
STATUTORY INSTRUMENTS

2022 No. 549

INFRASTRUCTURE PLANNING

**The M25 Junction 10/A3 Wisley Interchange
Development Consent Order 2022**

Made - - - - - *12th May 2022*

Coming into force *2nd June 2022*

**THE M25 JUNCTION 10/A3 WISLEY INTERCHANGE
DEVELOPMENT CONSENT ORDER 2022**

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Disapplication of legislative provisions

PART 2

PRINCIPAL POWERS

4. Development consent etc. granted by the Order
5. Maintenance of authorised development
6. Maintenance of drainage works
7. Limits of deviation
8. Benefit of Order
9. Consent to transfer benefit of Order
10. Planning permission

PART 3

STREETS

11. Application of the 1991 Act
12. Construction and maintenance of new, altered or diverted streets and other structures
13. Classification of roads, etc.
14. Temporary closure and restriction of use of streets

Status: This is the original version (as it was originally made).

15. Permanent stopping up and restriction of use of streets and private means of access
16. Access to works
17. Clearways
18. Traffic regulation

PART 4

SUPPLEMENTAL POWERS

19. Discharge of water
20. Protective work to buildings
21. Authority to survey and investigate the land

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

22. Compulsory acquisition of land
23. Compulsory acquisition of land – incorporation of the mineral code
24. Time limit for exercise of authority to acquire land compulsorily
25. Compulsory acquisition of rights and restrictive covenants
26. Extinguishment of public rights of way
27. Private rights over land
28. Modification of Part 1 of the 1965 Act
29. Application of the 1981 Act
30. Acquisition of subsoil or airspace only
31. Rights under or over streets
32. Temporary use of land for carrying out the authorised development
33. Temporary use of land for maintaining the authorised development
34. Crown Rights
35. Statutory undertakers
36. Apparatus and rights of statutory undertakers in stopped up streets
37. Recovery of costs of new connections
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39. Felling or lopping of trees and removal of hedgerows
40. Trees subject to tree preservation orders

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41. Application of landlord and tenant law
42. Operational land for purposes of the 1990 Act
43. Defence to proceedings in respect of statutory nuisance
44. Protection of interests
45. Certification of documents, etc.
46. Service of notices
47. Application of local legislation
48. Arbitration
Signature

SCHEDULES

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SCHEDULE 2 — REQUIREMENTS

PART 1 — REQUIREMENTS

1. Interpretation
2. Time limits
3. Construction and handover environmental management plans
4. Traffic management during construction
5. Detailed design
6. Landscaping
7. Design, layout and implementation of Replacement Land
8. Thames Basin Heaths Special Protection Area (SPA) Compensatory Habitat Creation and Enhancement Measures
9. Cockcrow Green Bridge
10. Bolder Mere Mitigation and Enhancement Area
11. Buxton Wood Environmental Mitigation Area
12. Stratford Brook Environmental Mitigation Area
13. Contaminated land and groundwater
14. Archaeology
15. Protected species
16. Fencing
17. Restoration and/or landscaping of land used temporarily for construction
18. Protection of certain tree roots at RHS Garden Wisley
19. Works in the village of Ripley
20. Approvals and amendments to approved details

PART 2 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS

21. Applications made under requirements
22. Pre-application consultation
23. Further information
24. Register of requirements
25. Anticipatory steps towards compliance with any requirement

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PART 1 — SPECIAL ROADS

PART 2 — TRUNK ROADS

PART 3 — CLASSIFIED ROADS

PART 4 — UNCLASSIFIED ROADS

PART 5 — SPEED LIMITS

PART 6 — TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

PART 7 — REVOCATIONS AND VARIATIONS OF EXISTING TRAFFIC REGULATION MEASURES (CLEARWAYS AND PROHIBITIONS)

PART 8 — OTHER PUBLIC RIGHTS OF WAY

SCHEDULE 4 — PERMANENT STOPPING UP OF HIGHWAYS AND PRIVATE MEANS OF ACCESS AND PROVISION OF NEW HIGHWAYS AND PRIVATE MEANS OF ACCESS

PART 1 — HIGHWAYS AND PUBLIC RIGHTS OF WAY TO BE STOPPED UP OR EXTINGUISHED AND FOR WHICH A SUBSTITUTE

Status: This is the original version (as it was originally made).

