HEARING STATEMENT

On Behalf of Ashill (Respondent ID 1481)

Matter 10 – Infrastructure Provision

January 2019
1.0 Introduction

1.1 CBRE is appointed to act for Ashill on behalf of their land interests at Christmas Tree Farm (SLAA 284) and Stroude Farm (SLAA 13). Within the submission Local Plan both have the status of omission sites.

1.2 As discussed in more detail in Chapter 3 of this Matter Statement, both sites are strategically located and offer a solution to the identified issues of soundness arising from Matter 10.

1.3 For reference the two sites are identified in Appendix A.

1.4 Ashill have previously made representations during the Additional Sites and Options Consultation and Pre-Submission Consultation (February and May 2018). The representation references for this submission is 1481.
2.0 Matter 10: Infrastructure Provision

**QUESTION 10.1**

Overall, does the Plan provide an evidence-based, integrated and effective policy framework for transport that will support the implementation of the spatial strategy and contribute to sustainable development?

**Response**

2.1 There is significant overlap between Question 10.1 and Question 10.2 with the two issues being interrelated. Our Matter 3 Statement includes an overview of the identified issues with the effectiveness of the proposed A320 mitigation and the impact of this on the implementation of the spatial strategy. We have not repeated this again here but in responding to Question 10.1 it is clear that the plan is currently built on insufficient transport evidence.

2.2 In the July 2018 A320 Topic Paper it is noted that:

> ‘The reason that this particular highway corridor is being considered through a topic paper is because it is the only piece of critical highways infrastructure which has been identified as being necessary to support the growth which is proposed to be delivered through the Runnymede Local Plan.’

2.3 It is important to note that the final publication of the Council’s A320 work was April 2018 – four months following its Regulation 19 consultation. As is now being played out at the Examination in Public, it is apparent that consideration for the effects on the A320 has been an afterthought in the consideration of the spatial strategy and has not informed how and where sites are allocated. This goes straight to the soundness of the plan with the proposed spatial strategy not being justified by appropriate evidence. It also goes to the heart of the effectiveness of the plan with development being stalled as a consequence.

**QUESTION 10.2**

With regard to the Plan’s potential effects on the A320 and the strategic road network in particular, are there reasonable prospects that satisfactory mitigation can and will be provided in time, taking account of the proposed phasing of development sites? Are there effective mechanisms to ensure that any significant cross-boundary impacts are addressed and resolved?

**Response**

2.4 As per the Inspectors Guidance Notes, our response to Matter 10.2 will be dealt with through the Hearing Sessions to be organised later this year following the completion of the work currently being undertaken by Highways England, Runnymede Borough Council and Surrey County Council.

2.5 iTransport have produced a summary of the position to date on issues associated with the strategic road network which is included as Appendix B.

**QUESTION 10.3**

Taking account of the Infrastructure Delivery Plan and all the relevant policies of the Runnymede 2030 Plan, is there a reasonable basis for confidence that the other necessary infrastructure will be provided in a timely manner to implement the spatial strategy? How will any cumulative impacts of the proposed scale of development be mitigated?
2.0 Matter 10: Infrastructure Provision

Junction 10 of the A320

2.6 As set out in SD_021B, Junction 10 of the A320 represents a key junction that will require significant upgrade work as a consequence of the planned housing and employment allocations in Runnymede. It is also included as a key infrastructure item as part of the Infrastructure Delivery Schedule (SD_007O).

2.7 At present there is significant uncertainty that mitigation can be delivered to Junction 10 of the A320 within the proposed timeframes to 2024/2025. As extracted from SD_021B, of all of the junctions along the A320 Junction 10 is noted as having the greatest level of uncertainty for delivery due to its significant reliance on third party land and the need to relocate the existing community car parking serving Ottershaw.

<table>
<thead>
<tr>
<th>Junction</th>
<th>Time</th>
<th>Cost</th>
<th>Land Aq</th>
<th>Political</th>
<th>Delivery</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junction 10 (A320 Guildford Rd/Murray Rd/Ottershaw Rd)</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Junction 11 (A320 Guildford Road/Box Road)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Risk to scheme delivery considered to be low as given the limited scale, complexity and cost (£3.3 million) of this intervention.</td>
</tr>
<tr>
<td>Junction 1 (Chilsey Green Road/ St Ann’s Road/B368 Thorpe Road/Stanpas Road)</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>Risk to scheme delivery considered to be low as given the limited cost (£1.3 million) and complexity of this intervention.</td>
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</table>

2.8 The potential for delays associated with the preferred option for works at Junction 10 and its requirement for additional CPO processes is a significant consideration that sits at the heart of the soundness of the plan.

