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Environment Transport and Infrastructure
Planning Group
Surrey County Council
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Emailed to: M25Junction10@planninginspectorate.gov.uk

Your Ref: TR010030

Our Ref: IP 20023014

1st May 2020

Dear Mr Jones

Planning Act 2008

Application by Highways England for an order granting development consent for the M25 Junction 10/A3 Wisley Interchange improvement project

Submission made pursuant to Deadline 8

This submission is in response to the Examining Authority (“ExA”) Rule 8 letter dated 20th November 2019 and comprises the relevant information requested from Surrey County Council.

The submission includes the following:

1. Statement of Common Ground (SoCG) between Surrey County Council and Highways England

A final SoCG has been submitted by Highways England. Surrey County Council has worked collaboratively and intensively with Highways England to produce the SoCG, which represents respective final positions on key issues as at 1st May 2020. Further progress on a small number of issues will be reported on by the end of the examination as set out below:

SoCG Item	Issue
1.1.6	1. Commuted Sums This item is currently Under discussion until the list of assets and associated Commuted Sum payments to SCC are confirmed and agreed.
1.5.3	

SoCG Item	Issue
1.4.1	<p>2. Maintenance Access</p> <p>This item is currently Under discussion until clarity can be provided on the width of access for maintenance and title ownership for areas Surrey County Council are to maintain.</p>
1.5.1 1.5.2	<p>3. Side agreements</p> <p>Constructive discussions continue on both the highway and environmental side agreements</p>
2.4.1	<p>4. Design and Road Safety</p> <p>Discussions continue in relation to forward visibility at the Painshill junction from the A3 northbound off-slip.</p>
3.1.3	<p>5. NMU Routes</p> <p>This item is currently Under discussion as Surrey County Council requires details of proposed design and surfacing to assess suitability of the existing routes for their intended classification as no works are proposed.</p>
9.3.1	<p>6. Ockham Bites</p> <p>Discussion continues on this issue as Surrey County Council require confirmation that the Applicant will fund/undertake the necessary accommodations works to mitigate the impact on the Ockham Bites site.</p>
11.3.1 11.3.2	<p>7. Change No. 3 – Removal of part of the proposed improvements to the A245 eastbound between the Seven Hills Road and Painshill junctions</p> <p>Surrey County Council has received some of the required traffic modelling information, however the Council is unable to confirm its position in this matter at Deadline 8 as further information is required to address SCC's concerns</p>

2. Comments on further information submitted at deadline 7

2a Applicants Response to Examining Authority Third Written Questions REP7-004

Surrey County Council welcomes Highways England's proposal for the inclusion of a requirement to address the issue of Ripley mitigation if the Secretary of State deems it appropriate, as referenced at Q3.13,4. Surrey County Council and Highways England have since worked collaboratively to review the wording of the potential requirement and an agreed position on wording is set out in the Statement of Common Ground, at issue 2.8.7A.

Surrey County Council has consistently argued that mitigation is required in Ripley and firmly believes that the need for such a requirement meet the Planning tests, as set out below.

Necessary: One of the core objectives of the DCO proposal is to “**minimise impacts on the surrounding Local Road Network**”. There is no dispute with Highways England that as a direct consequence of the scheme there is a considerable increase in RHS Wisley Garden traffic likely to travel through the community of Ripley. The evidence behind this is not in dispute, and it is Surrey’s view that the mitigation will deliver the necessary disincentive to use this route. Without the mitigation, there is every likelihood that this scheme core objective will not be fulfilled.

Relevant to planning: One of the main provisions within Planning Development Management is the ability to be able to mitigate and minimise impacts. This is normally provided through the imposition of Conditions (Requirements in DCO’s) or Legal Agreements to provide off site works / services where appropriate. The imposition of the suggested Requirement is entirely relevant to contributing to the right planning outcome for this DCO proposal.

Relevant to the development to be consented: The suggested Requirement is needed as a direct result of the DCO proposal routing considerably more of the RHS Wisley Garden traffic through the community of Ripley, than would be the case without the scheme. The DCO’s proposal to re-route Wisley Lane to the Ockham Interchange, without there being a direct exit off the A3 into that lane north of Ripley, directly means that more traffic will route through the village. There is no dispute with Highways England that this is the cause of the increased flows.

Enforceable and Precise: The wording of the proposed Requirement identifies a defined trigger point for the mitigation and as with the other scheme Requirements, it also sets out the approval and delivery process.

Reasonable in all other respects: The provision of this mitigation would assist in addressing the concerns of the local community, It is in context with the overall scale of the scheme, and is on a modest section of the local highway network, which is directly by-passed by the A3, the subject of the scheme. That bypass was constructed in the 1980s to relieve the community of Ripley. The DCO scheme, if constructed without mitigation in Ripley, would negate some of the benefits of that original scheme, as well as the current scheme. It is therefore reasonable to impose this modest requirement on the DCO scheme.

Surrey County Council has greatly appreciated the collaborative approach that has been taken by Highways England and wishes to highlight to the ExA the extensive and constructive dialogue that has taken place between the two organisations.

Yours sincerely

A black rectangular box redacting the signature of Caroline Smith.

Caroline Smith – Planning Group Manager