

The Planning Inspectorate
Temple Quay House
Bristol
BS1 6PN

Project ref: M25 junction 10/A3 Wisley
interchange improvement – TR010030

Our ref: WA/2019/126852/05-L01

Your ref: 20023020

Date: 11 February 2020

Dear Sir/Madam,

Application by Highways England for an Order Granting Development Consent for the M25 Junction 10/A3 Wisley interchange improvement project

Please find enclosed our comments for 'deadline 4' submissions for the M25 Junction 10/A3 Wisley interchange improvement project Development Consent Order application.

The Role of the Environment Agency

The Environment Agency has a responsibility for protecting and improving the Environment as well as contributing to sustainable development.

Our work helps to support a greener economy through protecting and improving the natural environment for beneficial uses, working with business to reduce waste and save money, and helping to ensure that the UK economy is ready to cope with climate change. We will facilitate, as appropriate, the development of low carbon sources of energy ensuring people and the environment are properly protected.

We have three main roles:

We are an **environmental regulator** – we take a risk-based approach and target our effort to maintain and improve Environmental standards and to minimize unnecessary burdens on business. We issue a range of permits and consents.

We are an **environmental operator** – we are a national organization that operates locally. We work with people and communities across England to protect and improve the environment in an integrated way. We provide a vital incident response capability.

We are an **environmental advisor** – we compile and assess the best available evidence and use this to report on the state of the environment. We use our own monitoring information and that of others to inform this activity. We provide technical information and advice to national and local governments to support their roles in policy and decision-making.

One of specific functions is as a Flood Risk Management Authority. We have a general supervisory duty relating to specific flood risk management matters in respect of flood risk arising from Main Rivers or the sea.

Ongoing engagement with the applicant

Through our ongoing engagement we now consider all matters except one are agreed with the applicant. We will continue to engage with the applicant on this outstanding matter and to update the Statement of Common Ground to reflect our latest position.

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Please do not hesitate to contact me if you require any further information. We look forward to continuing to work with the applicant to resolve any ongoing matters contained within our written representation, and to ensure the best environmental outcome for this project.

Yours faithfully,

Clark Gordon
Strategic Planning Specialist
Environment Agency, Thames area

Att Appendix A – Written Representations on behalf of the Environment Agency

Appendix A

Written Representations on behalf of the Environment Agency

1.0 Summary of outstanding issues

- 1.1 Since we sent our previous written representation on 28 January 2020 (REP3-026), we now consider three matters to be agreed and one matter remains under discussion.
- 1.2 The applicant is due to submit further assessment and/or updates to the Flood Risk Assessment (FRA) to us for review this week. Once any additional assessments have been approved and updates made to the FRA as required, we hope to be in a position to agree this matter, potentially by the next deadline.
- 1.3 For the interaction between the Park Farm Barn replacement (common) land and the Environment Agency's Sanway Flood Alleviation Scheme, following a call between us and Natural England and a review of the *Statement of Reasons Appendix C: Common land and open space report* (APP-023), we consider this matter to be agreed.
- 1.4 For the potential need for a water impoundment licence, we have provided the applicant with our final position, based on a lack of detailed designs at this stage. If the applicant agrees with the position that we have set out, we consider this matter to be agreed.
- 1.5 For the additional wording that we requested for Article 19 of the draft DCO, the applicant has proposed acceptable wording and we have confirmed our agreement with the applicant. We understand that the applicant will make these changes to be submitted with the next version of the draft DCO. We therefore consider this matter to be agreed.
- 1.6 For completeness, we will expand on our position on these matters:

2.0 Updates to Flood Risk Assessment – climate change allowances

- 2.1 Since our previous response (REP3-026), we have received written justification from the applicant for the use of Flood Zone 2 as a proxy for a 1 in 100 plus 70% climate change extent. We discussed this further on a call with the applicant's agents on 7 February.
- 2.2 On the call, we agreed with the applicant the scope of further assessment that would be required for us to consider fluvial flood risk appropriately assessed, recognising that further detailed designs will follow through any protective provisions submissions.
- 2.3 The applicant has agreed to provide further assessment to us for review in the coming days. They have also advised that updates will be made to the submitted Flood Risk Assessment where appropriate.
- 2.4 Therefore at this time, we still consider this matter to be 'under discussion' until we have had the opportunity to review any further assessment. However, we would not anticipate any substantial issues arising from this additional assessment.