2.9 The disruption in acquiring third party land and time taken to resolve an alternative location for the car park could affect the vitality of the local centre and will also result in delays to the delivery of the necessary junction improvements. An alternative improvement scheme is proposed by Ashill alongside residential development to assist in funding the works which offers comparable capacity benefits to the Option 3 improvement scheme and is considered superior from a cost, timescale, and townscape perspective. This would allow the required mitigation at the A320 to be delivered in a timely fashion. The alternative scheme is estimated to cost between £1.75 - £3 million and will retain the village car park and is included in the Regulation 19 representations.
2.0 Matter 10: Infrastructure Provision

2.10 At the present time there is no confidence that the required mitigation can be delivered within the timeframes required in the Infrastructure Delivery Plan to deliver the necessary homes in the early to middle part of the plan, including the assumed contribution from Longcross Garden Village.

Education

2.11 Paragraph 70 of the NPPF is clear that planning policies and decisions should ‘plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.’ This is reflected in Local Plan Objective 3 and 4 which states the Plan will:

‘3. continue to support the improvement of local leisure activities that are accessible Runnymede Submission Local Plan 2015-2030 23 to all;

4. To ensure Runnymede’s communities are supported by new or enhanced community and other infrastructure services and facilities, including a range of sustainable and active travel choices.

2.12 Taken cumulatively, the proposed allocations in the Plan fail to respond to Paragraph 70 of the NPPF and Objectives 3 and 4 of the Local Plan in planning positively to meet infrastructure needs. Instead, with the exception of a couple of proposed allocations the delivery of much needed infrastructure is left to financial contributions rather than proactively identifying land for development.

2.13 In respect of Ottershaw, it is noted in the Infrastructure Delivery Plan 2017 (SD_007M) at 4.2.9 that: ‘Consultation with SCC has also revealed that within certain schools, there is a shortage of available places, with local authority infant and junior schools in Ottershaw noted as being at or near capacity by the County.’
2.0 Matter 10: Infrastructure Provision

2.14 With respect to the proposed allocations at Ottershaw East and Brox End Nursery it is apparent that the delivery of needed education infrastructure is unclear. As stated on Page 201 of SD_007M, ‘Generated need to be absorbed within Marshfields CoE Infant and Ottershaw CoE Junior schools (assuming they are able to expand – both are CoE schools so agreement for expansion will need to be made with RBC).’

2.15 Furthermore, in respect of Chertsey and Addlestone the requirement for further primary school expansion is simply left as ‘TBC’ in the infrastructure delivery schedule.

2.16 Against this context there is currently no certainty that the required educational capacity upgrades can be provided for in Ottershaw within the timescales required. This will compromise the ability of Objectives 3 and 4 of the Plan to be realised.

2.17 Throughout the Site Consultations and Regulation 19 Submissions Christmas Tree Farm (SLAA284) in Ottershaw has been promoted as a site for meeting housing development and educational need in Ottershaw. More broadly, given its strategic location to the north of Ottershaw a primary school on site would also be within the catchment of major developments at St Peters Hospital and Chertsey Bittams. This is depicted in Figure X. The NPPF at Paragraph 72 places great weight to the need to create, expand or alter schools. However, through the Sustainability Assessment no consideration has been given to this and the contributions that the site would make to delivering these social sustainability objectives.

2.18 The provision of a primary school at the Christmas Tree Farm site alongside residential development would provide the certainty that the necessary land was available to meet educational demand.

Flood Risk

2.19 Runnymede is classified by the Environmental Agency as a top 10 flood risk Local Authority in England with over 5,000 properties at risk in a 1% annual probability flood event. 29% of the Borough is located within flood zones 2,3a or 3b (functional floodplain) and 35% of the urban areas within the Borough are located within flood zones 2,3a or 3b (functional floodplain).

2.20 Given the severity of the issue, it is fundamental that the Local Plan appropriate plans for this to avoid increasing vulnerability to flooding. This is acknowledged by RBC on Page 139 of the Local Plan in which it is stated that ‘a robust Local Plan policy is required which seeks to achieve a planning solution to flood risk management, steering vulnerable development away from areas affected by flooding.’

