The Planning Inspectorate

# Report to the Secretary of State for Transport

**by P W Clark MA(Oxon) MA(TRP) MRTPI MCMI**

**an Inspector appointed by the Secretary of State**

**Date: 4 January 2022**

**HIGHWAYS ACT 1980**

**ROAD TRAFFIC REGULATION ACT 1984**

**ACQUISITION OF LAND ACT 1981**

**APPLICATIONS BY**

**SURREY COUNTY COUNCIL**

**FOR CONFIRMATION OF THE**

**SURREY COUNTY COUNCIL (A320 CORRIDOR (OTTERSHAW TO CHERTSEY AND M25 JUNCTION 11) IMPROVEMENT SCHEME) COMPULSORY PURCHASE ORDER 2022**

**&**

**SURREY COUNTY COUNCIL (A320 CORRIDOR (OTTERSHAW TO CHERTSEY AND M25 JUNCTION 11) IMPROVEMENT SCHEME) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2022**

Inquiry Held on 1 November 2022
Inspections were carried out on 31 October 2022.
A320 Corridor CPO and Side Roads Order

File Ref: DPI/B3600/22/7

**File Ref: DPI/B3600/22/7**
**Surrey County Council (A320 Corridor (Ottershaw to Chertsey and M25 Junction 11) Improvement Scheme) Compulsory Purchase Order 2022**

- The Compulsory Purchase Order (CPO) was made under sections 6, 8, 239, 240, 246, 249, 250 and 260 of the Highways Act 1980, section 40 of the Road Traffic Regulation Act 1984 and the Acquisition of Land Act 1981 by Surrey County Council on 31 March 2022.
- The purposes of the Order are to acquire land and rights and override restrictive covenants for the construction and improvement of a highway, for use in connection with the above and for mitigating the effects of the above and for the provision of an off-street car park.
- The main grounds of objection are that the Order seeks to acquire more land than is necessary, that statutory undertakers' operational assets would be adversely affected, that the scheme would cause injurious affection through noise, would prevent the implementation of a planning permission, would cause dangerous highway conditions and would adversely affect the viability of a business.
- At the close of the Inquiry, seven objections to the CPO had not been formally withdrawn.

**Summary of Recommendation: The Order be confirmed with modifications.**

**File Ref: DPI/B3600/22/7**
**Surrey County Council (A320 Corridor (Ottershaw to Chertsey and M25 Junction 11) Improvement Scheme) (Classified Road) (Side Roads) Order 2022**

- The Order was made under sections 6, 8, 14 and 125 of the Highways Act 1980 by Surrey County Council on 31 March 2022.
- The purposes of the Order are to stop up, divert, improve, raise, lower or alter a highway that crosses a classified road and to stop up private means of access affected by the route of an improvement order.
- The main grounds of objection are that statutory undertakers' operational assets would be adversely affected, that the scheme would cause injurious affection through noise, would cause dangerous highway conditions and would adversely affect the viability of a business.
- At the close of the Inquiry, four objections to the Side Roads Order (SRO) had not been formally withdrawn.

**Summary of Recommendation: The Order be confirmed with modifications.**

## Procedural Matters and Statutory Formalities

1. The Inquiry took place on 1 November 2022 but was held open until 10 November 2022 to allow time for requested documentation to be submitted. An unaccompanied inspection of the Order Lands and the surrounding area took place before the Inquiry. No matter arose during the Inquiry which required an accompanied inspection.

2. The convening notice was taken as read. No objector attended the Inquiry but it is clear from the letters withdrawing objections that objectors were aware of the Inquiry and its date which had been notified to them by letters dated 15 September 2022. Public Notices of the Inquiry had been published in the Surrey Advertiser on 7 October 2022 and in the London Gazette, on the same date. One objector indicated an intention not to attend the Inquiry but did not technically withdraw the objection.

3. General certificates of conformity with statutory requirements dated 8 April 2022 (for the SRO) and 15 April 2022 (for the CPO) together with photocopies of newspaper advertisements giving notice of the making of the CPO (in the Surrey Advertiser) and SRO(in the Surrey Advertiser and London Gazette) are included in the bundle of information submitted before the Inquiry was closed[1].

4. A Protected Assets Certificate is included in the bundle of information submitted before the Inquiry was closed. This indicates that no protected assets are included within the CPO.

5. There are no ancient monuments, listed buildings or conservation areas included within the Order lands[2]. Section 11 of the Council's Statement of Reasons and Section 11 of the Council's Statement of Case both set out material considerations, including a section on Historic Environment. This gives details of two listed buildings within the vicinity of the scheme's junction 6 (Arbon Cottage and Hardwick Court Farmhouse) and of two listed buildings whose setting includes the scheme's junction 10 (N° 2 Chobham Road and Murray House). The objection from Neeraj Malhotra points out that his property, Wheelers Green in Bittam's Lane, adjoins the north side of St Peter's Way (which forms a link within the scheme) and is a listed building. In information received before the close of the Inquiry, the Council confirmed this to be correct. (it is identified as such in paragraph 5.3 of the A320 Corridor Study, April 2018).[3]

6. Section 11 of both the Council's Statement of Reasons and its Statement of Case include passages headed Green Belt. These point out that the proposed junction 6 encroaches onto the Green Belt. The same section of the two documents also points out that the northern part of the site at proposed junction 10 is within the Green Belt. For this reason, the planning application for the works at this junction has been referred to the Secretary of State for Levelling Up, Housing and Communities for a Direction which was awaited at the time of the Inquiry[4].

[1] The information is also provided in paragraphs 1.4 to 1.8 of the Statement of Case
[2] Statement of Reasons, paragraph 12.1; Statement of Case, paragraph 12.1
[3] Document 11
[4] Statement of Reasons, paragraphs 11.52 to 11.64 and 13.1 to 13.3; Statement of Case, paragraphs 11.52 to 11.64 and 13.1 to 13.3; Nicholas Henderson's Highways Evidence, paragraphs 1.5.3 and 1.5.4

7. The CPO excludes interests belonging to National Highways Limited. Nevertheless, the scheme involves carrying out works which involve alterations, modifications and improvements to the M25 Trunk Road. By agreement dated 1 March 2022, National Highways has delegated those of its functions relating to these works to Surrey County Council, the promoter of the scheme.[5]

8. The Order does not include Crown Land. However, the Crown (in the form of the Secretary of State for Health and Social Care) holds rights in respect of a number of plots listed within Table 2 of the Compulsory Purchase Order.[6] Some rights will be breached by the construction of the scheme, others not. The Government Legal Department has confirmed by e-mail dated 19 October 2022 (included in the folder of documents requested by the Inspector) that the Secretary of State for Health and Social Care does not intend to enforce the restrictive covenants in respect of plot 35 of the CPO. In this light, it may be felt that no further agreement under s327 of the Highways Act (applying the Act to Crown Land) is necessary.

9. In addition to statutory undertakers' interests listed against individual plots, an unnumbered table following table 2 of the Schedule to the CPO lists statutory undertakers' general interests included within the Order.

10. There appear to be three statutory undertakers and a telecommunications operator who have interests in plots affected by the proposal and the CPO and who have objected. The statutory undertakers are; UK Power Networks (acting on behalf of South Eastern Power Networks PLC) (a statutory undertaker by virtue of schedule 16 s2(2)(g) of the Electricity Act 1989), Cadent Gas Ltd (by virtue of Schedule 4, s2(1) of the Gas Act 1995) and the South East Coast Ambulance Service National Health Service Foundation Trust (by virtue of s17(4(aab)) of the Acquisition of Land Act 1981). The telecommunications operator is British telecommunications PLC.

11. Because Surrey County Council is a local authority, the special parliamentary procedure otherwise required by s17(2) of the Acquisition of Land Act 1981 for the compulsory purchase of local authority or statutory undertaker's lands or by s4 of Schedule 3 of the Act for the compulsory acquisition of new rights over that land is disapplied by virtue of s17(3) and Schedule 3 s4(3) of that Act.

12. The certification procedure by an appropriate minister for the compulsory purchase of statutory undertakers' lands described in s16 of the Acquisition of Land Act 1981 and the similar procedure for the compulsory acquisition of new rights described in s3 of Schedule 3 of the Act only apply where a representation is made to the appropriate Minister and not withdrawn. In the present case it appears that none of the statutory undertakers have made a representation to the appropriate Minister and so the certification procedure is not required.[7]

[5] Document 32 appended to the Council's Statement of Case. Statement of Reasons paragraphs 2.7 to 2.15; Statement of Case, paragraph 1.3; Nicholas Henderson's Highways Evidence, paragraph 1.3.6
[6] Statement of Reasons, paragraph 19.10; Statement of Case, paragraph 19.10
[7] Explanation given by Mr Harwood in response to Inspector's question

13. There is no consecrated or ecclesiastical land, common or village green or public open space included within the CPO[8].

14. The scheme is not Environmental Impact Assessment (EIA) development.[9] Most elements of the scheme have planning permission by virtue of various provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), except for the works at junctions 6 and 10 which are deemed not to be adjacent to the existing highway[10]. Besides the two specific planning permissions needed for junctions 6 and 10, referred to above, other consents which may be needed for the scheme to proceed are identified within sections 14 of each of the Statement of Case and Statement of Reasons. They are; Traffic Regulation Orders, Environmental Permits from the Environment Agency concerning activities in the flood plain and Tree Preservation Order (TPO) consents, although Regulation 14(1(a(iv))) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 provides that a TPO consent is not needed to implement a SRO[11].

15. During the Inquiry, information was given which identified that, in fact, there would be no need for any consent from the Environment Agency but that there is a need for a consent from the Local Lead Flood Authority. Progress on the Traffic Regulation Orders, TPO consents and Local Lead Flood Authority consent is dependent on detailed design work to be prepared by the nominated lead contractor for the scheme but no obstacles to the implementation of the scheme are expected[12].

16. At the opening of the Inquiry the Acquiring Authority was invited to present any evidence of changed circumstances in introducing its witnesses. In response, information was provided concerning the latest position in negotiations with objectors. A number of agreements have been reached, which are reported upon below, including proposed modifications to the Orders, over and above modifications which are proposed following a review of the scheme. The modifications are reported on below.

17. There were no submissions on legal or procedural matters concerning the validity of the Orders.

18. There were originally fifteen objections to either or both of the orders. Two objections (from National Grid and from Affinity Water) were withdrawn before my appointment. I do not report on these. Of the remaining thirteen, all objected to the CPO, eight objected to the SRO. By the close of the Inquiry, seven objections to the CPO and four to the SRO had not been formally withdrawn;

    - UK Power Networks on behalf of South Eastern Power Networks plc (both)

[8] Statement of Reasons, paragraph 12.1; Statement of Case, paragraph 12.1
[9] Statement of Reasons, paragraphs 1.9 and 13.13; Statement of Case, paragraph 1.15
[10] Statement of Reasons, paragraphs 1.8 and 13.4 to 13.12; Statement of Case, paragraphs 1.14 and 13.4 to 13.12; Nicholas Henderson's Highways Evidence, paragraphs 1.5.1 and 1.5.2
[11] Information provided by Mr Harwood in closing remarks
[12] Statement of Reasons, paragraph 16.15; Statement of Case, paragraph 16.15; Response by Nicholas Henderson to Inspector's question

- Neeraj Malhotra (CPO)
- Laura Webb (nominally CPO, but in fact, SRO))
- CBRE Limited on behalf of Maurice Mandry Ltd (both)
- Bruton Knowles on behalf of South East Coast Ambulance Service National Health Service Foundation Trust (both)
- CBRE Limited on behalf of British Telecommunications plc (both)
- Aspire Compulsory Purchase LLP on behalf of CEP CBRE UK Affordable Housing Nominee 1 Limited and CEP CBRE UK Affordable Housing Nominee 2 Limited (CPO)

19. The Council accepts that a number of plots are no longer needed, or that rights, rather than a freehold, are all that is needed. It requests that, if approved, the CPO be modified to exclude or amend the plots in question. A revised CPO Schedule and Plan is submitted, excluding from Table 1 plots, 1, 37, 38, 39, 47, 51, 56 and 59, reducing plots 35, 44, 48, 57, 58, 60, 62, 64, 65, 66, 68, 69, 70 and 71, reducing plots 12 and 45 and dividing them each into two plots numbered 12, 12a and 45 and 45a and excluding from Table 2 plots 1, 37, 38, 39 and 56. The Council has also accepted corrected wording to the CPO Schedule relating to plots 12, 46, 49, 50 and 52.[13]

20. There are consequential modifications to the SRO. These are detailed in an email from John Qualtrough, acting for the promoter, dated 19 October 2022 to the Department for Transport's National Transport Casework Team. They relate to site plans 3, 4 and 6 and Schedules 3 (deleting reference (d) and redesignating reference (e) as (d)), 4 (redesignating reference (e) as (d) and deleting reference (f)) and 6 (redesignating reference (g) as (e)).

