

**Application by Highways England**

**M25 Junction 10 / A3 Wisley Interchange Improvement project**

**The Examining Authority's fourth written questions and requests for information (ExQ4)**

**Issued on 21 May 2020**

The following table sets out the Examining Authority's (ExA's) fourth written questions and requests for information – ExQ4.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 15 October 2019. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with a 4 (indicating that it is from ExQ4) and then has an issue number and a question number. For example, the first question on Biodiversity and Habitats Regulations Assessment is identified as Q4.4.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team, please contact:

M25junction10@planninginspectorate.gov.uk and include 'M25Junction/ExQ4' in the subject line of your email.

**Responses are due by Deadline 10: 2 June 2020**

	<b>Question to</b>	<b>Question</b>	<b>SCC response</b>
<b>1.</b>	<b>General</b>		
4.1.2	Surrey County Council (SCC)	In your response to the ExA's third written question 3.9.1 you advised that the Council may have a map showing the extent of Ockham Common and Wisley Common predating the construction of the M25 and that this would be searched for and/or submitted once the movement restrictions relating to COVID-19 allow access to your offices [REP7-025]. You are reminded that if a map exists a copy of it should be submitted at the earliest opportunity prior to the close of the Examination on 12 July 2020.	Access to the County Council offices continues to be restricted. The County Council will submit any relevant map to the examination at the earliest possible opportunity.
<b>9.</b>	<b>Land use, recreation and non-motorised users</b>		
4.9.1	SCC	In response to the ExA's third written question 3.9.3 (ranking of potential reduction of replacement land options contained in REP5a-012), you have listed your three least favoured options as 3, 2 and 3 in REP7-025. As option 3 has been listed twice there appears to have been an error in your response to question 3.9.3. Please submit a corrected answer to question 3.9.3.	<p>SCC most favours the options for possible reduction from most to least to least favourable</p> <p>5 -small woodland area not contiguous with SCL</p> <p>6- small woodland by M25 and limited connectivity</p> <p>7- very small area at extremity of site</p> <p>SCC least favours the options for possible reduction from most to least favourable</p> <p>3- largest area with good connectivity with SCL</p>

			<p>2- second largest area with good connectivity with SCL</p> <p>1- smaller wetter area of grassland, less attractive for public access and part may be used for Sanway FAS.</p> <p>The selection above reflects the usage and management of the existing areas together with SCC's assessment as to the relative values of different RL becoming part of the public open space.</p>
<b>13.</b>	<b>Traffic, transport and road safety</b>		
4.13.3	SCC	Do you have any observations to make in respect of the modelling that the Applicant has undertaken with respect to the hypothetical provision of south facing slips at the Ockham Park junction, as reported in REP8-040?	<p>SCC views the modelling work undertaken as a sensitivity test, and the modelling should not be seen as a full technical assessment of potential infrastructure.</p> <p>SCC also notes:</p> <ul style="list-style-type: none"> <li>- the modelling has been based on a pre-feasibility (concept) design supplied by RHS Wisley and is not accompanied by any other information such as land availability, drainage, environmental factors, safety audit and costs;</li> <li>- SCC agrees with the report where it states in paragraph 3.1.5 further design enhancements would be required.</li> </ul>

			<p>The results show that while reductions in vehicle flows on some local roads are forecast (e.g. on the B2215), increases in flows on other local roads are anticipated (e.g. B367 Newark Lane and B2039 Ockham Road North.) Despite the relatively modest increases forecast, SCC remains concerned by the potential impact on B class and other local roads as well as on local communities especially on the south side of the A3, and would require full testing and analysis before taking a view prior to wider consultation occurring.</p> <p>Whilst the HE modelling does forecast some trips re-routing via the Strategic Route Network as a result of the slip roads, the figures do not seem to make enough of a significant change to allow HE to be able to justify, in economic terms, the implementation of slip roads at the Ockham junction.</p> <p>SCC has some queries over the modelling work, but there has not been the time to liaise with Highways England over these. They include, for example:</p> <ul style="list-style-type: none"> <li>- details on the interaction between the strategic and junction modelling;</li> <li>- SCC is unable to match the flows shown in Tables 4.2 and 4.3 with those contained in the Appendix;</li> </ul>
--	--	--	---