2.21 The spatial strategy, as drafted, seeks to concentrate development in the larger settlements of Egham, Chertsey and Addlestone. As well as being the largest settlements, these also represent the areas of greatest flood risk. As part of the proposed mitigation for directing development to the areas of greatest flood risk, the plan refers to the proposed plans of the River Thames Scheme.

2.22 The timeline for the River Thames Scheme as reported by the Environment Agency in December 2017 is included below:

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>YEAR</th>
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</thead>
<tbody>
<tr>
<td>Approval of outline business case for government funding</td>
<td>2018</td>
</tr>
<tr>
<td>Submission of planning application</td>
<td>2018</td>
</tr>
<tr>
<td>Approval of full business case by HM Treasury</td>
<td>2019/2020</td>
</tr>
</tbody>
</table>
2.0 Matter 10: Infrastructure Provision

<table>
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<tr>
<th>Contract award (commence construction)</th>
<th>2020/21</th>
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</thead>
<tbody>
<tr>
<td>Readiness for service</td>
<td>2024/25</td>
</tr>
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</table>

Source: Environment Agency Policy Paper (December 2017)

2.23 The Infrastructure Delivery Schedule (SD_007O) continues to report that the necessary infrastructure improvement will be delivered by 2024/2025 as per the timescales reported in December 2017 by the Environment Agency. However, from a June 2018 updated provided by the Environment Agency it is apparent that discussions on securing the additional funding remain ongoing and no planning application for the works has yet to be submitted. The delays will in turn create delays to the necessary mitigation being delivered.

2.24 Whilst acknowledging that it would not be appropriate in the alternative to simply direct development away from higher order settlements, an appropriate balance would be to include some additional development in secondary tier areas such as Virginia Water and Ottershaw which are not located in the flood zone and would reduce reliance on the River Thames Scheme to mitigate the impacts of development. Such an approach would be consistent with the NPPF which states that ‘Local Plans should take account of climate change over the longer term, including factors such as flood risk. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.’

3.0 Main Modifications Required to Matter 10

3.1 In order to address the soundness issues identified in response to Matter 10 the following Main Modifications are required to the plan:

1. In respect of Junction 10 of the A320 and the provision of educational needs in Ottershaw, it is apparent that (referring to Paragraph 177 of the NPPF) there is not a reasonable prospect that this required infrastructure can be delivered in a timely manner. If the need for mitigation for these two infrastructure requirements occurred later in the plan period there may be an argument that the plan could be found sound with discussions ongoing to ensure that the necessary upgrade works were delivered. However, both projects are required to be delivered within the first five years of the plan following adoption. Accordingly, the plan has a role to proactively ensure that this mitigation is provided for in a timely manner. Land at Christmas Tree Farm is identified in the A320 Study source as an option for delivering the needed mitigation to Junction 10, however, this was never further explored by the Council. In addition, Regulation 19 submissions to the plan have confirmed that a primary school could be delivered on site as part of a wider development within the necessary timeframes to meet the demand arising from Ottershaw in the early years of the plan.

2. The current delays to the River Thames Scheme for mitigation further highlights the role of the spatial strategy in helping to mitigate against potential delays in this major project by directing a greater proportion of development to locations outside of the affected areas (i.e. Virginia Water and Ottershaw).
3.0 Main Modifications Required to Matter 10

Appendix A – Site Location Plan
3.0 Main Modifications Required to Matter 10

Appendix B – iTransport Note
SECTION 1 INTRODUCTION

1.1 This note sets out transport comments with regard to Matter 10.2 at the forthcoming hearings for the Runnymede Borough Council (RBC) Local Plan. The Inspector has asked the following:

10.2 With regard to the Plan’s potential effects on the A320 and the strategic road network in particular, are there reasonable prospects that satisfactory mitigation can and will be provided in time, taking account of the proposed phasing of development sites? Are there effective mechanisms to ensure that any significant cross-boundary impacts are addressed and resolved?

1.2 It is noted that consideration of this matter has been deferred for a period of at least three to four months following the 11th February, i.e. the date of issue of Arcadis’ Final Step 1 Report (ref: RBCLP_19) to allow for concept design of mitigation measures.

1.3 It is also important to note that this outstanding work only relates to Strategic Road Network issues that are the responsibility of Highways England.

1.4 There does not appear to be any further work to update the A320 Corridor Study work, which is now out-of-date (e.g. it includes Martyrs Lane, which has now fallen by the wayside) and identifies a strategy that the Council has said will be revisited (ref: A320 Topic Paper Figure 3 and paragraph 3.38) so there is no idea what the mitigation strategy is, how much it will cost, and how it will be delivered.