## The Order Lands and Surroundings

21. Chertsey lies about 29km south-west of central London. The M3 motorway runs on an east-west alignment to its north. The M25 motorway runs on a north-south alignment to its west. Running through Chertsey is the A320 road which links Guildford, Woking, Chertsey and Staines, serves a regional accident and emergency hospital (St Peter's) and has a spur which connects to the M25 just south of Chertsey.[14] National Cycle Network Route 223 runs alongside the A320, sharing its narrow footpath either on the east side or on the west.[15]

22. On the face of it, outside the built-up area of Chertsey, the land through which this road runs appears rural. Much of it is designated Green Belt.[16] But in fact, much of it is used for school playing fields or hospital grounds. Some is used for

[13] In e-mail from John Qualtrough dated 18 October 2022, responding to letter from the Department for Transport's National Transport Casework Team dated 6 October 2022 and in letter of conditional withdrawal of objection 8
[14] Statement of Reasons, paragraph 3.1; Statement of Case, paragraph 3.1; Nicholas Henderson's Highways Evidence, paragraph 5.1.2
[15] Nicholas Henderson's Highways Evidence, paragraphs 5.3.7, 5.4.4, 5.5.4, 5.7.2, 5.8.3, 5.9.5
[16] Nicholas Henderson's Highways Evidence, paragraph 5.1.2

growing Christmas trees and about one-third of the length of the scheme is adjoined to its east by residential development (but not having frontage access).

23. The scheme with which these two Orders are concerned is in two parts. The majority of the scheme is concerned with improving the A320, including its link to the M25, from the point where it passes under the M25 to the south-west of Chertsey, southwards to the roundabout at Ottershaw village junction with the A319. A smaller, separated, part of the scheme is concerned with improving the Twynersh roundabout north of Chertsey where the A320 has a junction with the B388 road and another, unclassified, road.

24. The CPO has further detached parts. Plot 3 (accessed by plot 2 over which rights are sought) is an isolated piece of land on the eastern side of St Ann's Hill about half a mile to the north-west of Chertsey. Plot 15 (accessed by plots 16, 17 and 18 over which rights are sought) is an isolated field about half a mile to the west of St Ann's Hill, lying between the west side of the M25 motorway and the north side of the railway line between Virginia Water and Chertsey. These plots, and their access rights, are required, not for the road improvement itself, but to provide ecological mitigation for the effects of the road improvement.

25. As proposed to be modified, the CPO land comprises 30.9538 hectares of land. This comprises 20.2397 ha required for the construction of the scheme, 4.34 ha for the mitigation of adverse effects, 0.4044 ha for which the permanent acquisition of rights is required and 5.8797 ha for which temporary rights are required for construction purposes.[17]

26. The CPO is made largely under the Highways Act 1980 but also (in respect of the land required to provide a car park at Murray Road Ottershaw in replacement for an existing car park required to be taken for the scheme), under the Road Traffic Regulation Act 1984. The SRO is made under the Highways Act 1980. Appendix 2 of the Council's Statement of Reasons explains, for each plot, the purpose for which acquisition is sought.

27. From north to south, the land affected by either or both Orders can be described as follows[18]. The two detached plots on either side of St Ann's Hill, required for mitigation purposes are currently used as pastoral agricultural land.

28. The Twynersh roundabout (nominated as junction 1) is on the edge of the Chertsey urban area. A commercial building is being converted to flats on its south-east corner. A primary school and its grounds are on the south-west corner. Pastoral fields are to the north-west and a public house to the north-

[17] Amended paragraph 5.2 of Statement of Case set out in e-mail dated 9 November 2022 from John Qualtrough to Planning Inspectorate (Other Document 9). The figures do not sum. The most likely explanation is that a typing error has produced the figure of 4.34 when 4.43 is meant for the mitigation of adverse effects. Original figures; 35.4047 ha of land comprising 21.4545 ha for construction, 6.2251 for mitigation, 0.409 for rights and 7.3161 for temporary rights

[18] A thorough summary of the proposed scheme as originally submitted (prior to modifications) is contained within Table B-1 of Document 27 (Surrey County Council's Screening Opinion report).

east[19]. Most of the land included in the orders is already highway land. If not already used as carriageway or footway, it is verge or amenity land. Small slivers of agricultural land (on the north-west side) and of commercial land (on the south-east side) are to be acquired to incorporate a drainage ditch within the highway boundary and to provide for statutory undertaker apparatus diversions. The geometry of the roundabout would be reconfigured and three of its four arms would have two lane approaches[20]. The SRO applies to the two arms which are not part of the A320.[21]

29. To the south-west of Chertsey but inside the M25 an existing access off of the A320 Guildford Road immediately bifurcates. One branch (not included in the CPO) leads to car parking in front of Sandgates, a residential block. The other leads to a presently unused area of car parking, part of which is blocked by bollards. It is well separated from the residential building. Temporary acquisition of the car park is sought through the CPO to provide a contractor's compound, with rights over the access.

30. From the M25 bridge over the A320 southwards towards the double mini-roundabout junction with the B386 Holloway Hill and Green Lane is designated within the scheme as link 1 (the junction itself is designated junction 6). High pressure oil and gas pipelines cross the link. The road largely runs between Salesian School and land recently laid out as the school's playing fields, although there are also a couple of residential properties on either side of the road.[22] There are substantial trees in the hedgerows on either side, some subject to a TPO; others identified for retention. The SRO has no provisions along this stretch. Most of the land included in the CPO is already highways land except for a few slivers along the south-east side of the road, most of which are currently in the possession of Salesian School. These are to be acquired to allow the widening of the footway/cycleway which here runs along the south-east side of the A320.[23]

31. At junction 6[24] substantial trees border the road on either side, some the subject of a TPO. Beyond the trees on the north-west side is Hardwick Court Farm, a Site of Nature Conservation Importance (SNCI); on the south-east side are the rear gardens of residential properties. To the south-west of the junction, behind a boundary consisting of a close-boarded fence and a handsome brick wall, a line of trees screens the surprisingly intensively developed White Lodge Centre[25].

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[19] Statement of Reasons, paragraphs 3.4-3.6; Statement of Case, paragraphs 3.4-3.6; Nicholas Henderson's Highways Evidence, paragraphs 5.2.1 to 5.2.8
[20] Statement of Reasons, paragraph 4.2; Statement of Case, paragraph 4.2
[21] Nicholas Henderson's Highways Evidence, section 16.
[22] Statement of Reasons, paragraphs 3.16 and 3.17; Statement of Case, paragraphs 3.16 and 3.17
[23] Statement of Reasons, paragraph 4.7; Statement of Case, paragraph 4.7; Nicholas Henderson's Highway Evidence section 5.3 and paragraphs 5.5.8 to 5.5.10 describe the existing state of link 1 in greater detail; paragraph 8.4.2 of Nicholas Henderson's evidence describes the proposals in detail.
[24] Statement of Reasons, paragraph 3.7; Statement of Case, paragraph 3.7
[25] Statement of Reasons, paragraph 3.8; Statement of Case, paragraph 3.8; Nicholas Henderson's Highway Evidence section 5.4 and paragraphs 5.5.8 to 5.5.10 describe the existing circumstances of junction 6 in greater detail

Arbon Cottage, a Grade II listed building is also in this vicinity. At this junction, although much is already highway land, a substantial area (5,720 sq m) of agricultural land is to be acquired on the west side of the road to create a single oval-shaped roundabout to replace the two mini-roundabouts. A slice of land (reduced from 716 to 609 sq m) along the Guildford Road frontage of the White Lodge Centre is to be acquired to permit the widening of the combined footway/cycleway (which here transfers to the west side of the road).[26] The SRO provides for the stopping up of the existing access to Salesian School and its replacement slightly to the north, and for the improvements to Holloway Hill, Hardwick Lane and Green Lane.[27]

32. Between junction 6 and the roundabout junction providing an entrance to the St Peter's Hospital and the Hillswood Business Park, the A320 (here designated link 2) runs between the rear gardens of residential properties on its east side (with no footway) and the treed grounds of the St Peter's Hospital on its west side (protected by a TPO). A watercourse parallels the road on its west side.[28] It was originally intended to widen the road (within the highway boundary) along this stretch, acquiring temporary rights over the hospital lands to facilitate the reconstruction of a retaining wall. A review of the proposal has led to a revised scheme in which the existing carriageway would be narrowed slightly at its southern end to accommodate a widened footway/cycleway on the west side. The remaining CPO powers on this section would cover land already used as highway albeit buying out the residential neighbours' presumed ownership of the subsoil.[29] The SRO has no provisions along this section.

33. At the southern end of link 2, a roundabout provides access to St Peter's Hospital and the Hillswood Business Park. In the context of the A320 improvement, this is known as junction 8. It was to have been improved by a private developer as a benefit associated with a planning permission[30] but circumstances have changed and it is now to be delivered by Surrey County Council with a contribution from the hospital as developer.[31] It remains outside the scope of the CPO and the SRO.[32] Immediately to its south is a short length of dual carriageway which runs through woodland to the junction of the A320 with its spur to the M25. This is known as junction 9.[33] Most of the land included within the CPO at junction 9 is already highway land. A small strip of land (plot 52) is to be acquired to facilitate the diversion of a footpath crossing St Peter's Way

[26] Statement of Reasons, paragraph 4.3; Statement of Case, paragraph 4.3
[27] Nicholas Henderson's Highways Evidence, sections 16 and 17.
[28] Statement of Reasons, paragraphs 3.18 and 3.19; Statement of Case, paragraphs 3.18 and 3.19; Nicholas Henderson's Highway evidence, paragraphs 5.5.1 to 5.5.10 give greater detail.
[29] Statement of Reasons, paragraph 4.8; Statement of Case, paragraph 4.8; Nicholas Henderson's Highways Evidence, paragraph 10.5.4 and section 17
[30] Adopted Infrastructure Delivery and Prioritisation Supplementary Planning Document (Document 4) paragraph 3.29
[31] Nicholas Henderson's Highways Evidence, paragraphs 5.6.1 and 6.1.3
[32] Nicholas Henderson's Highways Evidence, paragraph 1.3.3
[33] Statement of Reasons paragraphs 3.9 and 3.10; Statement of Case, paragraphs 3.9 and 3.10; a detailed description of the junction and its surroundings is provided in section 5.7 of Nicholas Henderson's Highways Evidence

(the spur to the M25 motorway).[34] The SRO provides for the creation of this diverted footpath.[35]

34. The spur to the M25 (St Peter's Way) is designated as link 4 within the A320 improvement scheme. It is a dual carriageway, with laybys on each side, running between wooded verges and has no provision for non-motorised use, although it is crossed by footpath 56. Land on its north side rises up to a buffer of land on the south side of Bittams Lane which includes Wheelers Green, a Grade II listed building and is designated for residential development, complementing an existing residential neighbourhood on the north side of Bittams Lane. Land to the south of St Peter's Way is in agricultural use. Towards its eastern end are field accesses to north and south, that on the north clearly disused.[36] Use of footpath 56 is very light. The high traffic flows on St Peter's Way means that its crossing is very hazardous.[37]

35. The majority of the CPO land along St Peter's Way (link 4) is already in highways ownership. The CPO originally included slivers of land along the north side of St Peter's Way but, following a review of the scheme design, removing the eastbound layby, modifications to the CPO now exclude these. On the south side of St Peter's Way a small strip of land (plot 52) is to be acquired to facilitate the diversion of footpath 56. Temporary rights over 49,486 sq m of agricultural land on the south side of St Peter's Way are required for a contractor's compound. The SRO makes provision for the closure of two lengths of footpath 56 north and south of St Peter's Way and for its diversion westwards towards junction 9. It also makes provision for stopping up the field access on the north side of St Peter's Way and for providing a second field access on its southern side (in an amended location in the Modified Order)[38].

36. At the eastern end of St Peter's Way is M25 junction 11, comprising a roundabout carried across the motorway by two bridges. East of the motorway junction, St Peter's Way becomes the A317 and so, a side road[39]. Much of the land included within the CPO is already in highways ownership and use but it is necessary to acquire private interests in order to be able to widen the northbound and southbound off-ramps from the motorway, albeit revisions to the scheme have allowed the extent of compulsory purchase to be reduced[40]. The SRO allows for the improvements to the two slip roads and to the A317.[41]

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[34] Statement of Reasons, paragraph 4.4; Statement of Case, paragraph 4.4; Nicholas Henderson's Highways Evidence section 5.10
[35] Nicholas Henderson's Highways Evidence, section 16.4
[36] Statement of Reasons, paragraphs 3.22 and 3.23; Statement of Case, paragraphs 3.22 and 3.23
[37] Nicholas Henderson's Highways Evidence, paragraph 14.5.2
[38] Statement of Reasons, paragraph 4.10; Statement of Case, paragraph 4.10; Nicholas Henderson's Highways Evidence, paragraph 14.2.6 and sections 16 and 17
[39] Statement of Reasons, paragraphs 3.14 and 3.15; Statement of Case, paragraphs 3.14 and 3.15; Nicholas Henderson's Highways Proof of Evidence , section 5.11, describes the junction in greater detail
[40] Statement of Reasons, paragraph 4.6; Statement of Case, paragraph 4.6; Nicholas Henderson's Highways Evidence sections 17.5, 17.6 and 17.7
[41] Nicholas Henderson's Highways Evidence paragraph 16.3.1

37. Returning to junction 9 (the junction of the A320 St Peter's Way spur road with the A320 Guildford Road), the route south towards Ottershaw is designated within the scheme as link 3. It is a single carriageway road, with three narrow lanes between verges lined with trees, some on the east side protected by a TPO. There is farmland to east and west on either side of the road. Only the west side has a footway. A permissive cycle path runs through farmland parallel to the road on its west side[42].

