

**Response to the Secretary of State consultation
(4th November 2020)**

for

The Royal Society for the Protection of Birds

**Submitted for consultation deadline
19th November 2020**

Planning Act 2008 (as amended)

In the matter of:

**Application by Highways England for an Order Granting Development
Consent for the**

M25 junction 10/A3 Wisley Interchange Scheme

**Planning Inspectorate Ref: TR010030
Registration Identification Ref: 20023015**



The Royal Society for the Protection of Birds (RSPB) would like to take the opportunity to comment on questions posed by the Secretary of State in its letter dated 4th November 2020. The RSPB is focusing its response on the below questions:

- **3. Reductions to Replacement Land (“RL”)**
- **4. Impacts on Biodiversity due to Reductions in RL**

3. Reductions to Replacement Land (“RL”)

Section 2.7 (Appropriate Level of Replacement Land Provision) of [REP12-004]¹ highlights the key requirements for Replacement Land and the Compulsory Acquisition of common land and open space land for the M25 Junction 10/A3 Wisley Interchange scheme. These ratios have been identified based on precedent from past projects, along with considerations towards location and quality of Special Category Land and the subsequent Replacement Land. Previous discussions between the Applicant (Highways England), Surrey Wildlife Trust, and the RSPB have concluded in agreement to the ratios that have been outlined within the scheme. These ratios are highlighted below:

- 2.5:1 for land permanently acquired for common land;
- 2:1 for land permanently acquired from open space, and;
- 1:1 for rights permanently acquired along bridleway and associated routes where these are separate from the M25 and A3 and associated overbridges.

The RSPB is therefore minded to consider that limiting the provision of RL for Special Category Land proposed for outright acquisition to approximately 13.77ha, and to compensate for the permanent acquisition of rights to approximately 2.63ha would be inappropriate. This would be a significant reduction in the ratios appropriately chosen for common land (2.5:1), open space (2:1), and permanent acquisition of rights (1:1) in order to guarantee that the replacement land is ‘equally advantageous’ for public use.

4. Impacts on Biodiversity due to Reductions in RL

As highlighted in the RSPB’s response to question 3 (Reductions to Replacement Land (“RL”), see above), the reduction in RL to be provided comprising a total of 16.4ha would significantly lower the ratios chosen for common land, open space, and permanent acquisition of rights. Subsequently, a significant reduction such as those proposed is likely to decrease the effectiveness of the Replacement Land to reduce recreational pressure on the SPA heathland. This is based on the Replacement Land in its current size being a large area to explore and providing additional circular routes to public access users away from the SPA, as previously highlighted by the Applicant in its response to the RSPB’s Written Representation [REP1-045-4]². Further, in previous discussions for the scheme around the package of SPA compensation, SPA enhancement and replacement land measures the RSPB agreed that a holistic approach was needed when considering changes in access as a result of the scheme, given the potential for recreational disturbance to the SPA.

¹ [REP12-004] 4.1 Statement of Reasons Appendix C: Common land and open space report, p. 26-30

² [REP2-014] Deadline 2 Submission – 9.19 Applicant’s Comments on Written Representations, REP1-045-4, p. 54-55