1.5 Even with the mitigation strategy that is in the public domain, it is not demonstrated to be deliverable practically (e.g. it requires third party land at a number of locations), financially (there is considerable uncertainty over funding) or in a timely manner.

1.6 Therefore, even if the Junction 11 issues are dealt with, the flaws in the evidence base for the A320 Corridor Study remain.
SECTION 2  CHRONOLOGY

2.1  Introduction

2.1.1  This section provides a chronology of the local authorities’ collective progress to date towards a mitigation strategy for:

- The Strategic Road Network (focussing on junction 11 of the M25); and
- The A320 corridor (with specific reference to the A320 / Murray Road / Chobham Road roundabout known as Junction 10 in the A320 Corridor Study). (Junction locations are shown at Appendix A).

2.2  Strategic Road Network

Work up to Stage 1 EiP

2.2.1  At the time of the Stage 1 EiP in November 2018, relatively little was in the public domain about joint working between Surrey County Council (SCC) and Highways England (HE) to identify and address traffic impacts arising from the Local Plan on the Strategic Road Network for which HE holds responsibility. It was known, however, that a Statement of Common Ground between SCC and HE was being developed.

2.2.2  The A320 Corridor Study Final Report (April 2018) and the A320 Topic Paper (July 2018) identified a significant issue at junction 11 of the M25 but no solution.

2.2.3  Since the Stage 1 EiP, details of correspondence between Runnymede Borough Council (RBC), SCC and HE has been published on RBC’s Local Plan EiP webpages.

2.2.4  The correspondence reveals that HE has expressed significant concerns about the validity of the Local Plan evidence base set out in the Strategic Highways Assessment Report (SHAR) and A320 Corridor Study at a very early stage - these were first made known to SCC / RBC via email on 23 February 2018.

2.2.5  A meeting took place on 14 June 2018 to discuss HE’s concerns, which include:

- SHAR:
  - Concerns about whether Strategic Road Network flows are representative;
  - Uncertainty about what is included in ‘with development’ and ‘without development’ models;
Uncertainty about how traffic flows have been ‘growthed’ to future years; and
Trip generation rates had not been provided; and

- A320 Corridor Study:
  - Concerns that the modelling therein shows Junction 11 of the M25 to be operating over capacity and offers no mitigation.

2.2.6 HE set out their position on the Local Plan evidence base in an email to RBC on 29 June 2018:

“Highways England are currently of the opinion that the Draft Runnymede Local Plan 2030 is not sound. We do not believe a sufficient transport evidence has been provided.”

2.2.7 RBC were therefore clearly aware of HE’s position ahead of publishing the draft Local Plan, i.e. in the knowledge that a key statutory consultee had advised then that the plan was (and remains) unsound.

2.2.8 Following a further meeting between RBC, HE and HE on 20 July 2018, RBC issued a draft Statement of Common Ground to inform the Stage 1 EiP in November 2018 about progress to date to reach agreement about the approach to the Local Plan evidence base.

2.2.9 A draft Statement of Common Ground was issued to HE on 25 July 2018. HE responded approximately three months later, immediately before the Stage 1 EiP (ref: email from RBC to SCC on 26 October 2018), disagreeing about the wording of the document. The matter remained unresolved at the time of the Stage 1 hearing.

2.2.10 Therefore, the Council knew that HE were not satisfied that the Local Plan was sound ahead of the Stage 1 hearings in November 2018. Despite this, pages 51 to 53 of the Council’s responses to the Inspector’s Matters and Questions misleadingly sought to suggest that the work was ‘agreed’ (ref: paragraph 3.44 to 3.45 / ITB12156-011 TN paragraph 3.1.1).

Further Work Since Stage 1 EiP

2.2.11 SCC presented suggested wording on the ‘agreed position’ in the Statement of Common Ground in an email dated 29 November 2018, which confirms that HE continues to have significant concerns about the Local Plan evidence base:

“Highways England is of the opinion that the absence of this more detailed information is preventing them from supporting the Local Plan as being sound.”

2.2.12 The final (signed but undated) Statement of Common Ground (ref: RBCLP_10) ends with a ‘Matters of Disagreement’ section, which concludes:

“Highways England has yet to agree that the Local Plan has no severe impact on the strategic road network, nor that any impacts can be mitigated.”
2.2.13 ARCADIS are therefore developing a study (‘A320 Corridor Study – M25 Further Traffic Modelling’).

