

## Ripley and Send Parish Councils Closing Statement

This is the closing statement of Ripley and Send Rule 6 party to this inquiry and appeal by Taylor Wimpey against GBC for non-determination of Planning Application 22/P/01175, Land at former Wisley Airfield.

Ripley and Send Rule 6 party upholds its argument that the appeal application *fails* to comply with the GBC Development Plan as a whole. In particular, requirement 4, of the transport strategy of A35, and requirements SRN 9 and SRN 10 of the GBC Transport Strategy. In so doing, the appeal proposals also fail to comply with paragraph 111 of the NPPF. The alternative package of mitigation proposed by the appellant is weak and will not be 'comparable' mitigation as requirement 7 of the transport strategy of A35 stipulates. Furthermore, the Section 106 agreement is weak on the delivery of the mitigation measures, as there is no certainty on the timing of when these measures will be introduced to the LRN.

Send and Ripley Rule 6 party also contends that the appeal proposals fail to comply with paragraph 110 of the NPPF, as sustainable transport is not delivered and LNP 12 (d) is not met. There is no assurance in section 106 that speculation of extended bus services to Woking will be delivered.

### Site A35, Requirement 4, of GBC LPSS 2019, Burnt Common Slips.

Requirement 4 of the transport strategy for A35 states: "The identified mitigation to address the impacts on Ripley High Street and surrounding rural roads comprises two new slips roads at A247 Clandon Road (Burnt Common) and associated traffic management".

### Ripley and Send Parish Councils Rule 6 position.

Madam, yesterday you received a joint letter from Ripley and Send Parish Councils to put on record our position regarding the need for this appeal site to deliver on requirement 4, and deliver the Burnt Common slips, and our concerns if this requirement is not delivered.

During this inquiry, the point has been made by the appellants on numerous occasions that at the last inquiry APP/Y3615/W/16/3159894, Ripley Parish Council had not supported the slips at Burnt Common, and as a result, our argument in support of the slips at this inquiry is somewhat weakened by this change in position. Let me be clear, the previous appeal took place in 2017 and *was pre-adoption* of the Guildford Local Plan Strategy & Sites 2019 (GBC LPSS 2019). In this context, Ripley, surrounding Parish Councils and an overwhelming majority of residents were not in favor of the slips at Burnt Common in conjunction with opposing the disproportion allocations of housing and industrial development in the north-east corner of the Borough and in particular the wards of Lovelace and Send (now Lovelace Ward). It is therefore not surprising that representatives of Ripley Parish Council rule 6 party at the last inquiry would have articulated such an argument. However, following the adoption of the Development Plan in April 2019, which allocated all the

proposed strategic sites in Lovelace Ward, the last-minute change at the Local Plan examination to increase the floorspace at the Burnt Common Warehouses site from 7,500 sq m to 14,000 sq meters minimum, and the inseting of the villages from the Green Belt opening the flood gates for substantial windfall developments within villages and the Policy E3 GBC LPSS 2019, permitting the expansion of Send Business Centre up to 25% in its existing floorspace, it is inconceivable that our local roads and the historic Ripley High Street can accommodate traffic generate by these developments traveling north to the A3 at Ockham interchange without it having **severe** and detrimental impact on the LRN. *Post-adoption* of the GBC LPSS 2019 the entirely logical position of Ripley and Send Parish Councils and the joint Rule 6 party at this inquiry is to insist that A35, meets requirement 4 of the transport requirement of the site allocation and deliver the slips at Burnt Common to serve these developments and the appeal site.

### **The Appellant's conflicting position on the Burnt Common slips and the impact for Ripley.**

#### Appellant's position at the 2017 appeal.

In closing submissions for the last appeal (APP/Y3615/W/16/3159894 and GBC Planning Portal, application reference, 15/P/00012), in paragraph 135 the appellant was keen to stress the economic benefits that the Burnt Common slips would deliver in association with the Development Plan, the creation of headroom at the Ockham interchange on the SRN and the slips having a significant reduction on traffic through Ripley and on the local roads. The Appellant even refers to the GBC Strategic Highways Assessment Report in June 2016, in paragraph 135.4.2.

This was the transport evidence base for LPSS 2019 that I referred Mr McKay to in cross-examination, and I had referenced it in response to questions posed by Mr Maurici during my cross-examination.

