6 December 2019

Inspector Philip Lewis BA (Hons) MA MRTPI
C/O Chris Banks,
Programme Officer
Banks Solutions
64 Lavinia Way
East Preston
West Sussex
BN16 1EF

Dear Mr Lewis,

1. I write in response to the Inspector led consultation that is being undertaken in relation to Examination Document INFE29 ("INFE29") and Thakeham Homes’ response contained in Document REP/1186160/007. The consultation closes on Friday 6th December 2019. These comments are made in the context of Tandridge District Council’s (TDC’s) oral commitment at the Matter 6 South Godstone Hearing, to provide 40% affordable housing in the proposed South Godstone allocation.

2. I ask you to also have regard to the email response from Mr John Hoad dated 2nd December 2019 to an email that I sent on the same day into which the programme officer was copied. For ease of reference I have appended the email chain to this letter.

Background

3. Firstly I would like to explain the situation which led us to provide you with Document REP/1186160/007 ("the Thakeham Submission") on Friday 22nd November 2019, two working days ahead of the re-commencement of the hearing sessions.

4. We acknowledge that the production of the Thakeham Submission at short notice ahead of the hearing sessions was not ideal. However, we believed that it was essential for you to have sight of our response to INFE29 when making your decisions as to whether the Plan is sound or not, given that the response raises fundamental questions regarding the viability and deliverability of the proposed South Godstone Garden Community, which as you have previously acknowledged is central to the spatial strategy in the Tandridge Local Plan as submitted.

5. We note that INFE29 is dated March 2019. However, it was not published on the Examination website until the 10th October 2019 at the earliest. We first noticed it on the 15th October 2019 when it appeared on the Examination Matters and Documents page under Local Plan Post Submission Documents - Day 3 and in the Local Plan Examination Library under Infrastructure. Based on the fact that the document was produced in March 2019 we consider it regrettable that this vital piece of evidence, underpinning the largest allocation proposed in the Tandridge Local Plan, was not published at an earlier date, which would have avoided the need for a last minute submission to be made in relation to it. Tandridge District Council ("TDC") could have at the very least published the document on the Local Plan Post Submission Documents section of the website in March for all to review and comment upon in their Hearing Statements.

6. The fact that INFE29 appeared so late in the process, indeed after Hearing Statements had been submitted and the Hearings had begun explains the timing of the production of the Thakeham Submission. As we explained when we submitted the document at the Hearing on 26th November 2019, we produced it as promptly as was practicable once INFE29 came to our attention. As you know, the Thakeham Submission was informed by a site visit and various technical audits, which take time to produce. In this regard, our client's consultant WSP attended M25 Junction 6 on Monday 18th November 2019 to record
and check dimensions of the Underbridge portals using a laser measure and to consider the wider implications of improving and modifying the existing junction arrangement. The accuracy of that survey was subsequently challenged by Mr Hoad of TDC at the 26th November 2019 hearing. In consequence, Thakeham has since commissioned a full topographical survey to validate the measurements in its Submission (see below).

7. Thakeham has of course through its Regulation 19 representations and Hearing Statements consistently questioned the viability and delivery of South Godstone, including the evidence base underpinning the Junction 6 improvements. Nothing is new in this respect.

**Position of TDC**

8. Mr Hoad in his email response dated 2nd December 2019 questions why Thakeham should become involved with the evidence provided in INFE29, which supports the proposed South Godstone allocation. In our view it is entirely obvious why Thakeham (and all other interested parties) have an interest in such a document. The delivery of South Godstone goes to the heart of the soundness of the Plan and therefore it is vital that the evidence base supporting the allocation is credible and robust. As such, Thakeham have a clear interest in ensuring that you as the Inspector examining the Plan are provided with all of the relevant information regarding the viability and deliverability of the South Godstone site so that you can make a fully informed judgement as to whether the Plan is sound or not. Clearly the concerns raised through the Thakeham Submission have implications for both the viability and deliverability of the South Godstone Garden Community. They are directly relevant to the Examination of the plan.