2.2.14 HE set out their requirements for this study in an email from Nigel Walkden to Senthuran Sritharan at ARCADIS dated 14 December 2018. These requirements are broadly in line with HE’s earlier requirements for a traffic impact study on the Strategic Road Network and include:

- Morning and evening peak hour assessments for the end of Local Plan period ‘with’ and ‘without’ non-consented development;
- A TEMPRO based growth methodology that ensures growth factors take account of planned development in the borough;
- A trip distribution methodology to be agreed with HE;
- Modelling of junction 11 of the M25;
- Main carriageway merge and diverge assessments using DMRB TD 22/06;
- Preliminary safety checks on planned mitigation if necessary; and
- Mitigation to be DMRB compliant.

2.2.15 Subsequently, ARCADIS produced a scoping note, dated 20 December 2018, which presented the following methodology for their traffic study:

- Analysis of WebTris data ‘to visualise all day traffic volume profiles, per direction’;
- The preparation of morning and evening peak hour flow diagrams for junctions 11 and 13 of the M25;
- Assessment of link volumes;
- Merge and diverge calculations using DMRB TD22/06; and
- Identify spare capacity and list potential mitigation measures.

2.2.16 ARCADIS scoping report largely ignores the methodology set out by DMRB and does not offer any methodology for junction capacity testing. A further email from Nigel Walkden at HE (dated 24 December 2018) reiterated earlier advice regarding the traffic study methodology and provides further clarity on what the modelling will need to show:

- Junctions 11 and 13 of the M25: End of Local Plan with and without non-consented development;
- Junction 11 – increases in queue and delays on off-slips as a result of developments; and
• Junctions 11 and 13 – merge and diverge assessment (which in the case of Junction 13 would inform the need for further modelling).

2.2.17 Two further versions of the scoping note have been published. The final (third) version of the scoping note was published on RBC’s EiP webpage on 16 January 2018 (ref: RBCLP_19) with a covering note advising that the scope was agreed with HE.

2.2.18 The scoping document includes a timeframe for undertaking various ‘steps’ of the work:

- Step 1: Undertake assessment and agree conclusion with HE – i.e. establish whether mitigation is required – by 15 February 2019;
- Step 2a – identify ‘potential’ measures – 2 to 3 weeks after submission of Step 1 Report;
- Step 2b – Concept design of selected measures – 3 to 4 months after submission of Step 1 Report; and
- Step 3b – Detailed design (no timeframe given) and the Council are of the view that this is unlikely to be required by HE to remove their objection (although it is not clear whether HE agree with this).

2.2.19 i-Transport’s view, based on experience with dealing with HE elsewhere, is that this is an optimistic timescale. The M25 around junction 11 is among the busiest stretches of motorway in the country (ref: HE email of 23 February 2018). Identifying suitable mitigation will be complex. If HE requires preliminary design checks then there are various reports that need to be submitted including a ‘Walking, Cycling & Horse-Riding Assessment’, which is likely to require a survey of existing non-motorised user demand. Such a survey should normally be undertaken in a ‘neutral month’ and therefore the survey is unlikely to happen until late March, which is likely to push timescales back.

2.2.20 By comparison, i-Transport has identified mitigation schemes for the A46 in relation to a proposed employment development in Stratford Upon Avon. Stage 2a (in Arcadis terms) was completed in May 2018 and HE has still to sign off the road safety audit brief – it is unlikely that the objection there will removed within 12-months.

**Summary**

2.2.21 The correspondence between SCC, RBC and HE demonstrates that:

- For nearly a year, HE has expressed significant concerns about the Local Plan evidence base in respect of the Strategic Road Network. RBC is now (finally) beginning to address these;
• RBC were well aware of HE’s advice that the plan was unsound when the plan was published and ahead of the Stage 1 EiP hearings, despite suggesting in representations to the hearing that the matters were agreed.

• Whilst a ‘way forward’ appears to have been agreed between HE and RBC:
  ▪ The suggested timescale of May to June for resolution of SRN issues appears heroic based on i-Transport’s experience; and
  ▪ Even then, that will not address the significant shortcomings with the A320 Corridor Study with regards to the non-SRN junctions.

