



The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Environment Transport and Infrastructure
Planning Group
Surrey County Council
County Hall
Kingston Upon Thames
KT1 2DY

Emailed to: M25Junction10@planninginspectorate.gov.uk

Your Ref: TR010030

Our Ref: IP 20023014

14th 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 9

The submission includes the following:

1. Notification of a wish to speak at CAH and responses in relation to available technologies

Surrey County Council (SCC) wishes to attend a virtual CAH and completed survey responses on available technologies are included at annex A and B. Details for all officers that may potentially need to be involved have been included, however the number involved will depend on the agenda set. The issues that SCC wishes to raise and confidence with the use of technology is the same for all the officers.

These issues can be summarised as:

A. Ockham Bites - The entirety of the Ockham Bites car park is not within the DCO boundary, but the car park as a facility will be severely impacted by the scheme with a loss of approximately one third of capacity (plots 4/24, 4/25 and 4/27 do cover part of the car park). SCC consider that it is reasonable to expect that suitable accommodation works to remodel the car park to create replacement parking is secured through the agreement of a side agreement with HE during the course of the examination. The option proposed by Highways England (HE) is to address this issue through the compensation process. As this would be concluded following the examination, SCC is afforded no comfort that appropriate reinstatement will be achievable. There is likely to be a lengthy delay in settling compensation and in the meantime SCC will be left with management issues relating to the car park and café. SCC consider that it would be more cost effective and expedient if the accommodation works were undertaken at the time of the construction of the scheme.

B. Permanent Rights for Access - There are a number of land plots for which HE are retaining permanent rights over for access purposes and are therefore linked to ongoing discussions around commuted sums. A key example for SCC is the parallel Non Motorised User Route (NMU), which the Council has stated that it does not wish to adopt, particularly in the absence of the provision of commuted sums for ongoing maintenance. In this scenario, it is SCC's view that the NMU supporting embankments including the Cockrow Bridge and Sandpit Hill Bridge supporting embankments should also be shown with permanent rights (e.g. shaded blue rather than land to be used temporarily and shaded green).

So (in lieu of the provision of commuted sums) SCC's view would be that HE's permanent rights over the plots stated below would allow HE:

- to fund and undertake future maintenance of the NMU route including surfacing works/repairs e.g. plot numbers 2/36, 3/32, 4/3c, 4/4a, 4/51a 13/10
- to fund and undertake future maintenance of the NMU supporting embankments. This affects plot numbers such as 3/33, 3/34, 4/3, 4/4c, 5/7b 5/9, 12/5 (NMU embankments) 4/24, 4/22a, 4/30a, 4/32, 4/40, 4/42, 4/45, 4/46a, 4/48 4/57, 4/58 (Cockrow Bridge) and 5/1, 5/2, 5/7b, 5/9 (Sandpit Hill bridge)

There are broader issues around the parties' responsibility in relation to Permanent Rights of Access. SCC consider that it would be helpful, if not essential, for HE to define in relation to permanent rights for maintenance access the following – a width of access, standard of surfacing, vegetation clearance and party to be responsible to maintain and make good. Given the amount of usage is an unknown it appears to the council that preserving rights of access lie with HE.

Example plots include the following:

- 2/8, 2/9, 2/10 – clarity as to what activities are included in this maintenance access?
- 2/12, 2/13a – whether this confirms that HE will maintain the ditch in this area?
- 2/14, 2/14a, 2/14b – as this is to be used by HE as a maintenance access will HE's permanent rights mean that HE will carry out/fund any repairs of damage caused by their maintenance vehicles?
- 4/41, 4/72, 4/46, 4/74, 5/1c, 5/1d, 5/7a, 5/7c – these plots provide maintenance access to drainage ponds and/or soakaways so again will HE's permanent rights mean that HE will carry out/fund any repairs of damage caused by their maintenance vehicles?

C. Designation of land acquisition in relation to environmental mitigation and enhancement areas – HE has responded to SCC's query as to why these areas (such as 25/1 or 4/21) are shown as land to be used temporarily and rights to be acquired permanently, rather than land to be used temporarily given that the maintenance and monitoring period is time limited. However SCC would welcome the opportunity to have this issue explored further during a virtual hearing.

D. Maintenance access

Comments have been made about SCC requiring rights of access for maintenance purposes. There are similar issues in relation to maintaining visibility splays. Some of these were set out in SCC's response to the 3rd set of written questions (question 3.13.5). Example plots are 8/15, 8/37, 8/37a, 8/38, 8/39, 9/13 (potential land required for visibility splays).

SCC have yet to see plans showing lands set aside/access widths maintenance access such as safe access to the Wisley Lane/Stratford Brook overbridge (plot 1/18) and whether there is sufficient width for vehicle access to the abutments with the current ditches that take up part of this land and safe maintenance access to A245 retaining wall if the original unchanged scheme progresses (plot 8/38). SCC would wish to see a drawing showing the turning head for maintenance vehicles to the drainage pond to the west of the A245 (plot 8/39)

E. Designation of land acquisition in relation to the Council's interests at Ockham Roundabout - SCC query why permanent acquisition is required for land plots at the Ockham roundabout such as 1/19 or 1/20 that form part of the SCC highway network.

There is also land owned by HE that forms part of SCC's highways: 1/5, 1/7, 1/10, 1/17 and parts of 1/25, 1/26 and 1/32. It is understood that it is standard practice for Highways England to include the land it already owns within the compulsory acquisition powers as a precautionary approach to ensure that no known or unknown third-party rights remain over the land which could potentially impede delivery of the Scheme. However SCC would wish to seek clarification on this at the CAH particularly as plot 1/31 is shown as temporary possession.

2. Comment on information submitted at deadline 8

SCC has reviewed the applicant's revised draft Development Consent Order and can confirm that the wording for Protective Provisions in respect of Ordinary Watercourses at Part 4 is now agreed. SCC therefore consent to the disapplication of section 23 (prohibitions on obstructions etc. in watercourses) of the Land Drainage Act 1991 as set out in Article 3 of the revised draft DCO.

SCC also endorse the changes made by the applicant to the draft DCO at Deadline 8 relating to the use of the Traffic Management (Surrey County Council) Permit Scheme Order 2015 (as varied). The addition of the new wording at Part 3 is welcomed and is intended to be beneficial to both parties.

Yours sincerely



Caroline Smith – Planning Group Manager