

# M25 junction 10/A3 Wisley interchange

TR010030

## 9.59 Applicant's Response to the Royal Horticultural Society's Deadline 4 letter

Rule 8(1)(c)(i)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

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# Infrastructure Planning

## Planning Act 2008

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

### M25 junction 10/A3 Wisley interchange

### Development Consent Order 202[x ]

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# 1. Introduction

- 1.1.1 This document sets out Highways England's comments on the Deadline 4 covering letter [REP4-049] by the Royal Horticultural Society (RHS) on the 11 February 2020.
- 1.1.2 The Appendices submitted by RHS at Deadline 4, regarding the Transport and Air Quality & Biodiversity sections of the Statement of Common Ground, have been addressed separately to this document. These can be found in the Statement of Common Ground with RHS (HE reference: TR010020/Volume 9.38 (1)), also submitted at Deadline 5.
- 1.1.3 Where issues raised within the submission 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 or other examination 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.
- 1.1.4 In order to assist the Examining Authority, Highways England has not provided comments on every point made by the RHS, including for example statements which are matters of fact and those which it is unnecessary for Highways England to respond to. However, and for the avoidance of doubt, where Highways England has chosen not to comment on matters contained in the response, this should not be taken to be an indication that Highways England agrees with the point or comment raised or opinion expressed.

**Table 1.1: Highways England Response to Royal Horticultural Society**

Reference	RHS's Comment	Highways England Response
<b>Overview</b>		
1.	These comments: <ul style="list-style-type: none"> <li>• address matters arising on further information requested by the ExA received by Deadline 3;</li> <li>• summarise the position of the RHS following Deadline 3; and</li> <li>• enclose various additional documents.</li> </ul>	N/A
2.	The RHS's case is fully set out in the evidence it has already submitted to the Examination and is not undermined by any of the information submitted by the Applicant at Deadline 3. These comments do not rehearse the RHS's position or respond on a line by line basis to the Applicant's Deadline 3 submissions. Rather, they are deliberately limited in scope to address a small number of points that do require a response at this stage.	N/A
3.	The additional documentation comprises: <ul style="list-style-type: none"> <li>• Appendix 1 – DRAFT Highways section of SoCG sent by RHS to HE.</li> <li>• Appendix 2 – DRAFT AQ and Biodiversity section of SoCG sent by RHS to HE.</li> </ul>	N/A
<b>REP3-008 - 9.33 Applicant's comments on IP responses to Examining Authority's First Written Questions (Rev 0); and            REP3-009 - 9.34 Post-Hearing submissions including written summaries of oral case for Issue Specific Hearing 2 (ISH2)</b>		
4.	<i>Highways and traffic impacts</i> In section 1.13.11 of REP3-008, the Applicant states that; 'Traffic modelling has indicated that with the Scheme, all Wisley Lane/RHS Wisley Garden traffic to and from the A3 south routes through Ripley rather than following the signposted	N/A

Reference	RHS's Comment	Highways England Response
	<p>route via J10. This is because the route via Ripley will be shorter and quicker. The impact assessment of the Scheme is therefore based on all Wisley Lane/RHS Wisley Garden traffic to and from the A3 south routing through Ripley.'</p>	
5.	<p>Aside from a disagreement with these conclusions, it is noted that HE seeks to sign the traffic (which its model suggests would route via the local villages) along the A3. The strategy of signing such traffic appears to confirm that HE considers, at very least, that it is undesirable for this traffic to route via the local villages. HE goes on to state that; 'some visitors may choose to follow the signposted route via J10, since the additional journey time is relatively small.'. There is no evidence before the ExA which sets out what HE believes will actually result as a consequence of the DCO Scheme; there is no quantification of how much traffic will route via Ripley and how much will route via the A3.</p>	<p>This is not a matter of agreement or disagreement, it is simply the case that the traffic modelling forecasts that all traffic to and from RHS Wisley coming from or going to the south routes through Ripley.</p> <p>Highways England considers that the effects of the additional traffic routing through Ripley are acceptable but even so, Highways England wishes to encourage this traffic to use the A3 by use of signing. The proportion of motorists that will do so cannot readily be predicted.</p>
6. – 9.	<p><i>Habitats Regulations and Biodiversity</i></p> <p>HE's case regarding the impacts of nitrogen deposition is that any significant deposition within the SPA is in an area that currently does not support the three species of birds (nightjar, woodlark and Dartford Warbler). The HE assessment is fundamentally wrong as the RHS evidence has shown that:</p> <ul style="list-style-type: none"> <li>• The HE assessment of the nitrogen deposition is based on the assumption that the extent of heathland on Ockham Common will remain unchanged; and</li> <li>• HE has not taken into account Natural England's management objectives for the restoration of Ockham Common.</li> </ul> <p>HE refers to the coniferous woodland in this part of the SPA as a "buffer" to the heathland as if its only function is to protect the rest of the SPA. However, the coniferous woodland is being managed (in line with Natural England's European Site Conservation Objectives Supplementary Advice on Conserving and Restoring Site Features) either to be restored to open heath to provide habitat</p>	<p>As explained in Point 11 of Section 2 of the Highways England's comments on RHS Wisley's Deadline 3 submission [REP4-005], the existing management objectives for the Ockham and Wisley Commons SSSI component of the SPA do not include any proposals for increasing the existing area of heathland.</p> <p>Natural England and Surrey Wildlife Trust have confirmed that the intention of the current management plan for the Ockham and Wisley Commons SSSI component of the SPA is to maintain existing areas of heathland, rather than creating new areas of heathland by removing additional areas of the coniferous woodland buffer. Indeed, this was a key point of evidence demonstrating that the suite of compensatory measures are additional to existing management plans.</p> <p>Therefore, Highways England can confirm with a high degree of confidence that the removal of areas of the woodland buffer to extend the open heathland is not part of the current management of the site or required to achieve Favourable Conservation Status.</p>

