

**M25 JUNCTION 10/A3 WISLEY INTERCHANGE IMPROVEMENT SCHEME
PROPOSED M25 JUNCTION 10/A3 WISLEY INTERCHANGE DEVELOPMENT
CONSENT ORDER (“DCO”)**

**ROYAL HORTICULTURAL SOCIETY (“RHS”) – REGISTRATION NUMBER
20022900**

**COMMENTS ON ANY FURTHER INFORMATION REQUESTED BY THE ExA
RECEIVED BY DEADLINE 4**

These comments are submitted on behalf of the RHS. Richard Max & Co LLP are the duly appointed solicitors to the RHS and are authorised to submit these comments and other documents on its behalf.

OVERVIEW

1. These comments:
 - address matters arising on further information requested by the ExA received by Deadline 4;
 - summarise the position of the RHS following Deadline 5; and
 - enclose various additional documents.

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 4.

3. The additional documentation comprises:
 - **REP5-xxx – RHS responses to ExQ2**
 - **REP5-xxx – RHS response to REP4-005 [Overview Section]**
 - **REP5-xxx – RHS responses to HE Deadline 4 responses**
 - **REP5-xxx - Appendix 1 – *Distance table Route Comparison 28-02-2020***

- **REP5-xxx - Appendix 2 – Copy of RHS AADT Flows from REP2-011with analysis**
- **REP5-xxx – Appendix 3 – Accident Data Summary (using data supplied by HE on 19-02-2020)**
- **REP5-xxx – Appendix 4 -**
- **Drawing M16114 A-074**
- **Current Draft AQ/Biodiversity SoCG**
- **Current Draft Traffic and Highways SoCG**

Highways and traffic impacts

4. The RHS has demonstrated that HE modelling has been lacking, but still HE has not modelled the DCO Scheme adequately.
5. The RHS asks that HE be required by the ExA to model the RHS Alternative Scheme, failing which the ExA is invited to conclude that DCO should be refused.

Habitats Regulations and Biodiversity

6. Contrary to the requirements of the Habitats Regulations, HE has failed to consider the RHS Alternative Scheme as an alternative to the DCO Scheme and as a result the DCO Scheme cannot be confirmed.

Economic Impact

7. The DCO Scheme will cause huge economic damage to the RHS by virtue in particular of increased travel times and fails to meet the stated aim of the DCO Scheme to “improve access to RHS Wisley”.
8. The temporary works have not been set out or detailed by the DCO Scheme and the RHS is therefore unable to comment on the full impacts in any detail.

SUMMARY OF POSITION ON AGREEMENT OF SoCG

9. The attached draft Traffic and Highways and Air Quality/Biodiversity sections represent the latest versions of SoCG. The parties are close to reaching agreement.
10. In relation to socio-economic matters the RHS has provided comprehensive information about its charitable and business activities at RHS Wisley, and it is for the Applicant to ensure that measures and justifications are in place to protect this, commensurate with the scheme aim of 'improving access to RHS Wisley', which has not been put forward. There are no matters to be covered by a SoCG and the position of the RHS is that:
- 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;
 - The parties **DO NOT AGREE** upon the level of disruption and delay caused by the DCO Scheme Construction Phase; and
 - 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.

CPO

11. The RHS has decided not to maintain its CPO objections save in respect of Plots 2/27, 2/27(a) and 2/30.
12. The RHS's position in respect of these Plots and its concerns relating to access to the RHS Garden during the construction period are set out in its response to ExQ2 2.16.5.

UNRESOLVED DESIGN ISSUES LEADING TO ROOT IMPACTS ON RHS REDWOOD TREES

13. This issue has not been progressed since Deadline 4. The RHS's longstanding and fundamental concerns remain; the fate of these Redwood Trees remains unclear and the DCO Scheme may have to be altered. The RHS does not believe the proposed realignment will, in fact, protect the trees. The ExA is asked to require HE to supply more details.

CONCLUSION

14. 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.

Richard Max & Co LLP for and on behalf of the RHS

3 March 2020