SECTION 3  The A320 Corridor

Work up to Stage 1 EiP

A320 Corridor Study Final Report of April 2018

3.1.1 SCC’s position in respect of the impact of Local Plan development on the A320 Corridor, and an emerging mitigation package to deal with it, is set out in the A320 Corridor Study Final Report of April 2018.

3.1.2 i-Transport’s previous note (ref: Regulation 19 Response – ID1481) identified the following flaws and omissions with regard to the Council’s highways evidence base.

3.1.3 The proposed mitigation package is flawed – it identifies the need for mitigation at 11 junctions. Of these:
  • At five locations the mitigation scheme is expected by the study to require third party land (Junctions 1, 6a and 6b, 8, 10 and 13);
  • At two locations the schemes identified are not sufficient. Alternative schemes have not been identified and dealing with the issue ‘kicked down the road’ (Junctions 3 and 4/5);
  • At two locations there is no modelling to enable a judgement on the adequacy of the mitigation to be made (Junctions 11 and 14); and
  • At one location – Junction 11 of the M25 (Junction 15 of the A320 Corridor Study) there is currently no idea of impacts, let alone the mitigation scheme required (see Section 2 of this note).

3.1.4 The resulting cost of infrastructure is likely to result in an ‘excessive bill’ for the new dwellings.
3.1.5 The proposed mitigation at the Ottershaw roundabout will require significant third-party land to the east, with a potentially substantial impact on large areas of green space and an existing public car park. The assumed extent of the public highway in the April 2018 report is also incorrect - even more third-party land will be needed.

3.1.6 The brief for the A320 Corridor Study requires connectivity issues to be dealt with in order to promote sustainable modes. This is particularly important at Junction 10 as the A320 in this area forms part of National Cycle Route 223 between Chertsey and Woking. The design of Option 3 is likely to force many pedestrians and cyclists away from their desire line and potentially requires them to cross multiple stretches of carriageway. In this regard, Option 3 fails to fulfil one of the objectives of the brief:

3.1.7 The A320 Study is based on modelling presented in the SHAR (ref: A320 Corridor Study Section 1.1) which the HE has raised in principle issues about (ref: HE email of 23 February 2018 – see Section 2). It is for this reason that ARCADIS are now producing further evidence in respect of junctions 11 and 13 of the M25 – following a completely different methodology to the SHAR.

3.1.8 Given the concerns of HE (as a suitably qualified and competent highway authority) in respect of the SHAR, it follows that the modelling undertaken in the A320 Corridor Study (and resulting mitigation) should also be fully revisited.

3.1.9 An alternative improvement scheme has previously been identified by i-Transport utilising land that is either public highway or in Ashill’s control. This arrangement offers comparable capacity benefits to the Option 3 improvement scheme identified by the A320 Corridor Study Final Report, and is significantly smaller than the Option 3 improvement and therefore is lower cost/better value. It is also more readily deliverable given that it does not require multiple areas of third-party land.

Council’s Responses to the Inspector’s Matters and Questions

3.1.10 Pages 51 to 53 deal with the Council’s highways response to the Inspector’s question. In summary:

- Paras 3.44 and 3.45 sets out how the work has been done, i.e. by an ‘experienced consultant’ (Arcadis) and in consultation with key stakeholders (i.e. neighbouring authorities and SCC and HE) misleadingly seeking to suggest that the work is ‘agreed’. It is clear that this is not the case (see Section 2 of this note and below) and also that further technical work is needed. There therefore remains uncertainty on what the mitigation package will be, what it will cost and whether it is deliverable.
Paras 3.46 to 3.48 refers to the A320 Topic Paper (see below) and sets out the approach to funding, identifying that it will be through developer funding, and central funding. It is clear that that work is ‘ongoing’ and therefore there is uncertainty on how the (uncertain) works will be funded.

**A320 Topic Paper**

*No Further Technical Analysis*

3.1.11 It is clear that no further technical work on highways matters has been produced since the A320 Corridor Study of April 2018. The A320 Topic Paper simply seeks to repackage the previous work (with all its attendant gaps and flaws) in a slightly more plausible format.

*Insufficient Buy-In from SCC*

3.1.12 RBC are seeking to demonstrate close working with SCC *(ref: Statement of Common Ground, and Section 4.2 of the A320 Topic Paper for example)* but this falls short of an agreed position on highways mitigation.