Reference	RHS's Comment	Highways England Response
	<p>for nightjar or to be clear-felled and restocked as conifer woodland to provide habitat for woodlark.</p> <p>The distribution of the three species will change and they will be breeding and foraging in areas closer to A3 and the M25 areas. They will be affected by the increased nitrogen deposition generated by the DCO Scheme as their habitats will be damaged.</p> <p>Any Habitats Regulations Assessment must take into account the change in distribution of the SPA birds. HE has failed to do this.</p>	<p>As has been demonstrated in Point 11 of Section 2 of the Highways England's comments on RHS Wisley's Deadline 3 submission [REP4-005], the distribution of the SPA qualifying species is determined by the distribution of their key habitat, heathland. Also, as demonstrated in Appendix B of the SIAA [REP4-018], the baseline for the SPA qualifying species was based on three years of survey data, and six years of 2J's data. Therefore, the distribution of the qualifying species is well understood.</p> <p>The management plans do not include any proposals for changing the distribution of heathland within the Ockham and Wisley Commons SSSI component of the SPA. Therefore, the SIAA was correct to not take account of any predicted change in the distribution of heathland habitat and therefore of the SPA birds.</p> <p>The SIAA did identify an adverse effect to the integrity of the SPA as a result of the Scheme. Highways England have undertaken a consideration of alternative solutions, assessed imperative reasons of overriding public interest and designed a suite of compensatory measures.</p> <p>The suite of compensatory measures will include the removal of mature conifer trees within the site and the restoration of heathland, and as confirmed in 3.2.1.6 of Natural England's written representation [RR-020], this is additional to the existing management plans. The SPA management and monitoring plan [AS-015] includes 15 years of management and monitoring for the heathland restoration habitats, and this will enable the monitoring party and the steering group to respond accordingly should the areas in close proximity to the roads require additional management measures. The SPA management and monitoring plan [AS-015] has been reviewed and agreed with Natural England.</p> <p>Finally, it is important to reiterate that (as explained in Point 11 of Section 2 of the Applicant's comments on RHS Wisley's Deadline 3 submission [REP4-005]), for every point of all of the transects within the SPA including</p>