38. Along link 3, most of the land included within the CPO is already in highways ownership (except for frontagers' presumed rights to the subsoil for half the width of the highway). The original intention to acquire strips of land on either side of the highway for widening has been largely deleted (except in relation to a small area associated with the junction improvement to the south) and the area required for temporary rights during construction minimised[43]. The SRO includes no provisions along this link as such but there are provisions associated with the junction proposal to the south.

39. At the southernmost extremity of the A320 improvement scheme is its junction with the A319 and B3121 at Ottershaw. This is designated as junction 10 within the scheme. It is a small roundabout with a slip lane connecting the A319 to the A320 northbound. Both the A319 and the B3121 have side road connections within a few yards of the roundabout junction; that to the west embraces a listed building within its fork[44]. On the A320 a little to the north of the roundabout there are an electricity substation, a telephone exchange and an ambulance station with accesses taken directly off the main road. The built-up area of Ottershaw adjoins the south side of the roundabout[45]. The north side is bounded by woodland and shrubland, enclosing a public car park which serves the village shops and hall. There is also woodland to the north-west, partly covered by a TPO[46].

40. It is proposed to enlarge and relocate the roundabout further to the north in order to reduce the impact of the junction on the village and to minimise tree loss[47]. Although much of the land within the CPO is already highways land or owned by the local authority, other, privately owned, land is included within the CPO, both for permanent inclusion within the enlarged roundabout and its approaches, or for temporary rights during its construction[48]. The implications of the scheme include the reprovision of the public car park and the stopping up of existing accesses to the electricity substation, telephone exchange and ambulance station and their reprovision in different locations (but, in the modified proposals, the accesses to the electricity substation and telephone

[42] Statement of Reasons, paragraphs 3.20 and 3.21; Statement of Case, paragraphs 3.20 and 3.21; Nicholas Henderson's Highways Evidence, section 5.8
[43] Statement of Reasons, paragraph 4.9; Statement of Case, paragraph 4.9; Nicholas Henderson's Highways Evidence, section 17
[44] Statement of Reasons, paragraph 3.11; Statement of Case, paragraph 3.11
[45] Statement of Reasons, paragraph 3.12; Statement of Case, paragraph 3.12
[46] Statement of Reasons, paragraph 3.13; Statement of Case, paragraph 3.13; a detailed description of junction 10 and its surroundings is included within Nicholas Henderson's Highways Evidence, section 5.9
[47] Statement of Reasons, paragraph 7.26; Statement of Case, paragraph 7.26
[48] Statement of Reasons, paragraph 4.5; Statement of Case, paragraph 4.5

exchange remain in the same location). The SRO makes provision for this and for the diversion of the B3121 Murray Road and improvements to the A319 Chobham Road, the B3121 Murray Road and their two side roads, Foxhills Road and Brox Road. The reprovision of the car park requires habitat mitigation.[49]

## The Case for the Council

41. The scheme will improve congestion, facilities for active travel, journey time reliability, resilience, air quality and safety along the roads and through the junctions comprised in the scheme, whilst minimising and mitigating adverse impacts on the natural environment[50]. It will accommodate future traffic flows on the A320 and at M25 junction 11 caused by capacity constraints on the network.[51] It is necessary to make acceptable the development of a number of areas of land proposed for housing in the Runnymede 2030 Local Plan adopted on the 16th July 2020.[52] It is the only piece of infrastructure so identified.[53] Increasing network capacity will allow easier movement of people and goods for businesses. Effective upgraded infrastructure will improve connectivity for residents using all forms of transport including walking and cycling and improved access to bus services.[54]

42. The Council can only achieve the benefits of the scheme and begin construction on time, if compulsory purchase powers are taken.[55] There are multiple land interests involved. If compulsory purchase powers are available, that will persuade them to focus in a timely manner on the necessary decisions to be taken regarding the sale of their land.[56] The Council has made reasonable efforts to acquire the needed land and rights by agreement but believes that it will not be able to construct the scheme without the grant of compulsory acquisition powers.[57] Although the Council has extensive permitted development rights under the General Permitted Development Order (GPDO), the SRO is required for the scheme to be delivered.[58]

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[49] Nicholas Henderson's Highways evidence, paragraph 1.3.4 and section 16 and 17
[50] Statement of Reasons, paragraphs 1.11 and 8.1; Statement of Case, paragraphs 1.17 and 8.1; Nicholas Henderson's Highways Evidence, paragraphs 1.4.3 and 19.1.1; Document 27 (Surrey County Council Screening Opinion), paragraph B1
[51] Statement of Reasons, paragraph 9.2.2; Statement of Case, paragraph 9.2.2; Nicholas Henderson's Highways Evidence, paragraphs 1.4.3 and 19.1.1
[52] Statement of Reasons, paragraph 6.5, quoting paragraph 5.38 of the adopted Local Plan (Document 2); Statement of Case, paragraphs 1.18 and 6.5, quoting paragraph 5.38 of the adopted Local Plan (Document 2); Rachel Raynaud's evidence, paragraph 3.4; document 3 (the Infrastructure Delivery Plan), paragraph 9.1.3; Nicholas Henderson's Highways Evidence, paragraphs 1.4.3 and 19.1.1
[53] Rachel Raynaud's Proof of Evidence, paragraph 6.1; Nicholas Henderson's Highways Evidence, paragraphs 1.4.3
[54] Statement of Reasons, paragraph 17.4, bullets 7 and 8; Statement of Case, paragraph 17.4, bullets 7 and 8; Rachel Raynaud's evidence, paragraph 6.2; Nicholas Henderson's Highways Evidence, paragraphs 1.4.3 and 19.1.1
[55] Statement of Reasons, paragraphs 8.2 and 9.5; Statement of Case, paragraphs 8.2 and 9.5
[56] Explanation given by Mr Harwood. Appendix 3 of Mark Davey's evidence details discussions with various parties
[57] Statement of Reasons, paragraph 20.6; Statement of Case, paragraph 20.6; Mark Davey's evidence section 10
[58] Statement of Reasons, paragraph 20.7; Statement of Case, paragraph 20.7

*Local Plan housing delivery dependent on scheme*

43. The Local Plan provides for a minimum of 7,507 net additional dwellings over the plan period.[59] Policy SD2 makes twenty-four site allocations for a total of at least 4,699 dwellings. Eleven of these sites, totalling 3,674 dwellings are allocated "subject to delivery of necessary mitigation on the A320."[60]

44. Each site allocation policy makes reference to dependence on the A320 improvement scheme[61];

- Policy SD9 (Longcross Garden Village, 1,700 homes, 10 serviced plots for travelling show people, extra care facility and a range of local facilities and services); "Delivery of on and off site improvements to the local road network to mitigate significant impacts as set out (but not limited to) in the Infrastructure Delivery Plan (IDP) and contribution towards or delivery of improvements to the A320 as set out in the final A320 Study."
- Policy SL3 (Hanworth Lane, Chertsey, 210 dwellings) "subject to delivery of necessary mitigation on the A320."
- Policy SL6 (Pyrcroft Road, Chertsey, 275 dwellings and 5 gypsy/traveller pitches) "subject to delivery of necessary mitigation on the A320".
- Policy SL11 (Parcel B, Veterinary Lab site, Addlestone, 150 dwellings and 2 gypsy/traveller pitches) "subject to delivery of necessary mitigation on the A320."
- Policy SL12 (Ottershaw East, 200 dwellings and 2 gypsy/traveller pitches) "subject to delivery of necessary mitigation on the A320".
- Policy SL13 (St. Peter's Hospital, Chertsey, 400 dwellings) "subject to delivery of necessary mitigation on the A320."
- Policy SL14 (Parcel A, Chertsey Bittams, 175 dwellings and 5 gypsy/traveller sites) "subject to delivery of necessary mitigation on the A320."
- Policy SL15 (Parcel B, Chertsey Bittams, 120 dwellings and 2 gypsy/traveller sites), "subject to delivery of necessary mitigation on the A320".
- Policy SL16 (Parcel C, Chertsey Bittams, 9 dwellings and 11 gypsy/traveller pitches) "subject to delivery of necessary mitigation on the A320."
- Policy SL17 (Parcel D, Chertsey Bittams, 125 dwellings) "subject to delivery of necessary mitigation on the A320".

[59] Statement of Reasons, paragraph 6.6 and Statement of Case, paragraph 6.6, quoting Local Plan policy SD1 (Document 2)
[60] Statement of Reasons, paragraph 6.7 and Statement of Case, paragraph 6.7, quoting Local Plan policy SD2 (Document 2). The sites are shown on figure 21 of Nicholas Henderson's Highways Evidence
[61] Statement of Reasons, paragraphs 6.8 to 6.31; Statement of Case, paragraphs 6.8 to 6.31; Paragraphs 6.3 to 6.20 of Rachel Raynaud's Proof of Evidence comment on the current status of each proposal

- Policy SL18 (Parcel E, Chertsey Bittams, 75 dwellings) "subject to delivery of necessary mitigation on the A320."

45. The justificatory text leading to and supporting Local Plan policy SD3 (which includes a provision of "Refusing planning permission for any development which would compromise the delivery of the mitigation works required to the A320 and/or M25 junction 11."[62]) includes references to:

    - "existing transport and infrastructure issues within the Borough and beyond including: congestion on a key transport route through the Borough, the A320, and a number of other 'congestion hotspots' including the M25 and A317."[63]
    - "The Runnymede Strategic Highway Assessment Report (SHAR) identifies a number of locations on the Local Road Network, in particular the A320 corridor, which will need some form of intervention to ensure that congestion can be managed and that sites allocated in this plan can be delivered sustainably."[64]
    - "The Statement of Common Ground (SoCG) with Surrey County Council sets out a commitment that the two Councils will work together in partnership with the aim of ensuring the necessary highway improvements to support sustainable growth are delivered in a timely manner over the period of the Local Plan, particularly the first phase of highway improvement works required, including along the A320 corridor in the vicinity of St Peter's Hospital."[65]
    - "Evidence in the SHAR identifies a number of congestion 'hot spots' and highway issues within Runnymede, in particular the A320."[66]
    - "Some development proposals will also require the implementation of transport or highway improvements before they can be accommodated in the network and this is reflected in the phasing of sites in Policy SD2."[67]

46. The justificatory text leading to policy SD5 (which connects the timing of development with the delivery of infrastructure[68]) comments that "Where site allocations are contingent on delivery of infrastructure schemes to mitigate the cumulative impacts of development, this has been reflected in their phasing."[69]

47. It follows that, until the highway improvements to the A320 and at junction 11 on the M25 have been undertaken, planned new housing within Runnymede

[62] Statement of Reasons, paragraph 10.43; Statement of Case, paragraph 10.43
[63] Local Plan paragraph 5.42, extract (Document 2)
[64] Local Plan paragraph 5.49, extract (Document 2)
[65] Local Plan paragraph 5.50, extract (Document 2)
[66] Local Plan paragraph 5.57, extract (Document 2)
[67] Local Plan paragraph 5.58, extract (Document 2)
[68] Statement of Reasons paragraph 10.45; Statement of Case, paragraph 10.45
[69] Local Plan paragraph 5.63, extract (Document 2)

District cannot be delivered.[70] The scheme unlocks land for up to 3,000 new homes in Runnymede.[71]

*Technical studies justify scheme*

48. Several studies have identified and confirmed recognised congestion on the A320 and at M25 junction 11 caused by capacity constraints on the network. These include:

- Surrey Future Congestion Programme (2014)[72]. This points out that Surrey's roads carry 66% more traffic than the national average, that improvements are required to support housing development and recognises the A320 St Peter's Way as well as other local roads surrounding M25 junction 11 as congestion bottlenecks.[73]
- Surrey Transport Plan: Congestion Strategy (2014)[74]. This identified congestion bottlenecks within its study area, including the A320/A317 St Peter's Way surrounding M25 junction 11.[75]
- Local Plan Transport Impact Assessment (June 2016)[76]
- Surrey Transport Plan (2017).[77]
- Highway and Transport Strategic Business Plan (2016-2021).[78]
- Runnymede Strategic Highway Assessment (by Surrey County Council, October 2017).[79] This concluded that if Local Plan development were progressed at St Peter's Hospital and the surrounding area, major investment would be needed to mitigate against its impact and to ensure that emergency access was not compromised. Further, the study noted that if mitigation measures were not implemented there would be a severe transport impact and, in such circumstances, the proposed Local Plan housing sites could not be progressed together, without mitigation.[80]

[70] Statement of Reasons, paragraph 9.2.1; Statement of Case, paragraph 9.2.1
[71] Statement of Reasons, paragraph 17.4, 6th bullet; Statement of Case, paragraph 17.4, 6th bullet. The figure of "up to 3,000" is an underestimate. The correct figure is over 3,500; see paragraph 43.
[72] Document 6
[73] Statement of Reasons, paragraph 10.31; Statement of Case, paragraph 10.31
[74] Document 7
[75] Statement of Reasons, paragraph 10.34; Statement of Case, paragraph 10.34
[76] This is summarised in paragraphs 5.6 to 5.8 of Rachel Raynaud's Proof of evidence, where extracts are quoted but a copy has not been submitted to the Inquiry because its work was superseded by the Strategic Highway Assessment (Rachel Raynaud's response to Inspector's question); Nicholas Henderson's Highways Evidence, paragraphs 2.2.2 and 2.2.3 also refer.
[77] Document 9. Statement of Reasons, paragraphs 10.35 to 10.38; Statement of Case, paragraphs 10.35 to 10.38
[78] Document 8. Statement of Reasons, paragraphs 10.39 and 10.40; Statement of Case, paragraphs 10.39 and 10.40
[79] Document 12; summarised in paragraphs 5.12 to 5.14 of Rachel Raynaud's Proof of Evidence and in Nicholas Henderson's Highways Evidence, paragraphs 2.2.4 to 2.4.1
[80] Statement of Reasons, paragraph 6.44; Statement of Case, paragraph 6.44; Document 12, paragraphs 4.8.6 to 4.8.8 and 5.2.1 to 5.2.3; Nicholas Henderson's Highways Evidence, paragraph 2.4.1.