I would refer you again, Madam, to this document, to pages 44 and 45 which consider the changes in flows to the A3 with Burnt Common slips. At point 4.7.13 it says, "when compared with scenario 1 (Do-Minimum), flows on this section of the A3 increase by over 850 vehicles northbound" and "flows using the B2215 through Ripley are reduced significantly". As stated in the next paragraph, 4.7.14, these trips are generated from the south of the A247 and Woking. Ripley and Send Rule 6 party contends that without these slips these 850 trips would have no option but to travel along the B2215 northbound to the Ockham interchange roundabout to join the A3.

Furthermore, Mr McKay, in his Proof of Evidence for the 2017 appeal, APP/Y3615/W/16/3159894, in paragraph 8.55 makes a strenuous case amount the mitigation the slips would provide on reducing traffic through Ripley.

#### Appellant on slips 2023 appeal

It is intriguing therefore that at this appeal, Mr McKay makes exactly the opposite argument, claiming that there would be no or negligible benefit to Ripley High Street by providing the slips. This change in position by the appellant causes the Rule 6 party, individuals, and other Rule 6 parties to have considerable doubt in the conclusions Mr McKay presents at this inquiry. We noted the re-examination and discrepancies in Linsig modelling at the Ockham interchange. We are also mindful that 7,500 sq m of industrial floorspace has received approval at Burnt Common since the Environment Impact Assessment (EIA) was produced and that the expansion of Send Business Centre Policy E3 GBC LPSS 2019, was not mapped in the EIA or part of the Uncertainty log.

#### Appellant on RIS/ DCO, and the Burnt Common slips.

Much of the appellant's case for not adhering to transport requirement 4 of allocation A35 is that the DCO has superseded the requirement, as confirmed by Mr Collins in response to my cross-examination on 28/11/23. The case by the appellant is that the DCO will transfer vehicles from the LRN to the SRN.

However, in turning to the Examination Report [ER] for the application for M25 Junction 10/A3 Interchange (the Proposed Development) TR010030, as submitted by Highways England on the 19th June 2019, **point ER 5.2.163** must be noted. It states that when site A35 and GBC LPSS 2019 were being considered as part of the Local Plan making process, neither GBC nor SCC envisaged that traffic generated by RHS Wisley would be routed via the B2215, Ripley High Street as a consequence of the WLD. When SCC undertook its modelling, it was working on the basis that Wisley Lane would continue to have access to the A3 Northbound. The Examining Authority (ExA) was therefore of the view that the proposed development of the DCO would increase the flow of traffic through Ripley *significantly* [ER 5.2.166]. As such the ExA was concerned this would have a worsening of the local environment for pedestrians and cyclists in Ripley [ER 5.2.166]. To mitigate against the severance effects for Ripley the ExA requested a requirement be added to the DCO to ensure that a scheme of traffic management measures along the B2215 through Ripley be approved by the Secretary of State before the Wisley Lane Diversion (WLD) is open [ER 5.2.167]. The Secretary of State agreed to the inclusion of this requirement.

Fundamentally, the Examination Report [ER] for the DCO decision also notes that SCC confirmed the proposed north-facing slip at Burnt Common would enable traffic traveling to and from locations in the west of Send, and Woking to join the A3 at Send rather than at the Ockham Park Roundabout [ER 5.2.158]. This would therefore alleviate Ripley High Street of Northbound traffic, to build in headroom for increased traffic coming from RHS Wisley as a result of WLD.

As we know from this inquiry, and as has been confirmed by Mr McKay, in his re-examination, the Send Roundabout at Burnt Common is operating at capacity in AM and PM peak. This is before the approved 7,500 sq m of industrial development at Burnt Common and Garlicks Arch housing development have been built out.

Madam, it stands to reason that if requirement 4 of the transport requirement of A35 is not delivered by the appeal application and secured in the section 106 agreement to mitigate traffic generated from the Send developments and Woking this traffic will have no option but to travel northbound through Ripley High Street. If this increase in northbound traffic, is then combined with the traffic management measures along the B2215 required by the DCO, and will include gateway features, two puffin crossings, speed tables, and 20 mph speed limits, and the Burnt Common slips are never delivered via site A35, then the impacts on Ripley in terms of noise, congestion and air pollution caused by braking and accelerating due to these traffic management mitigation measures, this will be catastrophic for the village and residents. The impact on the LRN would be **'severe'**.