			<p>- the report does not include a merge and diverge assessment.</p> <p>In the current context, these are considered minor points which would be either covered or addressed in a full technical assessment, and do not deflect from the response given by HE in response to the ExAs' third round of written questions (REP7-004) that the relatively low forecast demand is unlikely to offer acceptable economic benefits compared to the cost of providing them (3.13.2).</p>
<b>15.</b>	<b>Content of the draft Development Consent Order (dDCO)</b>		
4.15.1	EBC, GBC, SCC, Environment Agency (EA)	Please provide any comments you may wish to make on the aims and/or wording of the new Article 48 in the dDCO [REP8-013].	SCC has no comment to make on this matter as it is a District and Borough issue.
<b>16.</b>	<b>Compulsory Acquisition</b>		
4.16.1	SCC	Please provide a copy of the 'outline scope of works' you have submitted to the Applicant with respect to the accommodation works that you consider would be required to the Ockham Bites car park that would fall outside the scope of the application for the Proposed Development, as referred to in section 9.3.1 of REP8-030.	<p>Surrey County Council proposes that the parties enter into an "Ockham Bites Agreement" before the end of the examination period. This agreement is required to provide the council with reassurance that Highways England will carry out or alternatively fund the necessary accommodation works for the Ockham Bites car park to enable the car park to be reinstated at an appropriate stage of the scheme delivery.</p> <p>So far as is practicable this should encompass the following matters:</p>

			<ul style="list-style-type: none"> <li>• Capacity for a minimum of 60 cars to be parked</li> <li>• Retention within the car parking area of trees and other vegetation to maintain a rural feel</li> <li>• Retention of a woodland buffer between the car parking area and the A3 and Old Lane</li> <li>• Resurfacing of the area to be used for car parking</li> <li>• A means of encouraging orderly parking without use of white line markings</li> <li>• A pedestrian area in front of the café and toilets, including seating such that the area can be used for picnics</li> <li>• A low access track around the car park consistent with the surroundings and not forming a visual barrier</li> <li>• The creation of public access routes from the car parking to the common, suitable for walkers, cyclists and equestrians</li> <li>• Suitable access for emergency and maintenance vehicles from the car park to the common</li> <li>• Amendment of the design of the approach to the Cockrow Bridge proposed in the Application to reduce any perceived severance between the car parking area and the Common adjacent</li> </ul>
--	--	--	---

			The agreement should set out the process for SCC's involvement in the design stage.
4.16.2	Applicant and SCC	In the event of a scheme of accommodation works, as referred to in the preceding question, being agreed between you and assuming that the delivery of such works would not be dependent upon a 'financial compensation settlement', please advise what mechanism or mechanisms might be used to deliver these works.	SCC acknowledges that some or all of the above works may need to be the subject of planning permission. The Ockham Bites Agreement will need to make provision for these approvals/permission being obtained.
4.16.4	Applicant and SCC	<p>The ExA notes the answers that the Applicant [REP7-004] and SCC [REP7-025] have respectively provided in response to third written question 3.16.6 [PD-016]. Question 3.16.6 concerning the progress being made to complete the exchange of the Special Category Land (SCL) associated with the original construction of the M25 (the historic exchange). In the light of the responses you have given to question 3.16.6, please comment on:</p> <p>a) Whether or not, for so long as the land affected by the historic exchange has not been acquired by the Applicant from SCC, the latest version of the BoR [REP8-016] accurately reflects the extant land ownership position for the historic exchange land, notwithstanding the fact that the Applicant is the highway authority for some of it. For example, with respect to plot 5/18a, a plot which the DCO, if made, would authorise various works being undertaken to the M25, the BoR records the Applicant as being the owner. That entry, however, is inconsistent with the Applicant stating in response to</p>	<p>a. Highways England have shared their response to this question, which the County Council note. The County Council understand that determination of the Junction 10 DCO scheme is not reliant on the conclusion of the historic land exchange, which is being dealt with separately.</p> <p>b. The County Council fully anticipate that there are no additional landowners involved, however this cannot be confirmed until the title investigation is concluded. Due to a change in staff resources there has been some delay in resolving matters, however parties have recently made progress as to the resolution of the Land Transfer and are in accord in finding a way forward. It is the parties intent to use their best endeavours to resolve this matter within the next 12 months.</p>

		<p>question 3.16.6 <i>'...that whilst Highways England is the highway authority for the M25, it does not own all of the land on which the motorway is situated, which remains in the ownership of Surrey County Council.'</i> Should it be considered that the BoR does not accurately record the ownership position in this regard then the Applicant is requested to advise how it would address this matter.</p> <p>b) Whether or not, there may be any other landowners other than SCC of the historic exchange land, given that SCC has advised that of the around 20 plots in question <i>'... many of which are unregistered.'</i> SCC is requested to advise when it expects the Title investigations it is undertaking will be completed.</p> <p>c) In the event the SoS is minded to make the DCO, whether or not, the SoS should treat the affected land as being subject to the Special Parliamentary Procedures under the provisions of the PA2008, for so long as the land affected by the historic exchange has not been acquired from SCC.</p>	<p>c. Highways England have shared their response to this question, which the County Council note.</p> <p>The County Council has no further comment to make.</p>
--	--	--	--