

M25 JUNCTION 10/A3 WISLEY INTERCHANGE IMPROVEMENT SCHEME
APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING DEVELOPMENT
CONSENT

WPIL'S RESPONSE FOR DEADLINE 9

1. Introduction

- 1.1. Highways England ('the Applicant') has applied to the Secretary of State for a Development Consent Order (DCO) for the M25 junction 10/A3 Wisley interchange improvement scheme ('the Scheme').
- 1.2. Wisley Property Investments Limited ('WPIL') is an Affected Party and has multiple plots affected by the Scheme, primarily comprising land formally used as an airfield now being the largest part of a prospective residential-led development site of approximately 2,100 new homes.
- 1.3. The plots affected by the scheme (together, 'the Land' or 'Airfield') and included in the Book of Reference are:

Powers sought	Plots
<i>Title Acquisition (pink)</i>	1/18, 1/22, 2/5b
<i>Temporary Possession (green)</i>	2/1, 2/1a, 2/1b, 2/3, 2/5a, 2/5c
<i>Permanent Rights with Temporary Possession (blue)</i>	1/40, 1/18a

2. Update on negotiations

- 2.1 A summary of engagement to date was included in the Statement of Common Ground submitted at Deadline 8 **[REP8-032]**. In summary, WPIL and Highways England have continued to engage and have exchanged a draft Side Agreement. WPIL consider the completion of the Side Agreement to be critical to enable the Scheme to be brought forward without prejudicing the timely development of the Airfield.
- 2.2 Although legal drafting of the Side Agreement is proceeding, until such a time as the agreement is finalised, there remain outstanding concerns which need to be resolved for WPIL to withdraw their objection to the powers sought in the dDCO over the Airfield.

3. Comments on Proposed Changes 7-9

- 3.1 WPIL only has comments in respect of Proposed Change 9 submitted by the Applicant at Deadline 6. The change detailed the anticipated use of the compound area (plots 2/1, 2/1a, 2/1b, 2/3, 2/5a, 2/5c). As stated at Deadline 7 **[REP7- 030]**, WPIL has no in principle objection to the use of the Land as a

compound, but the introduction of a *materials processing*, a *traffic management area* and *welfare facilities* on to the site means that the site has become a key strategic site for the entire construction programme. It has been WPIL's position that the site should be yielded up at the earliest opportunity, to prevent stymying and/or delaying the proposed development of the Airfield, with the potential to phase the hand back of the compound as areas become vacant.

- 3.2 Given the proposed changes, it is now critical to ensure that there is agreement on a shared access, or separate access provision, for use by WPIL's contractors to obtain access to the Airfield site for the proposed development. Agreement on this is essential for WPIL to be confident that Highways England will not prejudice the timely development of the Airfield, along with an agreement on appropriate junction arrangements to the site.
- 3.3 Further, the long term uses that are now suggested for the compound risk sterilising use of critical land for the development of the Airfield, in particular land that has been identified for use as Suitable Alternative Natural Greenspace ('SANG') which will likely need to be functioning as a condition of any planning consent for the Airfield, and it will not be acceptable for use by users if it is subject to anti-social impacts (such as material processing). There is also an extant consent for a In-vessel Compost facility that will be prevented from being brought forward whilst the compound is operational.
- 3.4 It is therefore absolutely essential that the practical arrangements, alongside the commercial terms, for use of the compound site are confirmed in an agreement for WPIL to be confident that development of the Airfield will not be prejudiced.

4. Notification of a wish to speak at a CAH

- 4.1 It remains WPIL's intention to secure an agreement with the Applicant to ensure that there is confidence that the removal of the objection to compulsory acquisition powers over the Land will not prejudice the development proposals for the Land. Whilst such an agreement remains outstanding, the objection to the powers sought in the dDCO remains.
- 4.3 As such, WPIL would like to have the opportunity to present oral evidence of any outstanding concerns at the Compulsory Acquisition Hearing(s).

5. Responses from Affected Persons (APs) with respect to their individual preference for the use of video conferencing or teleconferencing technologies during the course of a virtual Compulsory Acquisition Hearing (CAH)

- 5.1 WPIL has responded separately, as requested by the ExA, detailing the individual preferences for engaging in a virtual Compulsory Acquisition Hearing.

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