Ripley and Send Rule 6 conclude that contrary to the appellant's claims that the DCO has superseded transport requirement 4 of site A35, the DCO and delivery of the slips are *inextricably* linked and both are required to deliver a safe environment for pedestrians and cyclists in Ripley High Street and to mitigate severe impacts on the LRN in Parishes of Send and Ripley.

Ripley and Send Rule 6 party further draws attention to the Local Plan Inspectors judgment, CD 7.11, paragraphs 131 and 132. Here Inspector Bore is dealing with issue eight, transport impacts of the development plan strategy. In paragraph 131, the M25 J10 RIS scheme is noted, and in paragraph 132, it is stated "in addition to the A3 Guildford RIS scheme... it is proposed that two junctions with the A3 truck road will be delivered by developers". It goes on "A3 northbound on-slip and A3 southbound off-slip at A247 Clandon Road ... would help to relieve Ripley of some through traffic as well as serving developments in Send and Burnt Common". In the high court judgment, Lord Ouseley placed great weight on the holistic nature of the plan (LPSS 2019), containing an integrated set of proposals that work together. CD 11.2, page 13, point 44, and page 15, point 48. It is evident therefore that approval of LPSS 2019 was dependent on both provisions, not just the DCO. If the slips are not delivered as required by the appeal site the legality of the approved local plan will be questioned.

**The Appellant's case for requirement 7 of the transport strategy, as mitigation for non-delivery of requirement 4 of the transport strategy requirements, site A35.**

The secondary argument that has been made by the appellant at this inquiry for not delivering requirement 4, of the transport strategy of A35, is that the impact of increased traffic volumes on the LRN can be mitigated by a package of measures, including speed reductions along B2215 and carriageway launching works, to some but not all, of the lanes that connect to Ripley High Street and Potters Lane with the aim of increasing safety for cycling.

The claim that is being made by the appellant is this package of mitigation meets requirement 7 of the transport strategy requirement of A35 and so expels the need for requirement 4. However, the exact wording of requirement 7 refers to "alternative interventions which provide **comparable mitigation**". It will be for you, Madam, to make a judgment on whether you consider this package

of mitigation to be comparable to the delivery of requirement 4, the slips at Burnt Common and you will have heard all our arguments and concerns on this matter.

The only conclusion Ripley/Send Rule 6 party reach, is that requirement 4 continues to be a much-needed requirement of Policy A35, and no mitigation package will compensate or alleviate the impacts on Ripley High Street in the manner that requirement 4 would do.

**Other matters: sustainable transport, paragraph 110 of the NPPF, and sustainability of the site.**

Ripley and Send Rule 6 party reiterate our concerns that the site is not sustainable and there have been missed opportunities to provide sustainable transport and fails to comply with LNP 12 (d).

The Rule 6 party is not convinced in the current economic climate that there will be any incentives for SCC to enhance a more frequent bus service to Woking via the A247 and as a result residents of the site will be dependent on car to travel to Woking station which with its frequent fast trains to London, will likely be the rail station of choice for new commuters to the area.

Similarly, the new proposed G1 route has missed an opportunity to link the development with the Villages Medical Centre in Send Barnes Lane. If off-site facilities are to be expanded then the Villages Medical Centre will likely be a practice required to serve the site.

Ripley and Send Rule 6 party also remain deeply concerned by the proposals relating to the Ripley cycle route that will see the loss of a significant number of mature trees and impact on the heritage and character of the historic Ripley High Street. Equally, the Rule 6 party is concerned that if these works are to be delivered by a Sec 278 agreement, then there will not be scope for public consultation on these proposals.

Finally, the Rule 6 party was not left assured following the Section 106 deliberations that the lead authorities would deliver in a timely manner the expansion of existing medical facilities and secondary schools. In the meantime, as the site is built out, the pressure on existing services would worsen and not assist the existing residents in the area. There is also the concern that if a new secondary school is not delivered within 15 years the contribution will be repaid to the developers.

We urge Madam, for this appeal to be refused.

Cllr Julia Osborn, Chair Send Parish Council

19th December 2023.