- The Infrastructure Delivery Plan December 2017.[81]
- A320 Corridor Study, April 2018 (by Arcadis Design and Engineering)[82]. Its key conclusions are[83];
    - that the network is currently congested, particularly in peak hours
    - that capacity constraints are primarily at junctions (except for St Peter's Way)
    - that a large proportion of traffic movements are towards the M25 and so, the A320 acts as a collector road; and that
    - the extent of congestion along the corridor would be exacerbated by the expected increase in traffic flows arising from the proposed development allocated in the (then) emerging Local Plan.

  Initial sketch designs for mitigation measures identified the need for the acquisition of significant third-party land at junctions 6 and 10.[84] The study also identified a need to widen the eastbound carriageway of St Peter's Way to provide a third lane in which to stack traffic queuing to enter the M25 northbound whilst allowing traffic continuing east along the A317 towards Addlestone to pass safely.[85] The links between junctions were not indicated to have capacity problems but needed improvements, particularly for pedestrians and cyclists.[86]
- Updated Runnymede Strategic Highway Assessment, June 2019[87]. Its conclusions closely reflected and confirmed the conclusions of the earlier report[88].
- M25 Traffic Impact Assessment (2019)[89] and Traffic Concept Report (2021)[90]. One of the key conclusions of these reports was that National Highways required the development and implementation of a scheme of mitigation for M25 junction 11 before further residential development was

[81] Document 3, summarised in paragraphs 5.15 and 5.16 of Rachel Raynaud's Proof of Evidence
[82] Document 11
[83] Statement of Reasons, paragraph 6.61; Statement of Case, paragraph 6.61; Document 11, paragraph 13.1; Rachel Raynaud's Proof of Evidence, paragraph 5.10; Nicholas Henderson's Highways Evidence, paragraphs 2.5.1 to 2.5.15
[84] Nicholas Henderson's Highways Evidence, paragraphs 2.5.9 and 2.5.10
[85] Nicholas Henderson's Highways Evidence, paragraph 2.5.11
[86] Nicholas Henderson's Highways Evidence, paragraph 2.5.15
[87] Document 13, summarised in paragraphs 5.17 and 5.18 of Rachel Raynaud's Proof of Evidence and paragraphs 2.6.1 to 2.6.4 of Nicholas Henderson's Highways Evidence
[88] Statement of Reasons, paragraph 6.63; Statement of Case, paragraph 6.63; Document 13, sections 4 and 7; Rachel Raynaud's Proof of Evidence, paragraph 5.18 and Nicholas Henderson's Highways Evidence paragraph 2.6.4
[89] Document 14
[90] Document 15 is dated September 2019, not 2021

built and that this mitigation should be delivered as part of the A320 improvement works.[91] The mitigation identified included[92];

- Full signalisation of the roundabout (only partially signalised at present), with suitable phasing, staging and optimisation of cycle times;
- Widening of the northbound and southbound off slips from existing 2 lanes to 3 lanes in order to accommodate the increased traffic and avoid any blocking back queues onto the M25;
- Widening to 3 lanes of St. Peters Way (eastbound) with signalised left turning movements onto the M25; and
- An increase in the capacity of the circulatory carriageway on the east and west arms of the roundabout from 2 to 3 lanes.

- M25 Junction 11 Feasibility Study (September 2019). This allowed Highways England to withdraw its objection to the Local Plan.[93]
- Paramics microsimulation model (July 2021)[94]. This confirms that, following the implementation of the A320 scheme, traffic conditions and the junctions and on the links comprised in the scheme would remain within capacity in the year 2030, although there are minor operational risks of blocking back at roundabouts due to Toucan crossings at Green Lane on junction 6 and at St Peter's Way on junction 9.[95]

49. In response to these studies, the scheme proposes to resurface or reconstruct the carriageway and footways throughout the scheme, widening where required and relocating utilities apparatus, altering street lighting compliant with current standards, upgrading highway drainage and providing additional flood attenuation facilities, replacing existing signage and providing landscaping.[96] The standards of Design Manual for Roads and Bridges (DMRB) have been used generally but, in specific places the relevant parts of Manual for Streets or Manual for Streets 2 have been used.[97]

50. The design of the scheme is underpinned by traffic surveys, topographical surveys, a ground investigation, drainage surveys, a carriageway pavement visual survey, a road sign survey, a lighting survey, details of utilities services

[91] Statement of Reasons, paragraph 6.65; Statement of Case, paragraph 6.65. Although these state that the Traffic Concept report is dated 2021, the document that is supplied (Document 15) is dated September 2019; Document 14, paragraphs 4.2 and 5.3 and document 15, paragraphs 3.2, 4.1 and 6.1; Nicholas Henderson's Highways Evidence sections 2.7 and 2.8
[92] Nicholas Henderson's Highways Evidence paragraph 2.8.1
[93] Nicholas Henderson's Highways Evidence section 2.9
[94] Document 16
[95] Statement of Reasons, paragraph 6.68; Statement of Case, paragraph 6.68; Document 16, paragraphs 5.4.2 and 6.1.1; Nicholas Henderson's Highways Evidence paragraphs 3.4.1 and 3.4.5
[96] Statement of Reasons, paragraph 4.1, Statement of Case, paragraph 4.1; Nicholas Henderson's Highway Evidence paragraph 6.6.3
[97] Nicholas Henderson's Highway Evidence, sections 6.4 and 6.6

(including ground penetrating radar surveys), tree surveys and ecological surveys.[98] Analysis of collision data does not suggest an untoward safety problem along the corridor but at junction 10 is suggestive of poor provision for non-motorised users (pedestrians and cyclists).[99] The Council does not make safety the main thrust of its case but increasing congestion would lead to a deterioration of safety unless addressed.[100]

51. At specific locations, the following works are involved;

- Junction 1; widening to provide additional traffic lanes on all carriageway entrances; providing two lanes around the roundabout, and uncontrolled crossings of Staines Road and Chilsey Green Road. (A proposal to include an additional controlled crossing of Chilsey Green Road has been omitted in revisions to the scheme). [101]
- Link 1; providing two dedicated bus bays in front of Salesian School and widening the shared footway/cycleway on the eastern side of the road. (Modifications to the scheme omit the previous commitment to a widening to 4m.)[102]
- Junction 6; relocating the existing access to Salesian School, constructing a new elongated two-lane roundabout with sustainable drainage, a storage pond and landscaping, widening the carriageway to provide two lane entries to the roundabout, widening the footway/cycleway and providing controlled highway crossings and providing uncontrolled crossings of other arms. (Modifications to the scheme omit a previous commitment to widen the footway/cycleway to 4m.)[103]. A key factor in the decision to progress with an elongated roundabout has been to incorporate flood attenuation measures, reduce encroachment into the Green Belt and to retain a number of mature oak trees[104].
- Link 2; narrowing the carriageway to 6.6m in part and widening footway/cycleway to 2.7m, 3.4m and 3.5m in parts. (Modifications to the scheme omit a previous commitment to widen the footway/cycleway to 4m).[105]

[98] Nicholas Henderson's Highways Evidence, section 6.7
[99] Nicholas Henderson's Highways Evidence, section 4, particularly paragraphs 4.1.18 and 4.1.20
[100] Mark Davey's response to Inspector's question
[101] Statement of Reasons, paragraph 4.2, Statement of Case, paragraph 4.2; Nicholas Henderson's Highways Evidence section 7.4.
[102] Statement of Reasons, paragraph 4.7, Statement of Case, paragraph 4.7; Nicholas Henderson's Highways Evidence, paragraph 8.4.2
[103] Statement of Reasons, paragraph 4.3, Statement of Case, paragraph 4.3
[104] Statement of Reasons, paragraph 7.25; Statement of Case, paragraph 7.25; Nicholas Henderson's Highways Evidence, sections 9.3 and 9.4
[105] Statement of Reasons, paragraph 4.8, Statement of Case, paragraph 4.8; Nicholas Henderson's Highways Evidence, paragraphs 10.5.4 and 10.5.5 and response to Inspector's question

- Junction 9; full signalisation including controlled pedestrian crossing of St Peter's Way for diverted footpath FP56, additional circulatory lane and entry/exit lanes on all links and sustainable drainage.[106]
- Link 3; relocating the existing access to the ambulance station, local widening where joining junctions 9 and 10 and providing a safe crossing facility to connect with footpath 33. (Modifications omit previous commitments to specific widths of highway lanes and conversion of cycle route to shared 4m wide footway/cycleway.)[107]
- Junction 10; relocated two lane roundabout with two-lane entry on all arms (realigned Murray Road B3121 signal controlled), segregated northbound bypass lane from A319 (Chobham Road) to A320 (Guildford Road) providing direct access to electricity substation and telephone exchange (modified proposals omit originally proposed new access from link 3 passing to the rear of the ambulance station, telephone exchange and electricity substation), landscaping and sustainable drainage including storage ponds, bus stop laybys on Murray Road, widening of footway on original Murray Road alignment to provide east-west cycleway including controlled crossings of Murray Road, Guildford Road and Chobham Road, widening of north-south shared footway/cycleway (modified proposals omit commitment to specific 4m width) and provision of relocated car park.[108]
- Link 4 (St Peter's Way); removing the eastbound layby and northern field access and widening the eastbound carriageway to three lanes, stopping up public footpath FP56 where it crosses the highway and diverting it 1.5km westwards towards junction 9 and providing an additional southern field access onto the westbound carriageway. (Modifications omit a 2.5m verge, 1m hard strip and retaining wall from eastbound carriageway proposal).[109]
- M25 junction 11; widening northbound and southbound exit ramps to two lanes with dedicated left turn lanes, upgrading the traffic signal controls to be demand responsive MOVA type and improving drainage including ditches and a storage pond.[110]
- Contractor's compounds were chosen for their proximity to the works to be undertaken; one (plot 83) close to the Ottershaw junction (junction 10), one close to the M25 junction 11 (plot 50, traditionally used by M25 contractors in the past), one close to the northern end of the project (plots 19 and 20).[111]

[106] Statement of Reasons, paragraph 4.4, Statement of Case, paragraph 4.4; Nicholas Henderson's Highways Evidence paragraph 11.4.2
[107] Statement of Reasons, paragraph 4.9, Statement of Case, paragraph 4.9; Nicholas Henderson's Highways Evidence paragraph 12.4.1
[108] Statement of Reasons, paragraph 4.5, Statement of Case, paragraph 4.5; Nicholas Henderson's Highways Evidence, paragraphs 13.3.6, 13.5.7 and 13.6.1
[109] Statement of Reasons, paragraph 4.10, Statement of Case, paragraph 4.10; Nicholas Henderson's Highways Evidence section 14.5 (Footpath 56) and section 14.7
[110] Statement of Reasons, paragraph 4.6, Statement of Case, paragraph 4.6; Nicholas Henderson's Highways Evidence paragraph 15.4.5 and response to Inspector's question.
[111] Response to Inspector's question

The Council therefore has a clear idea of how it intends to use the land which it proposes to acquire compulsorily.[112]

*Public consultation*

52. The Local Plan was the subject of several rounds of public consultation and was examined before being found sound.[113] The examination included a specific hearing session solely to examine issues related to the delivery of the required mitigation along the A320 corridor and those relating to the impacts of the Local Plan on the Strategic Road Network.[114]

53. Surrey County Council has carried out several consultation exercises on the A320 improvement scheme;

- In February and March 2021, to find out how road users experienced the A320 between Ottershaw and Chertsey and what areas they thought could be improved.[115]
- In June 2021, on the proposed designs for the scheme.[116]
- As part of the planning application for junction 6, submitted in August 2021.[117]
- On a revised design of the Ottershaw roundabout (junction 10) in October 2021.[118]
- On a further revised design of the Ottershaw roundabout (junction 10) in November 2021.[119]
- As part of the planning application for junction 10 (the Ottershaw roundabout), submitted in November 2021.[120]
- As ad-hoc events in July 2021 and February 2022.[121]