Reference	RHS's Comment	Highways England Response
		<p>both the open heathland and the established woodland buffer, the predicted operational nitrogen deposition levels fall below the current baseline. This is due to predicted reductions in future emissions. Therefore, the established woodland (and indeed also the heathland) will receive lower levels of nitrogen deposition once the Scheme is operational than it currently does, and the woodland will continue to provide the same buffer function as it currently does.</p>
<b>REP3-019 – 9.43 Ministerial statements regarding Ockham South facing slips (Rev 0)</b>		
10.	<p>The contents of the Ministerial Statement (“the MS”) are noted but plainly the MS does not (and could not) rule out the need to consider the DCO Scheme on its merits or the need to consider the RHS Alternative Scheme as a reasonable alternative pursuant to the Habitats Regulations.</p>	<p>As explained in Highways England’s response to RHS’s deadline 3 submission [REP4-005 p23] the RHS Alternative is not compliant with relevant standards, would be unsafe and so is not a feasible alternative that ought to have been considered.</p>
<b>REP3-019 - 9.44 Traffic volumes from Issue Specific Hearing 2 (ISH2) agenda item 3(i)</b>		
11.	<p>Table 2.1 of REP3-019 provides modelled traffic flows for the M25 J10 Interchange. This provides some scenarios but is missing 2015 Baseline and 2037 DoMin scenario flows. TTHC has added this information in as set out below and to assist there is a colour-coded comparison of issues which have been identified when the 2015 Baseline and 2037 DM flows are added to the Table.</p> <p>[See table included in REP4-049]</p>	<p>Table 2.1 of REP3-019 contains all the information that the ExA asked for. This is why it does not contain the 2015 and 2035 DoMin data.</p>
12.	<p>As shown, despite the addition of background traffic growth, all 2015 Baseline flows are higher than the 2022 DoMin equivalents and, in some cases, they are also higher than the 2037 DoMin equivalents. There are some 2037 flows which are lower than the equivalent 2022 and 2015 values. These changes in traffic flow are counter-intuitive and, where DoSom flows (with the DCO improvements) are lower than the equivalent DoMin flows (without the DCO improvements), it</p>	<p>The table presented by RHS contains information already provided by Highways England in REP2-011. It shows traffic flows on the M25 J10 on-slips in the morning and evening peaks for each of the modelled years and the do-minimum and do-something scenarios.</p> <p>The point made by RHS is that the base year flows are generally higher than the do-minimum flows in the 2022 and 2037 forecast years. It should</p>



Reference	RHS's Comment	Highways England Response
	<p>suggests that the introduction of the Scheme will divert traffic away from J10. There is no evidence submitted to the DCO which explains these issues which undermine the credibility of HE's traffic modelling.</p>	<p>be noted that in many cases the reduction is small and whilst any reduction may appear to be counter-intuitive the reasons for the reductions are:</p> <ul style="list-style-type: none"> <li>• Levels of congestion at the junction by 2022 in the do-minimum scenario have the effect of causing vehicles to avoid using the junction and seeking alternative routes instead.</li> <li>• The movement from the A3 southbound to M25 clockwise, in the 2022 and 2037 do-minimum scenarios, are forecast to be very congested. As such, signal timings for this movement around J10 were altered in the models to stop queues blocking the circulatory carriageway. It is usual for Highways England to manage their network in this way.</li> </ul> <p>This does not indicate any flaw in the modelling.</p>
<p><b>Summary of Position on Agreement of SoCG</b></p>		
13.	<p>The attached draft highways (Appendix 1) and air quality/biodiversity (Appendix 2) sections are RHS's comments on the draft SoCG submitted by HE at Deadline 3.</p>	<p>Highways England has responded to these matters within the latest revision of its Statement of Common Ground with the Royal Horticultural Society [TR010030/Volume 9.38 (1)] submitted to the ExA at Deadline 5.</p>
14.	<p>In relation to air quality and biodiversity matters, Prof. Laxen submitted his draft to HE on 31 January 2020.</p>	<p>N/A</p>
15.	<p>In relation to socio-economic matters, it is necessary to finalise the Highways SoCG, but at present the position of the RHS is that:</p> <ul style="list-style-type: none"> <li>• The parties DO NOT AGREE on the extent to which visitors to RHS Wisley Garden will reduce the frequency of their visits as a result of disruption caused during the construction and operational phases of the DCO scheme;</li> <li>• The parties DO NOT AGREE upon the level of disruption and delay caused by the DCO Scheme Construction Phase; and</li> </ul>	<p>The SoCG has been updated as noted in the response to point 13 above.</p>