9. Mr Hoad also questions why additional comment from Thakeham is necessary. As we explained at the 26th November 2019 Hearing, whilst we did our best to respond to INFE29 in advance of the Hearing, we were prejudiced by its late appearance. Had INFE29 been provided to the Examination at the appropriate time, Examination participants would have had adequate opportunity (indeed, months) to consider the document and respond in their Hearing Statements. No participant should be prejudiced by TDC’s delay in making INFE29 available. Fairness requires that Thakeham be given equal opportunity along with other Examination participants to make use of the consultation period that has been provided.

10. In any event, fairness also requires that Thakeham be given the opportunity to properly respond to Mr Hoad’s criticism (at the 26th November 2019 hearing) of the work that informs the Thakeham Submission as “half-baked”. That criticism is unjustified (see below).

11. Whilst we understand that improvements to M25 Junction 6 are possible in theory, the works required to mitigate the impact of South Godstone are likely to be far more substantial. We have highlighted a number of concerns and deficiencies in the evidence base underpinning the South Godstone allocation which are likely to result in significantly greater costs and potentially the acquisition of land outside of the existing highway boundaries associated with the delivery of TDC’s proposal. We have brought these concerns to your attention so that the appropriate calculations and costs associated with the Junction 6 improvements upon which the proposed South Godstone allocation fundamentally relies can be accounted for and the implications of such for the proposed allocation can be fully understood. Throughout the production of the evidence base the costs for M25 Junction 6 have fluctuated from £200m down to £20m and now are stated in INFE29 at £46m. Our response casts significant doubt over TDC’s current estimate and a figure nearer to the original £200m quoted in the evidence is far more likely.

12. Mr Hoad also raises concerns in his response regarding the involvement of WSP in the production of the Thakeham Submission. To this end I would advise you that WSP have been appointed as Thakeham’s Transport and Highway consultant in relation to the Redhill Aerodrome project for over four years. As I am sure that you are aware WSP is a leading international consultant who works for numerous private promoters, property owners, County Councils and Highways England on a number of sites across the country out of various offices. Together with Atkins, WSP also provide spatial planning services to Highways England in the south east of England. WSP has only provided TDC with junction feasibility work in regard to the A22 / A264 Fellbridge Junction. Thakeham’s position is of course only related to M25
Junction 6 and not other aspects of the HIF Bid. We can confirm to the Examination that there is no conflict whatsoever in WSP acting for Thakeham in this matter.

Validation work compiled by Thakeham

13. Further to the Examination Hearing on 26th November 2019, a land survey team from WSP completed a further partial survey of M25 Junction 6 on the evening of Tuesday 3rd December 2019. Officers from TDC, SCC and Highways England (HE) were informed of this additional survey work prior to it being undertaken. An extract of the completed survey is included that identifies dimensions between the Underbridge portals. This exercise validates the work that is referred to in the previous Thakeham Submission and establishes that the clear opening between the abutment portals would be inadequate to safely accommodate three 3.7m lanes of traffic, contrary to the assertion previously made by Mr Hoad of TDC.

14. In considering the eastern portal please refer to the WSP plan 62241136-WSP-TOPO-2D-PO2 version A, Topographical Survey (East Portal) as enclosed. This demonstrates that the clear opening of the portal at its widest point (i.e: at the northern entry for traffic) is 12.81m; the portal width then reduces marginally to 12.76m over its remaining length.

15. To accommodate three 3.7m wide lanes with an effective overall carriageway width of 11.1m would mean that at its narrowest point (i.e: 12.76m over at least half the length of the portal), the available width that would remain to accommodate a safe ‘hard’ margin on each side of the carriageway is 0.83m. The absolute minimum width required is 1m either side of the carriageway, as set out in the Thakeham Submission (para 2.2.3). In addition, if a Vehicle Restraint System (VRS) is also required to satisfy HE/SCC, then it would almost certainly need to be fixed to the abutment wall. The implication of this is that impact of any vehicle collision would have to be absorbed by the abutments which could also potentially impact on the overbridge which supports the mainline.