Specific consultation with pressure groups such as ramblers' organisations in respect of the proposed closure/diversion of footpath 56 did not occur but advice was sought from the County Council's rights of way officer.[122]

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[112] Statement of Reasons, paragraph 16.15; Statement of Case, paragraph 16.15
[113] Statement of Reasons, paragraphs 7.1 to 7.3; Statement of Case, paragraphs 7.1 to 7.3; The Local Plan Issues, Options and Preferred Approaches Consultation (July and August 2016) is summarised in paragraph 5.9 of Rachel Raynaud's proof of evidence but a copy has not been submitted to the Inquiry. The Additional Sites and Options Consultation of June 2017 is described in paragraph 5.11 of Rachel Raynaud's evidence. The third and final examination hearing is described in Rachel Raynaud's evidence, paragraph 5.19
[114] Rachel Raynaud's Proof of evidence, paragraph 5.19
[115] Statement of Reasons, paragraphs 7.4 to 7.11; Statement of case, paragraphs 7.4 to 7.11
[116] Statement of Reasons, paragraphs 7.12 to 7.16; Statement of Case, paragraphs 7.12 to 7.16
[117] Statement of Reasons, paragraph 7.17; Statement of Case, paragraph 7.17
[118] Statement of Reasons, paragraph 7.18; Statement of Case, paragraph 7.18
[119] Statement of Reasons, paragraph 7.19; Statement of Case, paragraph 7.19
[120] Statement of Reasons, paragraph 7.20; Statement of Case, paragraph 7.20
[121] Statement of Reasons, paragraph 7.21; Statement of Case, paragraph 7.21
[122] Nicholas Henderson's response to Inspector's question

*Environmental considerations*

54. The improvement scheme is a development which needs to comply with Local Plan policies such as SD7, EE1, EE2, EE3, EE9, EE18. Amongst other matters, these require developments to achieve net gains in biodiversity, contribute to the Borough's landscape setting, minimise adverse effects on air quality, noise and light pollution, protect heritage assets, manage flood risk, use sustainable drainage and preserve the openness of the Green Belt.[123] Guy Stone's evidence details the surveys and ecological appraisals which have accompanied the preparation of the project.[124]

*Noise*

55. An assessment of noise during construction has been undertaken. This identifies the possibility of significant effects during the construction of junctions 6 and 10, if Best Practical Means (BPM) of mitigation are not used. But, the Council intends to use BPM and other specific forms of mitigation to reduce noise from construction to within acceptable levels.[125]

56. The noise effects of the scheme in operation have been assessed in line with guidance contained within DMRB LA111. Junction 6 is assessed as having a negligible impact, junction 10 a minor impact. No properties would qualify for additional provision under the Noise Insulation Regulations.[126]

*Air quality*

57. Parts of the scheme lie within the M25 Air Quality Management Area but Department for Environment, Food and Rural Affairs (Defra) predictions for the year 2030 do not indicate any exceedances for the relevant pollutants. The May 2018 Final Report of the Air Quality Modelling to support the Runnymede Local Plan[127] predicts that the development proposed in the Local Plan would cause no exceedance in Runnymede District of any of the relevant National Air Quality Strategy objectives for any key pollutant.[128]

*Lighting*

58. Lighting would use long life, low energy LED lanterns, directing light to the carriageway and reducing light spill and sky glow.[129]

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[123] Statement of Reasons, paragraphs 10.46 to 10.60; Statement of case, paragraphs 10.46 to 10.60
[124] Guy Stone's Ecology Evidence Report, chapter 4, paragraphs 4.1.1 to 4.14.1
[125] Statement of Reasons, paragraphs 11.3 and 11.6; Statement of Case, paragraphs 11.3 and 11.6
[126] Statement of Reasons, paragraphs 11.4, 11.5, 11.7 and 11.8; Statement of Case, paragraphs 11.4, 11.5, 11.7 and 11.8; Nicholas Henderson's Highways Evidence, paragraph 13.2.24 describes the effects of junction 10.
[127] Document 5
[128] Statement of Reasons, paragraphs 11.9 to 11.13; Statement of Case, paragraphs 11.9 to 11.13
[129] Statement of Reasons, paragraphs 11.14 to 11.24; Statement of Case, paragraphs 11.14 to 11.24

*Flood risk*

59. Junction 10 is not located within a flood risk area but the existing road layout at junction 6 is not flood free in extreme conditions. Given the nature of the project (improvement of an existing highway), there are no reasonably available alternative sites at lower risk of flooding. To mitigate the increase in impermeable area, which would result from the scheme, storage ponds are provided, existing watercourses are realigned and provided with culverts, road levels are designed to route overland flows away from vulnerable receptors and towards storage ponds and existing drainage will be remediated where necessary.[130]

*Trees and landscaping*

60. The scheme involves the removal of a number of trees including some subject to TPOs but new planting is proposed. It is accepted that residual adverse effects would be significant because mitigation will take a minimum of fifty years to become effective.[131] It is not expected that the proposed junction improvements will generate any other significant landscape effects.[132]

*Green Belt*

61. The scheme encroaches upon the Green Belt at both junctions 6 and 10 but does not conflict with the purposes of the Green Belt, does not include any proposed buildings and so would preserve the openness of the Green Belt. In any event, the benefits of the scheme would amount to very special circumstances which would outweigh any harm which might be considered to arise from the proposal.[133]

*Heritage assets*

62. Because of the distance and lack of intervisibility between the scheme and listed buildings near to junction 6, that part of the scheme would not adversely affect the setting of any listed building or adversely affect its significance.[134] At junction 10, a small part of the woodland to the north of number 2 Chobham Road which contributes to the setting of this Grade II listed building would be removed but most would remain and so the significance of the heritage asset would be preserved. The changes which would result from the scheme would not have any effect on the significance of Grade II listed Murray House fronting onto Murray Road.[135]

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[130] Statement of Reasons, paragraphs 11.25 to 11.36; Statement of Case, paragraphs 11.25 to 11.36; Nicholas Henderson's Highways Evidence, paragraphs 9.3.3 to 9.3.8 and 9.4.1
[131] Guy Stone's Ecology Evidence report, paragraphs 8.2.1 and 9.1.7; the effects of junction 10 are described in Nicholas Henderson's Highways Evidence, paragraphs 13.2.25 to 13.2.27.
[132] Statement of Reasons, paragraphs 11.37 to 11.51; Statement of Case, paragraphs 11.37 to 11.51
[133] Statement of Reasons, paragraphs 11.52 to 11.64; Statement of Case, paragraphs 11.52 to 11.64
[134] Statement of Reasons, paragraphs 11.65 to 11.70; Statement of Case, paragraphs 11.65 to 11.70
[135] Statement of Reasons, paragraphs 11.71 to 11.76; Statement of Case, paragraphs 11.71 to 11.76; Nicholas Henderson's Highways Evidence, paragraph 13.2.23

*Biodiversity*

63. The construction of junction 6 would result in the loss of 0.5ha (14%) of the Hardwick Court Farm SNCI and also areas of semi-natural mixed woodland, broadleaved plantation and trees subject to a TPO. There would be protective measures during construction. Neutral grassland habitats will be created off-site and managed to achieve good condition status to compensate for the loss of the SNCI habitat (CPO plots 3 and 15). To accord with the Defra biodiversity metric the mitigation plots need to be maintained for 30 years.[136] The residual effects on the qualifying features of the SNCI would be not significant. Native broadleaved woodland habitat will be created and managed to achieve good status. Native species-rich hedgerows will be planted both within junction 6 and within other Surrey County Council owned land to ensure that biodiversity net gain is achieved.[137]

64. At junction 10, some semi-natural broadleaved woodland and plantation would be removed, including some trees protected by a TPO, a number of individual trees, an area of dense scrub and a length of species rich hedgerow. Some broadleaved woodland, scrub and 72 individual trees will be planted within the site. An area of species-rich grassland will be created.[138]

65. The selection of the locations for off-site mitigation (CPO plots 3 and 15) followed a review of seven potential sites carried out by Arcadis consultants between October 2021 and February 2022.[139] Candidate sites were chosen for their close proximity to the A320 scheme.[140] The two chosen plots were selected because they had the fewest constraints and least existing biodiversity value of those investigated.[141]

*Equalities benefits*

66. The Council commissioned the preparation of an Equalities Impact Assessment. This identified groups of people who might be affected[142];

- Older people (accessibility issues)
- Children/young people (safe walking and cycling routes)
- Disabled people (walking, cycling and public transport)
- Pregnant women and parents with young children (step-free access).

[136] Guy Stone's response to Inspector's question
[137] Statement of Reasons, paragraphs 11.77 to 11.84 and 11.93 and 11.94; Statement of Case, paragraphs 11.77 to 11.84 and 11.93 and 11.94; Guy Stone's Ecology Evidence report, chapters 5, 6, 7, 8 and 9; Nicholas Henderson's Highways Evidence, paragraph 9.3.9
[138] Statement of Reasons, paragraphs 11.85 to 11.92; Statement of Case, paragraphs 11.85 to 11.92; Guy Stone's Ecology Evidence report, chapters 5, 6, 7, 8 and 9
[139] Memo from Arcadis (Ewan Gibson, Mike Head, Guy Stone and Andrew Ross) to Nick Henderson dated 10 February 2022.
[140] Response to Inspector's question
[141] Memo from Arcadis (Ewan Gibson, Mike Head, Guy Stone and Andrew Ross) to Nick Henderson dated 10 February 2022; Guy Stone's response to Inspector's question
[142] Statement of Reasons, paragraph 17.2; Statement of Case, paragraph 17.2

Impacts were examined in terms of[143];

- Public realm, safety and security
- Travel, transport and connectivity
- Housing and housing development
- Community recreational and leisure facilities
- Local businesses
- Employment and
- Community cohesion

67. The conclusions reached include[144];

- Improvements to footways, cycleways and crossings should allow children in the area to travel more safely and independently, enable more walking and cycling activity and improve safety and journey opportunities for people with disabilities and travel opportunities for pregnant women and parents with young children. The crossing of St Peter's Way by footpath 56 is overgrown and appears to be used possibly less than weekly; its diversion is a safety gain.[145]
- Reduced congestion and improved public transport and cycleways should allow more local people to use the transport network safely and to access employment opportunities.

Surrey County Council is satisfied that the scheme will have an overall positive impact on residents with protected characteristics.[146]

*Complex land interests*

68. The land required to construct the scheme has multiple freehold and leasehold interests, together with easements and covenants which need to be extinguished.[147] In general, the scheme is mostly contained within the highway boundaries of Surrey County Council and National Highways.[148] Many of the plots (5, 7, 8, 9, 10, 13, 14, 16, 17, 21, 23, 33, 34, 36, 40, 41, 42, 46, 47, 53, 55, 67, 72, 77, 78, 79 and 80) are highway land or are unregistered and ownership and occupation is unknown. But the boundaries of highways land are presumed, not known definitively and so, compulsory purchase is necessary to eliminate uncertainty and ensure that no interest is missed.[149] Plot 81 is a public car park

[143] Statement of Reasons, paragraph 17.3; Statement of Case, paragraph 17.3
[144] Statement of Reasons, paragraph 17.4; Statement of Case, paragraph 17.4
[145] Nicholas Henderson's response to Inspector's question
[146] Statement of Reasons, paragraph 17.5; Statement of Case, paragraph 17.5
[147] Statement of Reasons, paragraphs 9.3 and 19.1; Statement of Case, paragraphs 9.3 and 19.1
[148] Nicholas Henderson's Highways Evidence, paragraph 1.5.1
[149] Mr Harwood's explanation in response to Inspector's question. He also points out that paragraph 43 of Department of Transport Circular 2/97 (no longer extant) advised that where the land is included in the CPO in pursuance of section 260 of the Act (which is one of the

owned by Surrey County Council.[150] Whilst negotiation for acquisition by agreement is being pursued, compulsory purchase powers are necessary to achieve the objectives of the scheme (and of the Council) in a timely and cost-efficient manner.[151]

69. The reasons for acquiring each plot are individually justified.[152]

*Scheme is resourced*

70. The necessary resources are in place to achieve delivery of the scheme within a reasonable timescale.[153] On 12 March 2020, the Council was notified that it had been awarded £41.8m Housing Infrastructure Fund (HIF) grant to enable early delivery of the scheme.[154] A full funding agreement with the then Ministry of Housing, Communities and Local Government was signed on 30 October 2020.[155] The grant is conditional on the Council seeking to claw back the grant from developments as they proceed. The Council's Adopted Infrastructure Delivery and Prioritisation Supplementary Planning Document explains how this is to be achieved through planning obligations and through agreements under s278 of the Highways Act.[156]

71. The Council's estimates of the cost of the scheme (£42.25 million) fall within its budget (£50.078 million).[157]

72. At the date of the Council's Statement of Reasons, the implementation programme was expected to be[158];

    - Limited advance construction works start - July 2022
    - Main construction works start - winter 2022
    - Open for traffic - March 2024

    By the time of the Council's Statement of case, the date for the limited advance construction works had been postponed to September 2022.[159] By the time of the Inquiry, the County Council had applied to DLUCH for approval of a 6-month extension to the programme and was expecting to award an Early Contractor

powers relied upon in this Order), the acquiring authority should not exclude their own interests in the land

[150] Mark Davey's Proof of Evidence, paragraph 12.2

[151] Statement of Reasons, paragraphs 9.4 to 9.6, 19.4 and 19.5; Statement of Case, paragraphs 9.4 to 9.6, 19.4 and 19.5; Mark Davey's Proof of Evidence, Appendices 1 and 3 and table included in paragraph 12.2.