- IS TO BE PROVIDED AND NEW HIGHWAYS WHICH ARE OTHERWISE TO BE PROVIDED
- PART 2 — HIGHWAYS AND PUBLIC RIGHTS OF WAY TO BE STOPPED UP OR EXTINGUISHED AND FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED
- PART 3 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP AND FOR WHICH A SUBSTITUTE IS TO BE PROVIDED
- PART 4 — PRIVATE MEANS OF ACCESS TO BE STOPPED UP FOR WHICH NO SUBSTITUTE IS TO BE PROVIDED
- PART 5 — ALTERATIONS TO PRIVATE MEANS OF ACCESS
- SCHEDULE 5 — LAND IN WHICH ONLY NEW RIGHTS ETC. MAY BE ACQUIRED
- SCHEDULE 6 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without limitation on the scope of paragraph 1, the...
3. (1) Without limitation on the scope of paragraph 1, the...

Application of the 1965 Act

4. Part 1 (compulsory purchase under Acquisition of Land Act 1946)...
5. (1) The modification referred to in paragraph 4(a) are as...

SCHEDULE 7 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 8 — TREES SUBJECT TO TREE PRESERVATION ORDERS

SCHEDULE 9 — PROTECTIVE PROVISIONS

PART 1 — FOR THE PROTECTION OF ELECTRICITY, GAS, WATER AND SEWAGE UNDERTAKERS

Application

1. For the protection of the utility undertakers referred to in...

Interpretation

2. In this Part of this Schedule— “alternative apparatus” means alternative...

On street apparatus

3. This Part of this Schedule does not apply to apparatus...

Apparatus in stopped up streets

4. (1) Where any street is stopped up under article 15...

Protective works to buildings

5. The undertaker, in the case of the powers conferred by...

Acquisition of land

6. Regardless of any provision in this Order or anything shown...

Removal of apparatus

7. (1) If, in the exercise of the powers conferred by...

Facilities and rights for alternative apparatus

8. (1) Where, in accordance with the provisions of this Part...

Retained apparatus

9. (1) Not less than 28 days before starting the execution...

Expenses and costs

10. (1) Subject to the following provisions of this paragraph, the...
11. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Co-operation

12. Where in consequence of the proposed construction of any part...
13. Nothing in this Part of this Schedule affects the provisions...
PART 2 — FOR THE PROTECTION OF OPERATORS OF ELECTRONIC
COMMUNICATIONS CODE NETWORKS
14. For the protection of any operator, the following provisions have...
15. In this Part of this Schedule— “the 2003 Act” means...
16. The exercise of the powers conferred by article 35 (statutory...
17. (1) Subject to sub-paragraphs (2) to (4), if as the...
PART 3 — FOR THE PROTECTION OF THE ENVIRONMENT AGENCY
18. (1) The following provisions shall apply for the protection of...
19. (1) Before beginning to construct any specified work, the undertaker...
20. Without limiting paragraph 19, the requirements which the Agency may...
21. (1) Subject to sub-paragraph (2), any specified work, and all...
22. (1) Subject to sub-paragraph (7) the undertaker must from the...
23. If by reason of the construction of any specified work...
24. If by reason of construction of the specified work the...
25. (1) The undertaker must take all such measures as may...
26. The undertaker must repay to the Agency all reasonable costs,...
27. (1) The undertaker must make reasonable compensation for costs and...
28. Any dispute arising between the undertaker and the Agency under...
PART 4 — FOR THE PROTECTION OF SURREY COUNTY COUNCIL IN
RESPECT OF ORDINARY WATERCOURSES
29. The following provisions of this Part of this Schedule apply...
30. In this Part of this Schedule— “construction” includes execution, placing,...

