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24 July 2019

Dear Eleanor

**Re: M25 junction 10/A3 Wisley Interchange Scheme  
Development Consent Order (DCO) application ref: TR010030  
Acceptance - Section 51 Advice to Applicant**

Highways England has reviewed the advice provided under section 51 of the Planning Act 2008 as set out in the Planning Inspectorate's email to me dated 17 July 2019.

This letter provides a response to the points raised in that advice and it is accompanied by a number of updated documents and plans as explained below:

- **Consultees identified on a precautionary basis** - *"Given the individual circumstances of this case, and taking a precautionary approach, the Inspectorate suggests that the Applicant may wish to include the body listed in box 6 of the checklist amongst those on whom they serve notice of the accepted application under s56(2)(a) of PA2008, unless there is a specific justification why this is not necessary."*

Highways England confirms that that ESP Pipelines were included in the statutory consultation and will be served with a notice under Section 56 (2)(a) of the 2008 Act. ESP Pipelines should have been listed in Annex D of the consultation report in addition to ES Pipelines but in error this was not indicated in the annex, although they were consulted under section 42 of the Act. The applicant is not proposing to provide a revised Annex D at this stage, but it will do so prior to the preliminary meeting.

- **Habitats Regulations Assessment Figures (Doc 5.3)** - *"None of the figures noted in the index were provided. Notwithstanding the absence of the figures it is considered that the information provided in the Report is adequate for acceptance. The Applicant should please provide these figures no later than 10 days before the Preliminary Meeting, the date of which shall be advised in due course."*

The applicant has updated APP-039 accordingly and it accompanies this letter.

- **Environmental Statement (Doc 6.4), Chapter 7: Biodiversity Figures** *"Figures 7.7, 7.14, 7.27 and 7.28 were not included."*

Highways England has updated APP-068, APP-069 and APP-070 accordingly and the updated versions also accompany this letter. Please note that Figure 7.28 is confidential as it describes the location of badger setts. It is nonetheless provided with this letter but as you will appreciate it needs to remain a confidential document.

- **Statement of Reasons, Appendix C (Doc 4.1)** - “Several ‘Error’ messages are present in the document. The Applicant is asked to provide an amended version no later than 10 days before the Preliminary Meeting.”

Highways England has updated APP-023 accordingly and the updated version accompanies this letter.

- **Consultation Report (Doc 5.1)** - “We note the comments by the Applicant regarding the late identification of four land interests. The Applicant is required follow due process by notifying these parties about the proposed development to enable them, if they wish, to engage in the examination.”

The applicant confirms that the four land interests will receive notice under Section 56 of the Act.

- **Book of Reference (Doc 4.3)** - “The Book of Reference includes some minor discrepancies, which the Applicant may wish to consider amending, such as: Plot 3/3 does not mention the type of land acquisition requested. Plot 5/29 is not shown on Land Plan sheet 28, only sheets 5 and 6. Plot 8/12 is also on Land Plan sheet 9, as well as 8. Plot 8/37 is also on Land Plan sheet 9, as well as 8. Plot 12/25 is not shown on Land Plan sheet 5. Plot 13/3 is not shown on Land Plan sheet 15. Plot 23/7 is also on Land Plan sheet 24.”

The Applicant notes these minor discrepancies but is not proposing to submit a revised Book of Reference dealing with them at present. The discrepancies will be picked up in the next version of the Book of Reference to be submitted in due course. As you will appreciate the Book of Reference is an evolving document that will need to be updated throughout the DCO examination process in any event. No land plans required updating as a result of the discrepancies mentioned in your letter.

- **Land Plans (Doc 2.2)** - “Sheet 1 of 31 has two small breaks in the red line boundary, one of which is replicated on sheet 2. Plot 11/24 is not identified on Sheet 12.”

The Applicant has amended the plans 1 of 31, 2 of 31 and 12 of 31 (APP-006) accordingly. The amended plans accompany this letter.

- **Works Plan (Doc 2.3)** - “The format of work number 35/35 (k) on sheet 7 looks incorrect.”

The Applicant has corrected this sheet accordingly (APP-007) and the corrected sheet accompanies this letter

- **Scheme Layout Plans (Doc 2.8)** - “Sheet 23 of 31 has no north direction.”

The missing north arrow has been added (APP-013) to the updated version provided with this letter.

In addition, Highways England noted errors in Figures 13.1 and 13.4 of the **Environmental Statement (Doc 6.4), Chapter 13: People and Communities Figures**. Updated versions (APP-076) are therefore provided with this letter.

In summary we would like you to replace the following documents as shown below:

**Table 1: Document Changes**

<b>Planning Inspectorate Examination Number</b>	<b>Title</b>	<b>Current Revision</b>	<b>Updated Revision</b>
APP-006	2.2 Land Plans	00	01
APP-007	2.3 Work Plans	00	01
APP-013	2.8 Scheme Layout Plans (Sheets 11-31 of 31)	00	01
APP-023	4.1 Statement of Reasons Appendix C	00	01
APP-039	5.3 Habitats Regulations Assessment Figures	00	01
APP-068	6.4 Environmental Statement: Chapter 7 Biodiversity Figures 1 of 3	00	01
APP-069	6.4 Environmental Statement: Chapter 7 Biodiversity Figures 2 of 3	00	01
APP-070	6.4 Environmental Statement: Chapter 7 Biodiversity Figures 3 of 3	00	01
APP-076	6.4 Environmental Statement: Chapter 13 People and communities Figures	00	01

We confirm that the application documents as updated and provided with this letter are included with those to be placed on deposit for public inspection at various locations as identified in our section 56 notice.

We will produce an 'Application Document Tracker' for the preliminary meeting in line with example documents on the National Infrastructure Planning website, which will assist with

document version control. The tracker will be updated by Highways England throughout the examination period.

Highways England provided the Planning Inspectorate with a draft of its Section 56 notices on the 18/07/2019. We will be issuing the Section 56 notices on 26/07/2019. After this Highways England would welcome a discussion about the examination programme.

If you have any questions please do not hesitate to contact me.

Yours sincerely



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