[152] Statement of Reasons, Appendix 2

[153] Statement of Reasons, paragraph 16.15; Statement of Case, paragraph 16.15

[154] Statement of Reasons, paragraph 18.6; Statement of Case, paragraph 18.6; Adopted Infrastructure Delivery and Prioritisation Supplementary Planning Document (Document 4), paragraph 3.29

[155] Simon Duke's funding Proof of Evidence, paragraph 5.6

[156] Document 4, paragraphs 3.29 to 3.41. Rachel Raynaud's Proof of Evidence, paragraphs 6.3 to 6.21, details progress on reaching financial agreements with developers.

[157] Statement of Reasons, paragraphs 18.7 to 18.9; Statement of Case, paragraphs 18.7 to 18.9; Simon Duke's Funding Proof of Evidence, table at paragraph 6.5

[158] Statement of Reasons, paragraph 18.12

[159] Statement of Case, paragraph 18.12

Involvement contract in October 2022.[160] The implementation programme will be revised to align with the 6-month extension period sought.[161] Information given at the Inquiry was that Balfour Beatty had been awarded the preliminary contract for refining the design of the scheme.

## Submissions Supporting the Council

73. There are no submissions supporting the Council

## The Objections and the Council's response

74. None of the objectors attended the Inquiry and so, this section of my report relies entirely on written material for representing the objectors' cases. On the other hand, the Council was represented at the Inquiry and so this section of my report includes summaries of oral evidence from the Council in addition to its written evidence.

*01 UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP, on behalf of South Eastern Power Networks plc*

75. The objector occupies premises, has the benefit of rights and owns electric lines and/or plant in, on, over or under land included within the Orders. It has a general objection to both orders unless there are first provided alternative sites and rights on no less favourable terms. Its interests would be specifically affected by reference c in schedule 3 and site plan 3 of the SRO and by proposed new means of access reference 4 shown on both site plans and schedules 3 and 4.

*The Council's response*

76. The Council responds that the Order does not affect property occupied by the objector, only rights of access to it. As submitted, both Orders make provision for alternative rights of access[162]. As proposed to be modified, the CPO would no longer propose to acquire land for an alternative right of access; instead, although the SRO would continue to propose that the existing access would be stopped up in accordance with reference c of revised Schedule 3 and site plan 3, a different new means of access, reference 4 in the revised schedule 3 and site plan 3, would be proposed and there would be no references in the revised schedule 4 and site plan 4. Access will now be directly onto the A320, not via the previously proposed access to the rear of the telephone exchange. The Council has confirmed that rear access is no longer needed. A plan of the new access has been supplied to the objector and a response is awaited.[163]

77. The Council also responds that it is not seeking to take any buried electric lines or plant which are used for the purpose of the objector's undertaking. If any such lines and/or plant are affected and require to be moved or diverted by the scheme, then Surrey County Council (SCC) will bear the costs of any such

[160] Simon Duke's Funding Proof of Evidence, paragraph 6.1
[161] Paul Millar's information given in response to Inspector's question
[162] Statement of Case, paragraph 21.6
[163] Table included in paragraph 12.2 of Mark Davey's Proof of Evidence and Appendix 1 of that evidence; Nicholas Henderson's Highways Evidence, sections 16, 17 and 18.2

removal or diversion. Further, the current proposals when constructed, will not restrict the objector's current rights of future access to such buried plant or apparatus.[164]

*02 Green Lane Chertsey Ltd, Batchworth House, Church Street, Rickmansworth WD3 1JE*

78. The objector is the owner of the freehold interest in plots 43 and 45 (land on the east side of the M25, south of Green Lane and north of the A317). The objection is to the CPO only. The objection is that the order seeks to acquire more land than is necessarily required for the implementation of the scheme.

*The Council's response*

79. The Council responds that it is putting forward modifications to reduce the extent of land to be taken.[165] The purpose of the land acquisition is to enable the future widening of the anti-clockwise M25 J11 exit slip road in order to allow the construction of a segregated eastbound left turn lane onto the A320 and A317. Owing to the grade-separation configuration of this major junction, this slip road will be constructed on a supporting embankment. This will require an access track for National Highway's future maintenance and the provision of a toe drainage ditch and highway boundary fencing. As a direct result of this objection Surrey County Council has reviewed the design. By steepening the embankment slope to the maximum gradient permitted under the design standards it has reduced the land that needs to be acquired from 5,330 sq m. to 2,846 sq m. Some of the land previously shown as to be acquired is no longer needed. Some is needed on a temporary basis, or for the acquisition of permanent rights of access, as mentioned above. Plot 45 will be reduced in size. To reduce the impact further, Surrey County Council has also marginally reduced the size of the access strip (Plot 43).[166]

80. By letter dated 24 October 2022, this objection was conditionally withdrawn, the condition being that the Order will be modified by reducing the extent of land included in plot 45.

*03 Neeraj Malhotra, Wheelers Green, Bittams Lane, Chertsey Surrey KT16 9RG*

81. The objection refers to the CPO alone. The objector is listed as the owner or reputed owner of subsoil to half the width of the public highway included within plot 55. The objector also owns land which is not included within the Order but which adjoins the north side of junction 9 and St Peter's Way. It is in respect of this land that the objection refers.

82. It includes Wheelers Green, a Grade II listed building, together with its curtilage and also land to the west of Wheelers Green, bounded by Bittams Lane to the north, Guildford Road to the west and St Peter's Way to the south. All the objector's land referenced in the objection is allocated within the Local Plan for housing development. Parts already have planning permission for housing

[164] Statement of Case, paragraph 21.7
[165] Statement of Case, paragraph 21.9
[166] Appendix 1 and Table included within paragraph 12.2 of Mark Davey's Proof of Evidence; Nicholas Henderson's Highways Evidence paragraph 15.4.3 and sections 17.5 and 18.3

development. The objector is concerned about the effects of noise on the proposed housing, both during the construction of the road improvement scheme and, subsequently, when the road is in use.

*The Council's response*

83. The Council responds that none of the sites referred to in the objection are proposed to be acquired under the Order, that the land upon which the St Peter's Way works are to be constructed (in the immediate vicinity of the objector's property) is already public highway which is owned by National Highways and that in light of the distances involved and the existing noise levels, the addition of one eastbound lane on the north side of St Peter's Way will not increase the level of noise at the properties concerned and that that is confirmed by the objector's own noise consultants in their report submitted in support of the objector's planning applications for the development of his land[167]. The Council has received no response to its communication.[168]

*04 Laura Webb, 3 Foxhills Road, Ottershaw, Chertsey KT16 0NQ*

84. Although the objection refers to the CPO alone, it states that it is an objection to the A320 scheme. The nature of the objection implies that it is also an objection to the SRO. The objector is listed as the owner or reputed owner of subsoil to half the width of the public highway included within plot 55. She resides at number 2 Chobham Road, a grade II listed building which has frontages onto two roads, Foxhills Road and the A319 Chobham Road, close to the scheme's junction 10 (Ottershaw roundabout). Both are included within the SRO.

85. The objection is concerned with noise, both during construction and subsequently during the operation of the improved road.

*The Council's response*

86. The Council's response is that the CPO does not take any part of her land or curtilage, that the draft planning permission for junction 10 includes conditions seeking to control the level of noise during construction, that best practicable means (BPM) to limit construction noise will be used and that, once completed, operational noise at the objector's property will not increase to an unacceptable level.[169] No further discussions are expected.[170]

[167] Statement of Case, paragraphs 21.17 and 21.18; Operational Noise Assessment by Arcadis, reference 10041683-ARC-GEN-ND-RP-ZZ-00001, paragraphs 8.1.1 to 8.1.5 (filed as a Proof of Evidence); Mark Davey's Proof of Evidence, Appendix 1; Nicholas Henderson's Highways Evidence paragraphs 18.5.5 and 18.5.6
[168] Table included within paragraph 12. 2 of Mark Davey's Proof of Evidence
[169] Statement of Case, paragraphs 21.2 and 21.13; Operational Noise Assessment by Arcadis, reference 10041683-ARC-GEN-ND-RP-ZZ-00001, paragraphs 7.1.1 to 7.1.5 (filed as a Proof of Evidence); Mark Davey's Proof of Evidence, Appendix 1; Nicholas Henderson's Highways Evidence, section 18.4
[170] Table included within paragraph 12.2 of Mark Davey's Proof of Evidence. This table records the objector's property as 3 Foxhills Road; flat 1, 4 Chobham Road, Ottershaw. Her e-mail of objection states that she lives in the same building as 2 Chobham Road.

*05 Kings Oak Hub LLP, 52 High Street, Harrow HA1 3LL*

87. The objector is the freehold owner of plots 11 and 12 at The Hub, Chilsey Green Road (wrongly cited in the CPO schedule as Chertsey Road), adjacent to the Twynersh roundabout (junction 1). The objection is to the CPO alone. The objection is that the compulsory purchase would prevent the implementation of a planning permission for conversion of The Hub to residential accommodation.

*The Council's response*

88. The Council responds that it has put forward revised design proposals which avoid the land identified by the objector.[171] A revised plan showing a reduction in size of plot 12 has been sent. Terms for an acquisition are close to being finalised. [172]

89. By letter dated 28 October 2022, this objection was conditionally withdrawn, the condition being that the Order will be modified by reducing the extent of land included in plot 12 from 130 sq m to 78 sq m and split into two plots identified as 12 and 12a.

*06 Cadent Gas Limited, Pilot Way, Ansty Park, Coventry CV7 9JU*

90. The objection is to both orders. The objector has pipelines and associated apparatus within the scheme boundary. The CPO schedule records it has specific interests in plots 23 (in respect of subsoil to half the width of the public highway), 26 and 27. The objector does not oppose the scheme in principle. The objection is a holding objection until an Asset Protection Agreement is in place.

*The Council's response*

91. The Council responds that discussions are taking place with Cadent Gas to address its concerns.[173] An asset protection agreement has now been reached.[174]

92. By e-mail dated 4 October 2022, Cadent confirmed that the objection is removed.

*07 Trustees of the White Lodge Centre, Holloway Hill, Lyne, Chertsey KT16 0FA*

93. Although the objection refers only to the CPO, it is clear from its content that there is also an implied objection to the SRO. The objector has a long leasehold interest in plots 35 and 37 of the CPO (the White Lodge Centre, Holloway Hill, adjacent to junction 6). The Schedule to the CPO also records an interest in respect of subsoil to half the width of the public highway in plot 23. The objection relates to the way the SRO improvements would allegedly create a dangerous environment for vehicles exiting the White Lodge Centre onto the B386 Holloway Hill.

[171] Statement of Case, paragraph 21.20; Nicholas Henderson's Highways Evidence, sections 17.2 and 18.6
[172] Appendix 1 and Table included within paragraph 12.2 of Mark Davey's Proof of Evidence
[173] Statement of Case, paragraph 21.22; Nicholas Henderson's Highways Evidence paragraph 18.7.3
[174] Table included in paragraph 12.2 of Mark Davey's Proof of Evidence

*The Council's response*

94. The Council responds that it does not accept the premises of the objection but will seek to engage further in relation to the objector's concerns.[175] . Revised proposals regarding access and egress have been provided to the White Lodge Centre. Plot 35 is to be reduced in size. Plot 37 is no longer needed. The White Lodge Centre has indicated that it is happy with the Council's revised proposals. Coordination with the landlord Scope is needed. An agreement can then be put in place that should result in the withdrawal of the objection.[176]

95. By letter dated 31 October 2022, this objection was conditionally withdrawn, the condition being that, as part of the A320 improvement works, Surrey County Council undertakes to construct a speed table on Holloway Hill with associated signage and road surfacing and may be required to acquire, adopt and manage as part of the highway a strip of frontage land on either side of the exit from the White Lodge Centre and is required in any event to remove the existing boundary fence on Holloway Hill and replace it by a new boundary fence to a defined specification on a new alignment set back behind the frontage land.[177]

*08 Primhill Limited, 68 Grafton Way, London W1T 5DS*

96. Although the objection refers only to the CPO, it is clear from its content that there is also an implied objection to the SRO. The objector owns a 50% share of the freehold in plots 49, 50 (both south of St Peter's Way adjoining M25 junction 11) and 51 (a strip of land on the north side of St Peter's Way leading up to M25 junction 11).

