



The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Environment Transport and Infrastructure
Surrey County Council
County Hall
Kingston Upon Thames
KT1 2DY

Emailed to: M25Junction10@planninginspectorate.gov.uk

Your Ref: TR010030

Our Ref: IP 20023014

19th November 2020

Dear Sir / Madam,

Planning Act 2008

Application by Highways England for an order granting development consent for the M25 Junction 10/A3 Wisley Interchange improvement project

Response to Secretary of State clarification queries

Please find Surrey County Council's (SCC) responses to the relevant questions posed in the Secretary of State's letter dated 4th November.

Matter 1: Side Agreements with Surrey County Council

Although clarification is sought from the Applicant on this point, SCC trusts that a summary of its position would assist the Secretary of State.

SCC has had sight of the Applicant's draft response on this matter and wishes to confirm that as clarified in Highways England's email to the Planning Inspectorate of 20 August 2020, the Agreement between Highways England and SCC in respect of highway matters was completed on 13 July 2020

There are two other agreements involving SCC that are still under negotiation. The first concerns the Ockham Bites car park. It is being negotiated pursuant to a provision in the 13 July 2020 agreement for the parties to use reasonable endeavours to enter into an agreement for the reconfiguration and improvement of the car park, as the existing car park will be affected by the junction improvement scheme. The parties are working up a design for the works and also addressing the issue of the obtaining of planning permission for them, if it is needed. SCC maintain that works are only required at the site as a result of the DCO scheme. The parties are working towards this agreement being settled by mid-December 2020.

The second agreement involving SCC is in relation to environmental matters. The Surrey Wildlife Trust would also be party, as the organisation that Highways England would prefer to undertake the longer term maintenance of the environmental works required by the

development consent order, once Highways England's contractor has completed the works and undertaken maintenance of them for an initial period.

There has been constructive and amicable discussion between the parties and the drafting of the agreement is very well advanced. The parties (including Surrey Wildlife Trust) are working towards this agreement being settled by mid-December 2020.

Matter 3: Reductions to Replacement Land

SCC has had sight of the Highways England response to this question and fully support the comments made. The response below highlights the issues that are of key concern to the County Council.

SCC would like to register concern at proposals to provide a substantially reduced amount of replacement land. The County Council is fully supportive of Highways England's rationale for the replacement land ratios and all that the scheme is seeking to deliver in terms of mitigation, public access and biodiversity enhancements. The County Council has responded to the examination in our role as both landowner, statutory body and also representing the best interests of our residents. In this final context we note that proposals as set out in the question compare unfavourably with replacement land provision for completed schemes in the vicinity such as A3 Hindhead and even the original M25 Wisley Interchange in the 1980s. This appears a backward step, particularly given the high public awareness of the climate emergency.

Surrey County Council welcomes the Secretary of State's proposal that the replacement land package includes most of the land parcels at Park Barn Farm. As set out during the examination, this land provides specific, highly valued mitigation benefits.

The replacement land proposals submitted to the examination were based on a complex set of interrelationships and any revisions to replacement land in turn impact on a number of issues. For example, public access will be diminished as the removal of parcels CF1-4 and HE1-2 from the replacement land to be provided as part of the Scheme will reduce the benefits of the Scheme to non-motorised users.

Specifically, were the Chatley Farm replacement land parcels to be removed, the proposed bridleway link from Red Hill bridleway bridge to Pointers Road, via plot 13/12, would not be provided. Additionally, were the Hatchford End replacement land parcels to be removed, the proposed footpath link from Footpath 71 to Bridleway 18, east of Old Lane, via plots 26/4, 26/5, 26/5a and 26/6, would not be provided. This footpath would also have specific safety benefits as it allows walkers to avoid having to use Old Lane, which is narrow at this point and has no footway.

The proposed removal of parcels of replacement land would also mean that the scheme would not include any replacement land in the north-eastern and south-eastern quadrants around the M25 junction 10 interchange. The north east quadrant near Pointers Road is the smallest of the four areas and most fragmented by the M25 & A3. The Chatley Farm replacement land and the proposed new bridleway running from Redhill to Pointers Lane near Chatley Wood would make significant improvements to the area that is currently least accessible.

Matter 4: Impacts on biodiversity due to reductions in replacement land

SCC has agreed and supported the rationale that all the replacement land parcels, (i.e. PBF1-3, CF1-4 and HE1-2) were necessary to provide the habitat enhancement measures and provide the greatest benefit for biodiversity. The habitat compensation and mitigation measures form a complex package to address the loss of habitats by the scheme but also to

address the fragmentation of a site effectively cut into quarters by the M25 and A3. The loss of replacement land CF1 and CF2 is especially important in the north east quadrant where the new access will help reduce visitor pressure on the SPA.

SCC wishes to ensure that the biodiversity loss is adequately mitigated and compensated and that these measures should be as close to the original site as possible and provide like for like compensation so that a wetland habitat is compensated by a similar feature. This influences the area of land needed as particular habitats such as wetland can only be located in specific areas.

While not part of the notified features of the SPA and SSSI, the main loss of Habitats of Principal Importance is of woodland and wood pasture. The removal of replacement land CF1 and CF3 would lead to a loss of woodland enhancement in CF1 and a missed opportunity to enhance ancient woodland in CF3. The loss of CF1 would also mean that the pond would not be enhanced to make up for the loss of wetland habitats along ditch lines. This still results in a loss of locally important biodiversity.

Matter 6: Status of Common Land

Following the completion of the examination the parties have continued to engage regarding the historic common land matter and are pleased to report that substantial progress has been made towards completing the outstanding transfers. Solicitors for SCC report that a few minor issues remain. Both parties have a shared understanding of the matters that remain outstanding. However, the parties are not currently in a position to complete the transfers and it is unlikely that, even were the transfers to be completed before the deadline for the Secretary of State to make his decision, that the transfers would be registered at the Land Registry and the commons register updated to reflect the intended position.

Yours faithfully

A black rectangular redaction box covering the signature of Caroline Smith.

Caroline Smith – Planning Group Manager