16. In regard to the western Underbridge portal please refer to the WSP plan 62241136-WSP-TOPO-2D-PO1 version A, Topographical Survey (West Portal) as enclosed. This arrangement has similar dimensions to the eastern portal and although the alignment of the carriageway is more uniform, the same logic applies to ensure that lane widths are adequate, safe and offer the appropriate capacity to accommodate Local Plan growth.

17. As a consequence, we firmly believe that TDC’s proposed scheme would require formal agreement and relaxation of safety standards from HE and SCC, given that it currently fails to comply with the requirements of the Department of Transport’s (DfT) Design Manual for Roads and Bridges (DMRB). As a minimum, we would normally expect both highway authorities to formally confirm at this stage of the Examination of the draft Local Plan that any proposed scheme to modify M25 Junction 6 is deliverable, safe, provides the required level of capacity to accommodate Local Plan growth and above all else is viable. It is our firm opinion that TDC’s current proposal fails to satisfy these tests.

18. Moving forward, we are open to discussing matters of common ground with TDC and their Highways Engineers DHA as mentioned to TDC in my original email dated 2nd December 2019. This could include analysing any discrepancies between the WSP and DHA measurements, if the TDC topographical survey were made available. Such an exercise will help you to determine the most appropriate course of action with regards to the proposed allocation at South Godstone and the soundness of the plan going forward. However, the implications in our opinion, on the soundness of the plan are severe, and Thakeham’s position on this matter is laid out from paragraph 19 of this letter.

Implications

19. Notwithstanding Thakeham’s (and other parties) concerns that plan should be found unsound in relation to strategic issues such as the Duty to Cooperate and provision of housing, it is now clear that the evidence underpinning the proposed South Godstone allocation, which is central to delivery of Plan is erroneous. The Plan is therefore fundamentally unsound. In judging an appropriate course of action, as you know the
Examination must follow a robust process which includes appropriate scrutiny of the available evidence related to the technical feasibility of those Junction 6 improvements required for South Godstone and hence the overall viability of the proposed South Godstone allocation. This goes to the heart of the delivery of the Plan.

20. Assuming the prevailing circumstances do require the wholesale reconstruction of Junction 6 as we suggest, then we firmly believe that any such proposal would need to comply with the Department of Transport (DfT) Circular 02/2013 – The Strategic Road Network and the Delivery of Sustainable Development (enclosed). Of particular importance are paragraphs 33-36 and paragraph 38, which seeks to ensure that any works (which could comprise either a new junction or reconstruction) do not compromise the economic needs of the country.

21. Given that Junction 6 is located on one of the most congested parts of the Strategic Road Network (SRN), its reconstruction would create significant traffic problems for HE and SCC and would have a serious impact on national, regional and local needs. It is our firm opinion that there would need to be a significant strategic case made, underpinned by sound technical and economic evidence to warrant such a major reconstruction, which would also need to be planned as an integral part of Highways England’s Road Investment Strategy beyond 2025. This would therefore have serious implications on the delivery of planned growth.

22. Thakeham’s position is therefore that the plan must be redrafted entirely. This would be the best use of public sector resources alongside that of wider stakeholders and the development industry. TDC would be best placed reassessing the spatial strategy, planned housing and location/ phasing of any garden village proposals, in order that a positively planned approach can be realised. Alongside this, the time would then be provided to ensure the appropriate evidence base for any and all improvements to the SRN. It may well be, for example, that an alternative scheme for Junction 6 improvements would arise from a different spatial strategy which required more modest junction alterations.

23. In the short term, the logical next step is for Highways England to revisit and republish the Statement of Common Ground with TDC to reflect the evidence contained in the Thakeham Submission and to ensure that the updated opinion of HE and SCC is appropriately considered in light of the evidence produced and submitted to the Examination.

24. I trust that the contents of the letter are of assistance. Should you require anything further then please do not hesitate to contact me.

Yours sincerely

Charles Collins
Director

Enclosures

Email from John Hoad – 2nd December 2019

WSP M25 Junction 6 Topographical Survey (62241136-WSP-TOPO-2D-P01 and 62241136-WSP-TOPO-2D-P02)

DfT Circular 02/2013