

**M25 JUNCTION 10/A3 WISLEY INTERCHANGE IMPROVEMENT SCHEME  
PROPOSED M25 JUNCTION 10/A3 WISLEY INTERCHANGE DEVELOPMENT  
CONSENT ORDER (“DCO”)**

**ROYAL HORTICULTURAL SOCIETY (“RHS”) – REGISTRATION NUMBER  
20022900**

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**CAH REPRESENTATIONS**

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These representations are submitted on behalf of the RHS. Richard Max & Co LLP are the duly appointed solicitors to the RHS and are authorised to submit these comments and other documents on its behalf.

**INTRODUCTION**

1. The RHS **OBJECTS** to the proposed compulsory acquisition of Plots 2/27, 2/27(a) and 2/30.
2. These Plots are shown on Land Plans Sheets 2 and 20 [**REP8-003**].
3. Attached as **Appendix 1** to these Representations is a copy of Plan M2002-A-003 Rev B prepared by the RHS based on HE concepts which shows the whole area of the plots to be taken together with an overlay of a possible version of the proposed Overbridge that is to be constructed on them.

**OVERVIEW**

4. Plot 2/27 (which is to be acquired permanently), together with Plots 2/27a and 2/30 (which will be subject to temporary possession), lie at the main vehicular entrance to the RHS Gardens at Wisley from the A3. Plot 2/30 comprises part of Wisley Lane, the access road into, and out of, the RHS Gardens at Wisley. The plots that are to be acquired are in

the very literal sense, the RHS's "front door" and therefore of great significance.

5. The DCO Scheme promised to "improve access to RHS Wisley". It does not do so generally (case made to the ExA throughout the Examination period) and it does not do so specifically in relation to the main entrance to the RHS.
6. The purpose of acquiring Plot 2/27 is to construct the western end of a bridge that will pass over the A3 and provide a new entrance to the Gardens via a rerouted Wisley Lane. HE says that access to the Gardens from Wisley Lane will be maintained throughout the scheme works and during the 12-18 month construction period of the Overbridge. The RHS doubts this claim especially as the details of HE's proposals for the Overbridge and its construction method are still to be confirmed.
7. The proposed Overbridge will completely change the historic approach to the RHS Gardens which are a Grade II\* heritage asset. The RHS is concerned that it's rural "shopfront" to the public will be lost and replaced with a heavily engineered structure, to the detriment of the RHS and the visiting public. HE has not put forward any form of mitigation of the harm that will be caused to the heritage asset.
8. On the information currently available, there is a significant risk that the RHS Gardens would have to close during the construction works or be materially disrupted. This would have a significant and unacceptable financial impact at a time the Gardens would be seeking to realise the benefit of £65 million of current and ongoing investment.
9. This is a case where the public benefits of the DCO Scheme do not outweigh the private loss to the RHS. The loss that would be suffered by the RHS may not be compensatable in its entirety and would be at a level that undermines the compelling case in the public interest for compulsory acquisition.

## SPECIFIC CONCERNS

10. The Overbridge will require the compulsory acquisition and temporary possession of a part of the Grade II\* Registered Park and Garden footprint as designated by Historic England. The impact on the heritage assets of this physical landtake, its trees, and the cultural and experiential change for its users, has not, in the Society's opinion, been justified.
11. The Overbridge scheme which has been put forward is merely a concept proposal which HE has confirmed has not been designed in any detail. The RHS has no understanding of how the Overbridge will look and "feel" by comparison to the current historic arrival sequence. Whilst there have been discussions through a Working Group with the Highways England contractors, and parallel discussions to agree Heads of Terms for a Land and Works Agreement, neither of these have reached a settled position nor will they do so before expiry of the Examination. The RHS does not agree to the compulsory acquisition of its land on this basis. At one stage HE indicated that the Overbridge was to be a "green bridge". HE seems to have backed away from this position and the RHS would appreciate a clear indication from HE if a green bridge will be provided and, if not, why not.
12. It is not yet certain that the Overbridge is deliverable within in the DCO redline without impacting on the garden operation significantly. For example, the RHS considers that is necessary for improvements to be made to the existing garden exit in order to control the Society's usual levels of traffic, on land that lies outside the DCO.
13. It is worth recalling that before the DCO Scheme was finalised during the consultation stage, there was no Overbridge. This element of the DCO Scheme was added when it became clear that the Redwood Trees along the boundary of the A3 were threatened by the scheme without an Overbridge [see Paras 2.17 – 2.18 and Appendix A of **REP1-044** <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/TR010030/TR010030-000431-DL1%20-%20Royal%20Horticultural%20Society%20->

[%20Highways%20and%20Traffic%20with%20Appendices.pdf](#) for background information]. As a result of the inclusion of the Overbridge the width of the A3 carriageway could be reduced and thus - the RHS was assured – there would be no impact on the Redwood Trees.

14. It is a matter of dismay to the RHS (as has been explained in its D10 submissions) that the Redwood trees (and it appears from the Veteran Tree assessment, a number of other trees both on the RHS estate and on land to be used for the DCO Scheme some of which are of high-quality, and which have not been fully assessed by Highways England) remain under threat. The RHS is unclear why the Overbridge is to be provided while these trees are still at risk. The loss of the trees, which have a material value for the RHS Estate, is something that is likely to fall outside of the statutory compensation provisions.
15. It is important to note that the alignment of the Overbridge is “skewed” so that the Wisley Lane “left-out” could be retained. Whilst the RHS would welcome the retention of the “left out”, the unfortunate consequence of this is that landtake outside the RHS front door is increased rather than if the Overbridge had been designed as running perpendicular to the A3.
16. Whilst the RHS has not objected to the proposed landtake of the village plots (11/2, 11/4, 11/6 and 11/16), the same point applies in as much as HE has not put forward any detailed plans for the physical alteration or future management of that land.

## CONCLUSIONS

17. In conclusion, the RHS believes that the Overbridge element of the DCO Scheme:
  - does not improve access to the RHS Garden at Wisley and so fails to meet a specific aim of the DCO Scheme;
  - is illogical, in that it was introduced to solve a problem with trees that has not been solved (and, in fact, has been made worse);

- is inadequate in terms of detail;
- will unacceptably change RHS Wisley forever;
- causes unjustifiable harm to a heritage asset;
- will severely impact adversely on the operational and financial viability of the RHS Gardens; and
- that the alleged public benefit does not outweigh the private harm that will be suffered.

18. For these reasons RHS maintains its objection to the compulsory acquisition of plots 2/27, 2/27(a) and 2/30.

**Richard Max & Co LLP for and on behalf of the RHS**

**18 June 2020**