

**Response to the Secretary of State consultation
(27th November 2020)**

for

The Royal Society for the Protection of Birds

**Submitted for consultation deadline
7th December 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 27th November 2020. The RSPB is focusing its response on the below questions:

- **1. Proposal by the Applicant for Reduced Replacement Land (“RL”)**

1. Proposal by the Applicant for Reduced Replacement Land (“RL”)

The RSPB’s previous response to the Secretary of State’s consultation letter (dated 4th November 2020) highlighted its opinion that a reduction in the ratios appropriately chosen for common land (2.5:1), open space (2:1), and permanent acquisition of rights (1:1) would be inappropriate. We are aware of new proposals seeking to reduce the ratios of RL provision to approximately 1.74:1 for acquisition of special category land and 0.31:1 for acquisition of special category (rights) land.

The ratios provided within the new proposals still fall short of the original ratios produced by the Applicant (Highways England) in Section 2.7 (Appropriate Level of Replacement Land Provision) of [REP12-004]¹. These ratios were produced within a detailed and comprehensive overview of the key requirements for the Replacement Land from the scheme, evidenced by precedent from past projects, along with considerations towards location and quality of Special Category Land and the subsequent Replacement Land. The proposals set out in both the Secretary of State’s consultation letters (dated 4th and 27th November) do not reflect the precedent set by similar projects, and do not provide adequate reasoning for the alternative proposals for Replacement Land. Any changes or reductions in the Replacement Land for this scheme will need to be evidenced and clearly reasoned as to not set a precedent for future cases and lower the benchmark for Replacement Land without clear consideration towards the impact for users and the wider holistic benefits that Replacement Land provides to users and the ecological network.

The RSPB therefore continues to be of the opinion that the original ratios of the replacement land identified in [REP12-004] of the Applicant’s Examination documents (highlighted above) should be retained, especially due to the lack of reasoning behind the reduction of Replacement Land within the new proposals.

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