97. In respect of plots 49 and 50, the objection is to the formation of the new access (number 5 on Schedule 6 and Site Plan 6 of the SRO) from the southern (westbound) carriageway of St Peter's Way onto adjoining agricultural land. There are concerns that this new access would be less safe or convenient than the existing access (which is to remain in use by the highway authority for access to the proposed contractor's compound).

98. In respect of plot 51, the objection is to the stopping up of access reference g from the northern (eastbound) carriageway of St Peter's Way onto land at Woodside Farm, Bittams Lane. This land is allocated for housing development (policy SL15) in the Runnymede Local Plan. It is claimed that the closure of this access would obstruct the development aspirations of the Local Plan.

*The Council's response*

99. The Council's response is that only temporary rights over plot 50 are required, for a contractor's compound (although the objection does not appear to object to the acquisition of these temporary rights) and that it will engage with the objector in relation to this and the proposed means of access to the plot. The Council has sent a revised southern access plan. Its assessment as highway authority is that

[175] Statement of Case, paragraph 21.24
[176] Table included in paragraph 12.2 of Mark Davey's Proof of Evidence, and Appendix 1 to that Proof of Evidence; Nicholas Henderson's Highways Evidence paragraph 9.3.15 and sections 17.3 and 18.8
[177] Mr Harwood gave the requested undertaking on behalf of the Council at the Inquiry.

this access is equally as safe and convenient as the current access. It has made an offer for the south land (Plots 49 & 50).

100. In relation to plot 51, the Council's response is that the Runnymede Local Plan makes it clear that access for housing development is to be taken from Bittams Lane because access from St Peter's Way would not be safe. The noise impact of the scheme has been assessed and the conclusion reached is that there would be no worsening of noise levels as a result of the A320 improvements. The north land (Plot 51) is no longer needed for the scheme.[178]

101. By letter dated 31 October 2022, these objections were conditionally withdrawn, the conditions being that the CPO is modified by the deletion of plot 51 and that the details of owner or reputed owner in column 1 of the order schedule for plots 49, 50 and 51 be corrected to delete reference to Samuel Arthur Jones and to substitute reference to the Administrator of the Estate of the late David Charles Turner – yet to be appointed.[179]

*09 Maurice Mandry Limited, Grovers Farm, Woodham Lane, Addlestone KT15 3PS*

102. Although the objection refers only to the CPO, it is clear from its content that there is also an implied objection to the SRO. The objector has interests in plots 60, 70, 71, 73 and 74 of the CPO which lie to the west of the A320 Guildford Road north of Ottershaw roundabout (junction 10) and in the subsoil to half of the width of the highway in plot 55. The objector's interests would also be affected by the proposed stopping up reference f on schedule 4 and site plan 4 of the SRO, by the new means of access 4 shown on both that schedule and site plan and also on schedule 3 and site plan 3 and also by proposed new highway B on schedule 3 and site plan 3.

103. The objection is that the CPO is premature. The proposals would result in the loss of critical access to, and visibility of the business, rendering it (one of the largest retail sites of Christmas trees in the UK) unviable. The potential costs of extinguishing the business would render the road scheme unviable.

*The Council's response*

104. The Council's response is that the scheme would not remove the existing HGV access, nor adversely affect the objector's business operations or viability but that it will engage with the objector further.[180] The modifications proposed now significantly reduce the land take. The original intention was to acquire the cycle lane and dedicate as Public Highway but permit Maurice Mandry to use it over the months of November and December each year. However, this acquisition is no longer necessary. The Council has considered in detail all elements of the objection as raised. Most certainly the Council does understand and does not wish to jeopardise the successful operation of the Christmas Tree Farm. The Council will not now be seeking to compulsorily purchase the land as originally stated, intending instead only to seek to purchase a small area of the wooded

[178] Statement of Case, paragraphs 21.29 to 21.31; Table included in paragraph 12.2 of Mark Davey's evidence and Appendix 1 of that evidence; Nicholas Henderson's Highways Evidence paragraphs 14.6.2 to 14.6.8, 18.9.5 and section 17.8
[179] Mr Harwood, on behalf of the Councill gave the necessary undertaking at the Inquiry
[180] Statement of Case, paragraph 21.37

copse to the south of the telephone exchange. Rear access across the objector's land for British Telecom and South East Coast Ambulance Service National Health Service Foundation Trust is no longer needed. A response from the objector is awaited.[181]

*10 South East Coast Ambulance Service National Health Service Foundation Trust. Nexus House, 4 Gatwick Road, Crawley RH10 9BG*

105. Although the objection refers only to the CPO, it is clear from its content that there is also an implied objection to the SRO. The objector is the owner and occupier of property known as the Chertsey Make Ready Centre, located on the west side of the A320 Guildford Road on the northern outskirts of Ottershaw, just north of the Ottershaw roundabout (junction 10 of the scheme). It is recorded as having interests in plots 62, 63, 64, 65 and 66 of the CPO, which are areas of access, grass, trees and shrubbery on the Guildford Road frontage. The objector's interests would also be affected by item e on schedules 3 and 4 and site plan 3 and by new access 3 on schedule 4 and site plan 4 of the SRO.

106. The objection is that the site is already at full capacity and so would be compromised by the permanent land take of plot 62 and of rights to accommodate statutory undertakers' apparatus on plot 64. This would reduce the overall amount of land available for the Foundation Trust to carry out its operations. In addition, the proposed closure and relocation of the access would conflict with access to the adjacent Christmas Tree Farm with consequent delays in exiting and entering the site, particularly in November and December each year. Furthermore, the proposal to take land from Christmas Tree Farm would prejudice its development potential and any benefit which the Foundation Trust might derive from that.

*The Council's response*

107. The Council's response is to deny that the proposals would compromise the parking and space available to the objector or the development potential of the site but will seek to engage with the objector further. The highway design proposal at this location requires the relocation of the current ambulance station access/egress bell mouth approximately 25m north of its current location. This new provision will be supplemented by full-width carriageway yellow box markings and wig-wag warning lights to aid blue light operation particularly at peak times. Therefore, the new access will not be prejudiced by the access to the Christmas Tree Farm.[182] A response is awaited.[183]

*11 British Telecommunications PLC (BT), 1 Braham Street, London E1 8EE*

108. Although the letter of objection refers only to the CPO in its title, its content makes it clear that there is no objection to the CPO (in which the objector has interests recorded in plots 68 and 69) but to the SRO. The objector's interests would be affected by reference d on schedule 3 and site plan 3 of the Side Roads

[181] Mark Davey's evidence, Appendix 1 and table included in paragraph 12.2; Nicholas Henderson's Highways Evidence, section 17.10 and paragraph 18.10.7
[182] Statement of Case, paragraph 21.43; Mark Davey's Proof of Evidence, Appendix 1; Nicholas Henderson's Highways Evidence paragraph 18.11.7
[183] Table included in paragraph 12.2 of Mark Davey's evidence

Order and by proposed new means of access 4 included in both schedules 3 and 4 and site plans 3 and 4 of the SRO.

109. The objection is concerned with the manner in which the scheme would be implemented so as to maintain access to manholes and cables.

*The Council's response*

110. The Council's response is that it will engage with the objector further.[184] The modifications proposed to the SRO would delete the original reference d on Schedule 3 and site plan 3 and the original proposed new means of access 4 included in both schedules 3 and 4 and site plans 3 and 4. It has confirmed to the objector that rear access is no longer needed and that a plan of a new access has been supplied. It awaits a response.[185]

111. Those manholes and cables mentioned as requiring diversion under the new footway have already been identified and in the future will not be within the new paved carriageway. Discussions have been ongoing with BT as part of the New Streets and Road Works Act process. The Council is engaging with BT through the detailed estimates process, during which actual future positions of the proposed diversions of apparatus will be confirmed and agreed between all parties and the proposed works programmed.[186]

*12 National Grid Electricity Transmission, National Grid House, Warwick Technology Park, Gallows Hill, Warwick CV34 6DA*

112. This objection was withdrawn by email on 30 May 2022, before my appointment.[187]

*13 Affinity Water Limited, Tamblin Way, Hatfield, Hertfordshire AL10 9EZ*

113. This objection was withdrawn by email dated 19 May 2022, before my appointment.[188]

*14 CEP CBRE UK affordable Housing Nominee 1 Limited and CEP CBRE UK Affordable Housing Nominee 2 Limited (CBRE), Citigroup Centre, 33 Canada Square, London E14 5LB*

114. This objection is to the CPO. The objector owns the freehold of plots 19 and 20 which are the access road and car park at Sandgates, Guildford Road KT16 9LT. The objection is that a compelling need in the public interest has not been demonstrated, that unfettered rights without time limit are sought, that the access is shared with other users whose use must be unfettered and which shared use is a health and safety concern, that plot 20 provides access to retained land and that there is no provision for rectifying damage to the land which is not designed to be used by heavy construction traffic.

[184] Statement of Case, paragraph 21.45
[185] Appendix 1 and Table attached to paragraph 12.2 of Mark Davey's Proof of Evidence; Nicholas Henderson's Highways Evidence paragraphs 18.12.3 and 18.12.4
[186] Mark Davey's Proof of Evidence, Appendix 1
[187] Nicholas Henderson's Highways Evidence paragraph 18.1.1
[188] Nicholas Henderson's Highways Evidence paragraph 18.1.1

*The Council's response*

115. The Council's response is that Plot 20 is needed as a work site for a period of around 15 months in connection with the A320 improvements and that Plot 19 is needed as access to Plot 20. The CPO provides that the rights to be acquired are during the continuance of the works. Therefore, the duration of the rights is time limited. The car park (plot 20) to be used as a work site is remote from the residential accommodation and is little used. The gate referred to leads to land that is outside of the objector's ownership.[189]

116. The Council also responds that the same access (plot 19) from the main road to the residential accommodation will be used as access to the work site. However, this is a short section of road that forks to provide separate access to the residential accommodation and to the overflow car park. Access to the residential accommodation will be maintained at all times. The Council will undertake not to block the access land at any time. Plot 19 is a short length of access road which will be used by the residents and also by the Council's contractor. The contractor's operations will be governed by the usual regulations such as a code of construction practice. Therefore, all health and safety issues will be addressed. The car park and access road will be reinstated as necessary prior to the completion of the works. The Council is in negotiations with the objector (and non-objecting) leaseholder for a temporary lease of the land in question. Heads of Terms have been agreed and solicitors instructed.[190]

*15 Scope, 2nd floor, Here East, Press Centre, 14 East Bay Lane, London E15 2GW*

117. Scope owns a freehold interest in the White Lodge Centre, Holloway Hill, Lyne, Chertsey KT16 0FA (plots 23 (in respect of subsoil to half the width of the public highway) and 35). The objection is to both the CPO and the SRO. The objection is that the proposed new road layout has the potential to degrade access to the site, causing increased congestion as vehicles wait to enter and leave the site, that the removal and relocation of the site barrier would cause a safety issue, that the trees to be removed provide screening to bedrooms, that the play area would become noisier and more polluted and that inadequate steps have been taken to acquire by agreement with due consideration to the needs of the White Lodge Centre and the need to avoid contact between vulnerable clients and unvetted construction workers.

*The Council's response*

118. The Council's response is that Scope would benefit from reduced traffic congestion, improved junctions and reduced journey times; that the boundary of the site will be secure at all times and that trees will be replaced but that it will seek to engage with the objector further. It has examined the issue of improving egress from the site and has proposed measures to slow traffic speeds and

[189] Statement of Case paragraph 21.60; Appendix 1 and Table included within paragraph 12.2 of Mark Davey's Proof of Evidence
[190] Statement of Case paragraph 21.60 Appendix 1 and Table included within paragraph 12.2 of Mark Davey's Proof of Evidence; Nicholas Henderson's Highways Evidence paragraph 18.14.7

improve sight lines at the White Lodge Centre.[191] The objector's agent, Carter Jonas, has requested terms in the agreement to cover how land is handed over and fenced and details regarding replacement of trees. Carter Jonas has said that it has had no instructions until recently and therefore discussions have not advanced. Surrey County Council has provided details regarding boundary treatment, tree replacement and site access/egress.[192]

119. By letter dated 31 October 2022, this objection was conditionally withdrawn, the condition being that, as part of the A320 improvement works, Surrey County Council undertakes to construct a speed table on Holloway Hill with associated signage and road surfacing and may be required to acquire, adopt and manage as part of the highway a strip of frontage land on either side of the exit from the White Lodge Centre and is required in any event to remove the existing boundary fence on Holloway Hill and replace it by a new boundary fence to a defined specification on a new alignment set back behind the frontage land.[193]

**Other Submissions opposing the Council**

120. There are no other submissions opposing the Council

**Unopposed Lands**

121. Other than the specific objections reported above, the acquisition of the majority of lands included within the CPO is unopposed. Likewise, other than the specific objections reported above, the majority of the provisions of the SRO are unopposed. The description of the unopposed elements of both Orders is included in the general description of Order Lands included in an earlier section of this report.

**Inspector's Conclusions**

122. Numbers in square brackets [ ] indicate paragraphs in the report from which conclusions are drawn.

123. The CPO seeks to acquire freehold ownership of some land and to acquire new rights over other land shown on the Order Map for the purposes of the construction and improvement of a highway and for the provision of an off-street car park, for uses in connection with the above purposes and for mitigating the effects of the above.