3.1.13 For example, it is clear that work is ongoing to identify what the highway mitigation schemes will be, i.e. the A320 Corridor Study is not the final position:

> “The effects on traffic congestion/traffic for these same sites was still concluded to be uncertain as until the investigations on the A320 had been completed (including confirmation of final designs) it was considered that it was not possible to rule out negative effects. The Council is continuing to work with Surrey County Council to progress the A320 mitigation proposals through to final design to address the points raised in the Sustainability Appraisal.” *(ref: A320 Topic Paper para 3.38)*

3.1.14 Therefore, at this stage, SCC has not agreed there is an identified mitigation strategy that:

- Is deliverable;
- Will mean that the cumulative impact of development will be less than ‘severe’; and
- Can be funded – it is clear that that work is ongoing and subject to considerable uncertainty *(ref: pages 2 and 3 of the RBC/SCC Statement of Common Ground).*

3.1.15 Again, the issue is being ‘kicked down the road’, which will result in deliverability issues in due course.

*Uncertainty Regarding Mitigation Schemes*

3.1.16 i-Transport’s May 2018 technical note identified some of the flaws with the mitigation package set out in the A320 Corridor Study.
3.1.17 The Council appears to accept that the mitigation package is not ‘fit for purpose’, and that the work needs to be revisited. For example:

“The SoCG set out a commitment to continued partnership working with Surrey Heath Borough Council and Surrey County Council to identify measures of mitigation along the corridor to help address the current and future cumulative development impacts.” (ref: para 4.3 of the A320 Topic Paper). i.e. this suggests that the measures are yet to be identified.

“If the current feasibility design for this junction is progressed, it would require the purchase of a large area of 3rd party land. This increases the risk of the programme for delivery slipping and also increases the overall cost of the mitigation solution. To mitigate this risk, the detailed design of this junction is to be reassessed…” (ref: Figure 3: Risk Assessment of the A320 Topic Paper with regard to Junction 6a and 6b). i.e. RBC recognise the risk/uncertainty and therefore need to redesign the scheme and are therefore yet to identify a scheme that is deliverable with a reasonable level of certainty.

“If the current feasibility design for this junction is progressed, it would require the purchase of a large area of 3rd party land. This increases the risk of the programme for delivery slipping and also increases the overall cost of the mitigation solution. To mitigate this risk, the detailed design of this junction is to be reassessed…” (ref: Figure 3: Risk Assessment of the A320 Topic Paper with regard to Junction 10). i.e. RBC recognise the risk/uncertainty and therefore need to redesign the scheme and are therefore yet to identify a scheme that is deliverable with a reasonable level of certainty.

3.1.18 The Council acknowledges that their local plan is contingent on highways mitigation being in place no later than 2024:

“...the Borough is seeking to deliver the A320 improvements within a 5 year window from 2019 to 2024. Whilst this can be considered ambitious, the infrastructure improvements are required for a Borough committed to meet its housing and development targets.” (ref: para 5.17 of the A320 Topic Paper)

3.1.19 At this stage, there are a number of locations where there is currently no final scheme identified. If the schemes cannot be redesigned to avoid third party land (and it is exceptionally unlikely that this can be avoided based on i-Transport’s analysis at Junction 10) then they are contingent on:

- Further design work to establish technically deliverable and acceptable schemes;
- Obtaining funding for a CPO process;
- Successfully going through that CPO process;
- Securing the funding for the works (even if it’s developer funded there will need to be forward funding of the schemes to result in early delivery);
- Detailed design of the works; and
- Implementation of the works.
3.1.20 Therefore, in simple terms, delivery of the mitigation no later than 2024 is exceptionally unlikely.

Uncertainty of Funding

3.1.21 Section 5 of the A320 Topic Paper deals with the proposed funding of the infrastructure. It is noted that the delivery is contingent on funding coming from two strategic schemes from outside the RBC area – Martyrs Lane, Woking (noting that this scheme is no longer proposed – see below) and Fairoaks Airport, Surrey Heath.

3.1.22 The A320 Topic Paper sets out how proposed development will fund some (and not all) of the schemes identified by the A320 Corridor Study. It is unclear whether that is proposed – noting that it puts a significant cost burden on development – or whether HIF or LEP Funding is to be secured (ref: page 3 of the RBC/SCC Statement of Common Ground). It is all very vague and uncertain.