3.0 Park Farm Barn Replacement Land and Sanway Flood Alleviation Scheme

- 3.1 As noted in our previous response (REP3-026), we held a call with Natural England on 28 January to discuss any issues and requirements for the proposed Park Barn Farm Replacement Land and the Environment Agency's (EA) Sanway Flood Alleviation Scheme (FAS). On the call we provisionally agreed that the overlapping uses should not conflict.
- 3.2 Since the call, we have had the opportunity to review the *Statement of Reasons Appendix*

C: Common land and open space report (APP-023) to more fully understand the objectives of the proposed land use. The land is identified in the report as PBF1: Land between Buxton Wood and the River Wey. It is intended to replace 3.1ha for use as common land to replace CL350 Wisley Common and 2.0ha for use as open space for Ockham Common and land by Pond Farm. The ‘associated biodiversity measures’ also identify that: “Parts of PBF1... would be most suited to creating receptor sites for translocation and/or providing compensation woodland planting (depending on soil conditions).”

- 3.3 The EA’s Sanway FAS scheme is still at an early stage of planning. The land identified above as ‘PBF1’ has been identified as a potential area for use as floodplain compensation for the Sanway scheme. The land would not be intended to be flooded at all times, only during flood events, and only on part of the land parcel. We may also seek to include wetland habitat creation on the land as part of our proposals. One of the wider objectives of our scheme is to promote and increase public access where feasible. We therefore do not feel that the proposed uses conflict.
- 3.4 In terms of the potential for translocating or planting new woodland, again we would not see this as a conflict, although it would be preferable (and likely anyway based on ground conditions) for any such planting to be away from areas that may form floodplain compensation and/or wetland habitat in the future. We are already working with key stakeholders in the area as part of the FAS scheme, so we feel that these detailed issues can be resolved through ongoing engagement between the relevant stakeholders.
- 3.5 Given the overall lack of conflict between the proposed uses, we consider this matter to be agreed.

4.0 Water Impoundment Licence

- 4.1 We have now made our final position clear to the applicant regarding the potential need for an impoundment licence for culvert works around Boldermere. We have recommended and would agree with a statement that the applicant will work closely with us and Natural England (as required) on any future pre-application engagement and/or applications for an impoundment licence for works.
- 4.2 We can confirm that we have reached agreement with the applicant that they do not need to apply for a licence for the Boldermere weir, where it has been confirmed by the applicant that no works will be taking place that would affect levels.
- 4.3 There are also works to be carried out to some other structures around Boldermere, which may or may not require a water impoundment licence from us. At this time, there is insufficient detailed designs to enable us to make any determination on the need for a licence.
- 4.4 We have sent some wording to the applicant for inclusion in the next Statement of Common Ground to indicate our position. We trust that the applicant will commit to working closely with us (and Natural England as required) on these matters and make any pre-application and/or application submissions as required.
- 4.5 We cannot make any comment on the possible outcome of any licence application until we have had the opportunity to review and consult on any detailed designs. We also acknowledge that the applicant’s designs may prove to be low-risk enough to not require a licence. We therefore consider that if the applicant commits to working with us on this matter going forward, this matter is agreed.

5.0 Draft Development Consent Order – Article 19

- 5.1 Following our most recent call with the applicant on 7 February, we confirmed to them that

the wording proposed in the latest Statement of Common Ground (REP3-003; paragraph 3.7.11) was acceptable to us. We understand from the applicant that they will make the proposed changes to be submitted with the next draft DCO. We therefore consider this matter to be agreed.