Reference	RHS's Comment	Highways England Response
	<ul style="list-style-type: none"> <li>The parties DO NOT AGREE the scale of the economic impacts of the DCO Scheme on RHS Wisley Gardens, either during the construction of the Scheme or once the Scheme has been completed</li> </ul>	
16.	<p>In relation to highways and transport matters, Mr Hibbert of TTHC met with Mr Bown of Atkins on 21 January 2020 to discuss SoCG matters and during that meeting pointed out some gaps in the modelling which were acknowledged by Mr Bown. Mr Bown provided flow plots for 2022 and 2037 DoMin &amp; DoSom (total traffic and RHS only) (on 23 January 2020) and then followed up with the 2015 Base for RHS only (on 28 January 2020). 2015 Base total traffic plots have also since been provided (on 3 February 2020). The initial view of TTHC is that these also lead to unusual routing of traffic on local roads and some odd M25 movements.</p>	<p>Mr Bown did not acknowledge any gaps in the modelling but did acknowledge that some of the flow plots did not contain all of the detail on all of the plots.</p> <p>The reassignments of traffic indicated by the strategic traffic modelling can all be explained, other than some of the small changes on a few local country lanes. This is because it is inevitable that there will be a lower level of confidence in forecast changes in traffic flows on the smaller country lanes predicted by the strategic traffic model compared to that on the rest of the network, where there is a high level of confidence. This is due to the strategic model covering a large geographical area and focused on the SRN, A-roads and B-roads. Nonetheless, the observed flows and forecast 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 in all time periods, even if the proportional changes can be notable. The smaller lanes would also typically carry a high proportion of localised trips which are short distance and not subject to strategic routing decisions. As flows on the small lanes will generally be low, the relatively small forecast changes in absolute flows are likely to be within the current daily variations in flow even if the proportional changes seem relatively large.</p> <p>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 and the Highways England is confident in the Scheme's forecast to reduce demand on the local road network in aggregate.</p>

Reference	RHS's Comment	Highways England Response
17.	<p>Aside from the model flow plot issues, as was made clear at the ISH, there is a fundamental difference between the parties in respect of the impacts on Ripley and the lack of validated modelling for the main junction in the village (and this is going to have to be one of the matters that is “not agreed” in the SoCG). If the RHS had proposed a road scheme which results in traffic routeing via a location such as Ripley but then suggested that the provision of validated models for this location wasn't possible, it would rightly be facing a highway objection from HE. This is because the forecasting conditions in the future would clearly not be a suitable basis upon which to be making decisions regarding its performance. This has a direct effect on the routeing of traffic via the village, which the current modelling is unable to do and leaves the ExA unable to make crucial judgements on how the DCO Scheme will affect the local network. This, in turn, feeds into the failure by HE to assess the RHS Alternative Scheme as an alternative to the DCO Scheme.</p>	<p>It is incorrect to say that the traffic modelling on which the assessment of the Scheme is based is not validated because the local junction models are not validated.</p> <p>Both the base year strategic and the operational S-Paramics models have been developed, calibrated and validated in accordance with DfT best practice guidance (WebTAG), with a good level of validation achieved. [See Appendix C of the Transport Assessment Report APP-136].</p> <p>Highways England's modelling has comprised of strategic, operational micro-simulation and local junction specific models that inform one another and provide consistent outputs that demonstrate the robustness of the modelling. It is not possible for individual junction models to accurately reflect blocking back that occurs due to traffic congestion in the base and do-minimum scenarios. Consequently, the validation of the operational and strategic models has been undertaken using parameters that do not rely on outputs from the local junction models.</p> <p>It is the outputs of the strategic model that have been used for the assessment of impacts on Ripley and the outputs from the operational model have been used to evaluate the changes in operational performance of the road network, due to the scheme, i.e. changes in levels of service reported in the Transport Assessment Report [APP-136].</p>
18.	<p>The RHS, a registered charity, has – at considerable expense – been seeking to verify Atkins work for some time now. As the highways modelling is central to the RHS positions on Air Quality, Habitats and Economic Impact, the SoCG for these topics cannot be completed until Atkins, with all their resources, are able to explain their modelling to TTHC. RHS cannot understand why Highways England's team are still unable to provide answers to TTHCs technical concerns.</p>	<p>Highway England has provided all the information requested by TTHC on behalf of RHS and has provided a full and thorough explanation of the traffic modelling that addresses TTHCs technical concerns. Highways England has held a number of meetings with TTHC recently and is not aware that there are any outstanding information requests.</p>

**Unresolved Design Issues Leading to Root Impacts on RHS Redwood Trees**

Reference	RHS's Comment	Highways England Response
19.	<p>This issue has not been progressed since Deadline 3. The RHS's longstanding and fundamental concerns remain; the fate of these Redwood Trees has now become unclear and the DCO Scheme may have to be altered. The RHS does not believe the proposed realignment will, in fact, protect the trees. As yet, no formal proposals to deal with the likely impacts on the tree roots and the realignment of the A3 have been put forward by HE.</p>	<p>This has been progressed – see Highways England's response to ExA Q2.8.1 in document TR010020/ Volume 9.58, also submitted at Deadline 5.</p>
<b>Conclusions</b>		
20.	<p>For the reasons set out above and more fully explained in the RHS's previous submissions, the RHS invites the ExA to require the Applicant to undertake a proper assessment of the RHS Alternative Scheme (or any other alternative) or to withdraw the DCO Scheme.</p>	N/A

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