3.1.23 Putting to one side how costs can be reasonably identified with any degree of certainty given the uncertainty on what the mitigation schemes actually are, the following is noted:

i The Council has removed the costs of mitigation schemes at Junctions 3 and 4/5 on the basis that these “may not be required” (ref: A320 Topic Paper para 5.3). Equally they may be required – there is an absence of technical evidence in this location.

ii There is also uncertainty regarding what HE’s position is on Link 4 (St Peters Way leading to Junction 11 of the M25) (ref: A320 Topic Paper para 5.4) and therefore that substantial cost - £8.4million – has also been ‘saved’. There is no technical evidence to support the removal of this scheme other than the scheme has not been agreed. The costs for M25 Junction 11 improvements are also conspicuous by their absence.

iii Junction 10 (the Ottershaw Roundabout) is the most expensive mitigation scheme (£6.8million). It is proposed to be funded by the following developments (ref: Table 1 of A320 Topic Paper):

- SD10: Longcross Garden Village (1,500 dwellings unconsented / total contribution expected to be £14,818,500)
- SL12: Ottershaw East (202 dwellings / total contribution = £928,000)
- SL11: Parcel B, Vet Labs Site, Rowtown (152 dwellings / total contribution = £600,000)
- Fairoaks Airfield (1,000 dwellings / total contribution = £9,879,000)
- Martyrs Lane, Woking (1,200 dwellings / total contribution = £11,854,800)

iv Martyrs Lane is not included in the current Woking Borough Council Reg 19 DPD, which is now being consulted on. The sustainability appraisal identifies poor sustainability credentials as
one reason for this. This removes circa one quarter of the overall funding for the A320 Corridor Study mitigation schemes, and around one third of the funding that might have been put to the Junction 10 improvements.

Whilst it may be argued that the loss of Martyrs Lane will mean lower traffic impacts and therefore a cheaper mitigation package, there is no evidence of that. The RBC local plan evidence base assumes that Martyrs Lane will come forward and is therefore now out-of-date. Given the existing issues on the A320 corridor, significant improvements will be needed even without Martyrs Lane. Given that it is not possible ‘to build half a roundabout’ it is likely that the reduction in traffic impact as a result of the loss of Martyrs Lane will result in a less than proportional reduction in mitigation costs, i.e. a funding gap will result.

SECTION 4 SUMMARY

4.1 Paragraph 177 of the March 2012 NPPF states:

“It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.”

4.2 Paragraph 182 sets out the criteria for soundness of the Local Plan:

“local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework. Considering the Local Plan evidence base in the context of these criteria:

4.3 The Local Plan evidence base fails to meet these tests.

As it stands there is no reasonable prospect that planned infrastructure is deliverable in a timely fashion:
The strategy for the A320 corridor (i.e. the non-SRN junctions) is to be revisited given costs, third party land constraints, etc. We don’t know what the mitigation is and therefore the necessary infrastructure is not planned;

- There is considerable uncertainty/lack of clarity on how the infrastructure will be funded;
- The plan is contingent on that infrastructure being provided unrealistically quickly, i.e. it will not be delivered in a timely fashion; and
- There is currently no strategy for the SRN and HE consider the local plan to be unsound.

ii In addition, the plan has not been positively prepared – it was submitted in full knowledge by the Council that the evidence base was flawed;

iii It is not justified – it is not known whether the strategy is the most appropriate given the absence of reliable evidence on transport matters;

iv It is not effective because the highways infrastructure strategy has not been demonstrated to be deliverable; and

v It is not consistent with national policy – it has not been demonstrated that there will be an appropriate mitigation strategy to deal with traffic impacts on the SRN and the non-SRN and thus a severe impact will be avoided.

4.4 Given these issues, a reasonable alternative is to consider development sites that are not contingent on the A320 or SRN improvements (i.e. schemes with modest impacts on these routes due to their distance from these junctions and their small size) and, more fundamentally, sites that can individually deliver the necessary highways infrastructure in a timely fashion without the need for pooled funding or acquisition of third party land. In this regard, the Christmas Tree Farm provides a genuine opportunity to provide a deliverable alternative improvement scheme at Junction 10, which is one of the key problem junctions on the A320 corridor. The Christmas Tree Farm would therefore help to unlock the local plan by providing:

- An alternative funding source for improvements at Junction 10.
- A genuine opportunity to provide an alternative improvement scheme using land within Christmas Tree Farm but without third-party land, at significantly reduced cost (up to £3m), and without the risk of delay associated with compulsory purchases.
- A genuine opportunity to ‘unlock’ capacity on the network at an early stage of the Local Plan’s lifespan whilst delivering a significant quantum of housing.
APPENDIX A.  A320 CORRIDOR STUDY JUNCTIONS