124. The SRO seeks authority to stop up, divert, improve, raise, lower or alter highways shown on the Order Map that cross a classified road and to stop up private means of access affected by the route of an improvement order. Section 257 of the Highways Act provides for the proceedings required to confirm the SRO to be taken concurrently with the proceedings required to confirm the CPO.

[191] Statement of Case, paragraphs 21.50 to 21.54; Mark Davey's Proof of Evidence, Appendix 1; Nicholas Henderson's Highways Proof of Evidence paragraphs 9.3.15 and 18.13.6 to 18.13.10
[192] Table included in paragraph 12.2 of Mark Davey's evidence, and Appendix 1 of evidence; Nicholas Henderson's Highways proof of Evidence paragraph 9.3.16 and section 18.13.
[193] Mr Harwood gave the requested undertaking on behalf of the Council at the Inquiry

125. Section 247(2) of the Highways Act applies the Acquisition of Land Act 1981 to the compulsory purchase of land under the Highways Act 1980. The Ministry of Housing, Communities & Local Government issued updated Guidance on Compulsory Purchase process and the Crichel Down Rules in July 2019 which is applicable to all CPOs to which the Acquisition of Land Act 1981 applies. The conclusions of this report are framed around this guidance as follows;

- The need for a CPO
- The public interest
- Compelling case
- Resources
- Procedural requirements and other consents.

*The need for a CPO and for a SRO*

126. There is no objection to the principle of the scheme in general but there is a multiplicity of interests to acquire or to satisfy in order to bring it about [42 and 68]. A few remain unidentified. Although the Council has pursued acquisition or resolution by agreement, the schedule of negotiations shows that that course of action would be protracted [42]. Even with the pressure of a CPO and a SRO, responses were still awaited from a number of objectors at the time of the Inquiry [76, 83, 86, 104, 107, 110]. I therefore advise the Secretary of State that there is a need for a CPO and for a SRO if the A320 Corridor (Ottershaw to Chertsey and M25 junction 11) Improvement Scheme is to go ahead in a timely fashion.

*The public interest*

127. Although not specified within the Local Plan in any detail, the scheme is, in principle, an essential component of the recently adopted Local Plan [43-46, 52]. As such, it has been examined and found sound and the principle of its need in the public interest should not need restating.

128. Nevertheless, the case for proceeding in the public interest is well made in terms of traffic congestion relief [41, 48, 51], replacing an existing public car park [26, 39, 40], provision and improvement of facilities for pedestrians and cyclists, [41, 48, 50, 51], enabling housing development [41, 43-47], relieving flooding [49, 59] and improving safety [50], whilst avoiding detriment to noise [55-56], air quality [57], light pollution [58], the Green Belt [61] and heritage assets [62].

129. The scheme minimises tree loss [60] and adverse effects on ecology and provides mitigating provisions for biodiversity [63-65]. The scheme which the Orders support is supported by expert authority [48]. Equalities considerations have been taken on board [66, 67]. Statutory undertakers' interests appear to have been considered [9, 10, 76, 77, 91, 92, 107, 110, 111], albeit conclusive agreements had not always been reached by the time of the Inquiry. In places, the needs of statutory undertakings form part of the reasons for including land within the CPO [28].

130. The extent of land to be acquired has been minimised and, with one exception, the convenience of alternative accesses to those proposed to be closed has been maximised through reiterated reappraisals of the scheme [48] and negotiations with landowners [51, 76, 79, 88, 94, 99, 100, 104, 110, 118]. Modifications are put forward as a result [19, 20, 76, 79, 88, 94, 99, 100, 104, 110, 118].

131. The one exception I refer to is the lengthy diversion of footpath 56 resulting from the closure of its crossing of St Peter's Way. Consultation concerning the closure of footpath 56 where it crosses St Peter's Way did not actively engage special interest groups for an aspect of the proposal which will reinforce the existing severance, caused by St Peter's Way, of an established residential area proposed for expansion, from the agricultural countryside to its south which offers an opportunity for recreational walking [53]. Nevertheless, applying the test set out in section 14(6) of the Highways Act, the diversion, including a signal-controlled crossing for pedestrians is a reasonably convenient alternative route. Moreover, this aspect of the proposal was in full view for public comment and no objections were raised and so, I am convinced by the safety considerations for the diversion which are set out in the Council's case that it is in the public interest [33, 34, 35, 51, 67].

*The compelling case*

132. Unless properly authorised by law, the taking of property against an owner's wishes would be a crime and a contravention of the owner's Human Rights. It is therefore the case that it must not only be in the public interest for a project to proceed in order for a CPO to be justified but that there should be a compelling case.

133. The compelling case is that a significant boost to the supply of homes is a vital part of government policy. Without the road capacity and the improvements to facilities for non-motorised travel which would result from the scheme which the CPO and the SRO are intended to facilitate, it would not be acceptable to permit more than about 50% of Runnymede District's housing requirement to be delivered [43]. That in turn would lead to a risk that several thousand families would need to look elsewhere in their search for a roof over their heads.

134. Moreover, although the road itself is not currently noticeably more unsafe than any comparable road of its type and no specific road safety case is made out, improvements in road safety being an incidental benefit of the scheme [50], it is clear that the relief of traffic congestion is necessary for future ease of access to St Peter's Hospital, a regional accident and emergency centre [21]. Runnymede Strategic Highway Assessment (by Surrey County Council, October 2017) concluded that if Local Plan development were progressed, major investment would be needed to mitigate against its impact and to ensure that emergency access to St Peter's Hospital was not compromised [48]. Without wishing to overstate matters, uncongested emergency access to a regional accident and emergency facility can be a matter of life or death.

135. The avoidance, or minimisation, of these two identifiable risks should the scheme not proceed, provides a compelling case for confirmation of the CPO and SRO in accordance with the law and in compliance with Article 6 of the First Protocol of the Human Rights Convention. In light of the Council's responses to

the objections to the Orders, I am not persuaded to a different view by the objections.

*Resources*

136. Evidence is provided that the Council has the resources to carry out the undertaking [70-72].

*Procedural requirements and other consents*

137. There have been no submissions or representations on legal or procedural matters concerning the validity of the Orders [17]. All procedural matters seem to be in order, with no special procedures required [1-17]. Necessary consents have been identified and have been sought insofar as they can be at this stage [14, 15]. Not all have yet been obtained but there is no identified reason to suggest that they will be withheld [15]. One significant consent (the planning permission for junction 10) is in the hands of the Secretary of State for Levelling Up, Housing and Communities [6]. The need for modifications and undertakings has been identified. The modifications have been submitted [16, 19, 20] and the undertakings sought by objectors given [95, 101, 119].

*Findings*

138. I find that the need for this CPO and this SRO is proven. It would be in the public interest that they are confirmed as proposed to be modified. I recommend that the Secretary of State finds the need compelling and that the qualified rights of Articles 1 and 8 of the First Protocol to the Human Rights Convention may be infringed in accordance with the law and Article 6 of the Convention. The Council has the resources to acquire the land and rights sought and to carry out the scheme. All other consents in principle necessary to carry out the scheme have been obtained; some consents to detail are still needed but there is no indication that they would not be forthcoming or would obstruct the undertaking of the scheme.

**Recommendation**

**File Ref: DPI/B3600/22/7**

**1. I recommend that the Surrey County Council (A320 Corridor (Ottershaw to Chertsey and M25 Junction 11) Improvement Scheme) Compulsory Purchase Order 2022 be confirmed with the modifications described in paragraph 19 of this report.**

**File Ref: DPI/B3600/22/7**

**2. I recommend that the Surrey County Council (A320 Corridor (Ottershaw to Chertsey and M25 Junction 11) Improvement Scheme) (Classified Road) (Side Roads) Order 2022 be confirmed with the modifications described in paragraph 20 of this report.**

*P. W. Clark*

Inspector

## APPEARANCES

FOR THE ACQUIRING AUTHORITY:

Richard Harwood KC, instructed by John Qualtrough, Partner, Davitt Jones Bould

He called

| | |
|---|---|
| Rachel Raynaud BA (Hons) MA MRTPI | Corporate Head of Planning Policy and Economic Development, Runnymede Borough Council |
| Nicholas Henderson Meng CEng MICE | Technical Director – Highways, Arcadis Consulting |
| Damien "Edward" Crofton-Martin MSc IEng MIOA ICIOB MCIEH | Principal Acoustic Consultant, Arcadis Consulting |
| Guy Stone BSc MSc CEnv | Associate Technical Director for Ecology, Arcadis Consulting |
| Mark Davey BSC(Hons) MRICS | Director, Ardent |
| Simon Duke BEng CEng MICE FCIHT | Group Manager, Infrastructure and Major Projects, Surrey County Council |

**Submitted DOCUMENTS**

1 National Planning Policy Framework, July 2021
2 Runnymede 2030 Local Plan adopted 16 July 2020
3 a) Runnymede Infrastructure Delivery Plan December 2017
b) Runnymede Infrastructure Delivery Plan Addendum January 2018
c) Runnymede Infrastructure Schedules 2015-2030
4 Infrastructure Delivery & Prioritisation SPD November 2020
5 Air Quality Modelling to support the Runnymede Local Plan, May 2018
6 Surrey Future Congestion Programme 2014
7 Surrey Transport Plan: Congestion Strategy July 2014
8 Highways and Transport Strategic Business Plan 2016-2021
9 Surrey Transport Plan Executive Summary May 2017
10 Surrey Local Transport Plan 2022-2032 Draft for Consultation
11 A320 Corridor Study Feasibility Study Final Report April 2018
12 Strategic Highway Assessment Report, October 2017
13 Strategic Highway Assessment 2019: Addendum, October 2019
14 M25 Traffic Impact Assessment Note, May 2019
15 M25 Junction 11 & 13 - Step 2 Traffic Concept Design September 2019
16 Traffic Modelling Report – Paramics Scheme Assessment, July 2021
17 Junction 6 Planning Application Transport Assessment, July 2021
18 Junction 10 Planning Application Transport Assessment, November 2021
19 Design Manual for Roads and Bridges CD 109 Highway Link Design
20 Design Manual for Roads and Bridges CD 116 Geometric Design of Roundabouts
21 Design Manual for Roads and Bridges CD 127 Cross-sections and headrooms
22 Design Manual for Roads and Bridges LA111 revision 2 Noise and Vibration
23 Manual for Streets
24 Manual for Streets 2
25 BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites, Part 1; Noise
26 National air quality objectives
27 Screening Opinion 22 April 2021 a) Letter, b) Report
28 Planning and Regulatory Committee Notice of Meeting 27 July 2022
29 (No document)
30 (No document)
31 (No document)
32 Agreement dated 1 March 2022 between National Highways Limited and Surrey County Council
33 Highways Act 1980, section 6
34 Road Traffic Regulation Act 1984, section 32

35 (No document)
36 Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 4 and Part 9
37 Human Rights Act 1998 Schedule 1, Parts I and II
38 Human Rights Act 1998 section 6
39 The Compulsory Purchase (Inquiries Procedure) Rules 2007
40 Guidance on Compulsory Purchase and the Crichel Down Rules, 2019
41 (No document)
42 (No document)
43 (No document)
44 Statement of Case
45 Equalities Impact Assessment

**Other DOCUMENTS and those requested by Inspector**

1 Letter dated 6 October 2022 from National Transport Casework Team with comments and modifications

2 Response dated 18 October 2022 from John Qualtrough

3 E-mail dated 10 October 2022 attaching copies of public notices of convening of Inquiry

4 Sample letter giving notice of convening of Inquiry

5 Email dated 7 November from John Qualtrough confirming modification to delete plot 1

6 Statutory list entry for Wheelers Green

7 Revised set of general arrangement drawings

8 Copy of e-mail dated 19 October 2022 from Property Law Hub of Government Legal Department confirming decision of Secretary of State for Health and Social Care not to enforce restrictive covenants on plot 35

9 Email dated 9 November 2022 confirming extents of land included in modified order

10 Overview of selection of habitat mitigation sites and memo dated 10 February 2022 making recommendation

11 E-mail dated 8 November 2022 attaching track change CPO schedule and map and updated clean (track changes removed) CPO map

12 E-mail dated 19 October detailing amendments to Side Roads Order plans and schedule

13 Letter dated 24 October 2022 advising of conditional withdrawal of objection 2

14 Letter dated 28 October 2022 advising of conditional withdrawal of objection 5

15 E-mail dated 4 October 2022 advising of withdrawal of objection 6

16 Letter dated 31 October 2022 advising of conditional withdrawal of objection 7

17 Letter and email dated 31 October 2022 advising of conditional withdrawal of objection 8

18 Letter dated 31 October 2022 advising of conditional withdrawal of objection 15

19 Bundle comprising; sample letter giving notice of making of CPO; photocopy of newspaper advertisements of making of CPO; copy of site notice, general certificate of conformity and protected assets certificate.

20 Bundle comprising; sample letter giving notice of making of SRO; photocopy of newspaper advertisement of making of SRO; copy of advertisement in London Gazette of making of SRO; copy of site notice and general certificate of conformity.