Ordinary watercourses

31. (1) Before beginning to construct any specified work, the undertaker...
32. Without limitation on the scope of paragraph 31, the requirements...
33. (1) Subject to sub-paragraph (2) any specified work, and all...

General

34. (1) Subject to sub-paragraph (5), from the commencement of the...

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- 35. If by reason of the construction of any specified work...
 - 36. (1) The undertaker must repay to Surrey County Council all...
 - 37. (1) Without limiting the other provisions of this Part of...
 - 38. Any dispute arising between the undertaker and Surrey County Council...
- PART 5 — FOR THE PROTECTION OF SOUTHERN GAS NETWORKS
PLC AS GAS UNDERTAKER

Application

- 39. For the protection of SGN the following provisions will, unless...

Interpretation

- 40. In this Part of this Schedule— “alternative apparatus” means appropriate...

On Street Apparatus

- 41. (1) This Part of this Schedule does not apply to...

Apparatus of SGN in stopped up streets

- 42. (1) Without prejudice to the generality of any other protection...

Protective works to buildings

- 43. The undertaker must exercise the powers conferred by article 20...

Acquisition of land

- 44. (1) Regardless of any provision in this Order or anything...

Removal of apparatus

- 45. (1) If, in the exercise of the powers conferred by...

Facilities and rights for alternative apparatus

- 46. (1) Where, in accordance with the provisions of this Part...

Retained apparatus: protection of SGN

- 47. (1) Not less than 56 days before the commencement of...

Expenses

- 48. (1) Subject to the following provisions of this paragraph, the...

Indemnity

- 49. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Enactments and agreements

- 50. Except where this Part of this Schedule provides otherwise, nothing...

Co-operation

- 51. (1) Where in consequence of the proposed construction of any...

Access

52. If in consequence of the agreement reached in accordance with...

Arbitration

53. Save for differences or disputes arising under sub-paragraphs 45(2), 45(4)...
- PART 6 — FOR THE PROTECTION OF NATIONAL GRID AS
ELECTRICITY UNDERTAKER

Application

54. (1) For the protection of National Grid the following provisions...

Interpretation

55. In this Part of this Schedule—“alternative apparatus” means appropriate...
56. Except for paragraphs 57 (apparatus of National Grid in stopped...

Apparatus of National Grid in stopped up streets

57. (1) Where any street is stopped up under article 15...

Protective works to buildings

58. The undertaker must exercise the powers conferred by article 20...

Acquisition of land

59. (1) Regardless of any provision in this Order or anything...

Removal of apparatus

60. (1) If, in the exercise of the powers conferred by...

Facilities and rights for alternative apparatus

61. (1) Where, in accordance with the provisions of this Part...

Retained apparatus: protection of electricity undertaker

62. (1) Not less than 56 days before the commencement of...

Expenses

63. (1) Subject to the following provisions of this paragraph, the...

Indemnity

64. (1) Subject to sub-paragraphs (2) and (3), if by reason...

Enactments and agreements

65. Nothing in this Part of this Schedule affects the provisions...

Co-operation

66. (1) Where in consequence of the proposed construction of any...

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Access

67. If in consequence of the agreement reached in accordance with...

Arbitration

68. Save for differences or disputes arising under paragraphs 60(2), 60(4)...

Notices

69. Notwithstanding article 47 (service of notices), any plans submitted to...

SCHEDULE 10 — SPECIAL CATEGORY LAND

PART 1 — SPECIAL CATEGORY LAND FOR WHICH REPLACEMENT
LAND IS PROVIDED

PART 2 — SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH
REPLACEMENT LAND IS PROVIDED

PART 3 — SPECIAL CATEGORY (RIGHTS) LAND FOR WHICH
REPLACEMENT LAND IS NOT PROVIDED

PART 4 — REPLACEMENT LAND

SCHEDULE 11 — DOCUMENTS TO BE CERTIFIED

Explanatory Note