticultural Society (**TR0130030/Volume 9.38**).
- Draft Statement of Common Ground with Wisley Property Investments Limited (**TR0130030/Volume 9.39**).

I trust that the format and structure of the SoCGs provides sufficient clarity for the ExA authority as to the principal matters which are either agreed or not agreed between the parties at this stage of the examination.

As indicated above, Highways England has also prepared a Statement of Commonality, which is submitted under document reference **TR0130030/Volume/9.40**. The ExA's attention is drawn to sections 4 and 5 of the Statement of Commonality which provide a high-level summary of the position with each interested party as at Deadline 3.

5. Additional submissions - Action points from ISH2

5.1 In response to the ExA's request in its action points arising from ISH 2 (EV-005e), please note the following:

- Action Point 1- *“Submit into the Examination the Scheme Assessment Report of 2017 cited at page 113 in REP2-014 and also the Highways Addendum.”* Highways England has provided the Scheme Assessment Report **(TR0130030/Volume 9.41)**.
- Action Point 1- *“Submit into the Examination the Scheme Assessment Report of 2017 cited at page 113 in REP2-014 and also the Highways Addendum.”* Highways England has provided the Side Roads Addendum **(TR0130030/Volume 9.42)**.
- Action Point 9- *Ministerial statements regarding Ockham South Facing Slips.* Highways England has provided a copy of these ministerial statements **(TR0130030/Volume 9.43)**.
- Action Point 11- *“Submit the table of traffic volumes that Mr Katesmark spoke to in response to agenda item 3(i).”* Highways England has provided the document referred to by Mr Katesmark during ISH2. **(TR0130030/Volume 9.44)**.
- Action Point 13: *“Submit LA 105 standards.”* Highways England has provided a copy of the document. **(TR0130030/Volume 9.45)**.
- Action Point 14- *“Submit Natural England NEA 001 Guidance Note on NE’s approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations.”* Highways England has provided a copy of the document. **(TR0130030/Volume 9.46)**.
- Action Point 16: *Submit a table setting out the traffic movements that were referred to by Interested Parties under Agenda items 3a) to g).* A table has been prepared by Highways England in response to this request. **(TR0130030/Volume 9.47)**.

6. A revised Guide to the Application

6.1 A revised Guide to the Application is submitted with document reference **TR010030/Volume 9.6(3)** and will continue to be submitted in revised form at each examination deadline in accordance with the request in the rule 6 letter.

7. A revised Schedule of Errata

7.1. A revised Schedule of Errata is submitted as a document with reference **TR010030/Volume 9.5(3)** and includes minor errata.

8. Highways England Comments on Guildford Borough Council Relevant Representations

8.1. Although Highways England has responded to the points which have been raised by Guildford Borough Council in its comments on the Joint Local Impact Report (Volume 9.32), for completeness it has also taken the opportunity to provide a response to Guildford Borough Council’s relevant representation (RR-062). This is provided with document reference **TR0130030/Volume 9.48**

Proposed Scheme changes

Further to my letters of 4 November 2019 and 3 December 2019 and the submissions made on behalf of Highways England at ISH2, I can confirm that Highways England will be making an application at Deadline 4 (11 February 2020) to make changes to the Scheme.

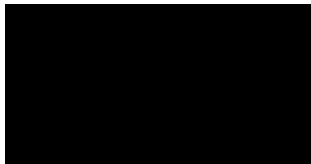
As indicated in my previous letters and as was explained on behalf of Highways England during ISH2, two of the proposed changes (the proposed extension of the green element of Cockcrow bridge and additional gas main crossing of the M25) engage the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (**2010 Regulations**), as they require minor amendments to the red line boundary of the Scheme to include the compulsory acquisition of additional land (or of rights in land). Highways England has sought to obtain the consent of the parties with an interest in land affected by the changes to the inclusion of the additional land within the red line boundary of the Scheme in accordance with regulation 4(b) of the 2010 Regulations.

It is now unlikely that the consent of each affected party to the inclusion of the additional land will be obtained prior to Deadline 4. Accordingly, I can confirm that Highways England proposes to comply with the prescribed procedure as set out in regulations 5 to 19 of the 2010 Regulations such that the consent of those parties to the inclusion of the additional land is not required. As indicated at ISH2, there is sufficient time within the remaining examination period for the prescribed procedure to be completed.

Arrangements are already in hand in that regard and further information regarding the procedural and timetabling requirements of the prescribed procedure will be provided in the covering letter accompanying the formal application for the Scheme changes at Deadline 4.

I should be grateful if you would acknowledge safe receipt of this letter and arrange for a copy of it and its enclosures to be placed before the ExA.

Yours faithfully,



Jonathan Wade

Project Manager, Regional Investment Programme (South East)
Highways England
Encs.